

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS
(Wichita Docket)**

UNITED STATES OF AMERICA,	}	
	}	
Plaintiff,	}	Criminal Action
	}	
v.	}	No. 18- <u>10107</u> -01-06- <u>EEM</u>
	}	
RICKY D. ALBERTSON,	}	
WESLEY E. SCHROCK,	}	
DANIEL E. LAYTHAM, Jr.,	}	
DESIREE N. GRUBE,	}	
SAM L. ROCKMORE,	}	
and JENNIFER M. MILLER,	}	
	}	
Defendants.	}	

INDICTMENT

The Grand Jury charges:

COUNT 1

**Theft of Mail
(Title 18, U.S.C. § 1708)**

On or about May 11, 2014, in the District of Kansas,

RICKY D. ALBERTSON,

a defendant herein, did knowingly and unlawfully steal United States mail, and an article and thing contained therein, from a United States Postal receptacle in Wichita, Kansas.

In violation of Title 18, United States Code, Sections 1708 and 2.

COUNT 2

**Bank Fraud/Attempted Bank Fraud
(Title 18, U.S.C. §§ 1344 and 1349)**

On or about May 15, 2014, in the District of Kansas,

RICKY D. ALBERTSON,

a defendant herein, did knowingly and willfully devise a scheme and artifice to obtain money owned by, and under the custody and control of Intrust Bank, 2439 S. Seneca, Wichita, Kansas, a financial institution whose accounts were insured by the Federal Deposit Insurance Corporation (FDIC), by means of a materially false and fraudulent pretense and representation, in that, the defendant used a check stolen from another person (B.R.) and then altered the check to obtain money owned by, and under the custody and control of Intrust Bank.

In violation of Title 18, United States Code, Sections 1344(2), 1349 and 2.

COUNT 3

**Bank Fraud/Attempted Bank Fraud
(Title 18, U.S.C. §§ 1344 and 1349)**

On or about May 21, 2014, in the District of Kansas,

**DANIEL E. LAYTHAM, Jr.,
and DESIREE N. GRUBE,**

defendants herein, did knowingly and willfully devise a scheme and artifice to obtain money owned by, and under the custody and control of Comenity Bank, Wilmington, Delaware, a financial institution whose accounts were insured by the Federal Deposit

Insurance Corporation (FDIC), by means of a materially false and fraudulent pretense and representation, in that, the defendants used identification stolen from another person (R.C.) to obtain a credit card from Comenity Bank in the name of this other person and the defendants well knew they did not have the permission of R.C. to use their identity.

In violation of Title 18, United States Code, Sections 1344(2), 1349 and 2.

COUNT 4

**Aggravated Identity Theft
(Title 18, U.S.C. § 1028A)**

On or about May 21, 2014, in the District of Kansas,

**DANIEL E. LAYTHAM, Jr.,
and DESIREE N. GRUBE,**

defendants herein, did knowingly and willfully possess and use, without lawful authority, a means of identification of another person (R.C.) during and in relation to Bank Fraud/Attempted Bank Fraud in violation of Title 18, United States Code, Sections 1344 and 1349.

In violation of Title 18, United States Code, Sections 1028A and 2.

COUNT 5

**Theft of Mail
(Title 18, U.S.C. § 1708)**

On or about May 24, 2014, in the District of Kansas,

**RICKY D. ALBERTSON,
and WESLEY E. SCHROCK,**

defendants herein, did knowingly and unlawfully steal United States mail, and an article and thing contained therein, from a United States Postal receptacle in Wichita, Kansas.

In violation of Title 18, United States Code, Sections 1708 and 2.

COUNT 6

**Bank Fraud/Attempted Bank Fraud
(Title 18, U.S.C. §§ 1344 and 1349)**

On or about June 20, 2014, in the District of Kansas,

**RICKY D. ALBERTSON,
and WESLEY E. SCHROCK,**

defendants herein, did knowingly and willfully devise a scheme and artifice to obtain money owned by, and under the custody and control of Bank of America, 593 E. Pawnee, Wichita, Kansas, a financial institution whose accounts were insured by the Federal Deposit Insurance Corporation (FDIC), by means of a materially false and fraudulent pretense and representation, in that, the defendants used a check stolen from another person (R.B.) and then altered the check to obtain money owned by, and under the custody and control of Bank of America.

In violation of Title 18, United States Code, Sections 1344(2), 1349 and 2.

COUNT 7

**Bank Fraud/Attempted Bank Fraud
(Title 18, U.S.C. §§ 1344 and 1349)**

On or about June 21, 2014, in the District of Kansas,

RICKY D. ALBERTSON,

and **WESLEY E. SCHROCK,**

defendants herein, did knowingly and willfully devise a scheme and artifice to obtain money owned by, and under the custody and control of Intrust Bank, 5500 E. Harry, Wichita, Kansas, a financial institution whose accounts were insured by the Federal Deposit Insurance Corporation (FDIC), by means of a materially false and fraudulent pretense and representation, in that, the defendants used a check stolen from another person (C.B.) and then altered the check to obtain money owned by, and under the custody and control of Intrust Bank.

In violation of Title 18, United States Code, Sections 1344(2), 1349 and 2.

COUNT 8

**Bank Fraud/Attempted Bank Fraud
(Title 18, U.S.C. §§ 1344 and 1349)**

On or about June 23, 2014, in the District of Kansas,

**RICKY D. ALBERTSON,
and WESLEY E. SCHROCK,**

defendants herein, did knowingly and willfully devise a scheme and artifice to obtain money owned by, and under the custody and control of Intrust Bank, 10515 W. Central, Wichita, Kansas, a financial institution whose accounts were insured by the Federal Deposit Insurance Corporation (FDIC), by means of a materially false and fraudulent pretense and representation, in that, the defendants used a check stolen from another person (J.M.) and then altered the check to obtain money owned by, and under the custody and control of Intrust Bank.

In violation of Title 18, United States Code, Sections 1344(2), 1349 and 2.

COUNT 9

**Possession of Methamphetamine
(Title 21, U.S.C. § 844(a))**

On or about August 21, 2014, in the District of Kansas,

**DANIEL E. LAYTHAM, Jr.,
and DESIREE N. GRUBE,**

defendants herein, did unlawfully and knowingly possess Methamphetamine, a controlled substance.

In violation of Title 21, United States Code Section 844(a) and Title 18, United States Code, Section 2.

COUNT 10

**Possession of
Fraudulent Documents
(Title 18, U.S.C. § 1028(a)(3))**

On or about August 21, 2014, in the District of Kansas,

**DANIEL E. LAYTHAM, Jr.,
DESIREE N. GRUBE,
and RICKY D. ALBERTSON,**

defendants herein, did knowingly, in and affecting interstate commerce, possess with the intent to unlawfully use five or more identification documents not issued lawfully for the use of the defendants, including temporary Kansas driver's licenses, student identification cards and other identification documents, which the defendants possessed with the intent to use them in furtherance of other criminal activity.

In violation of Title 18, United States Code, Sections 1028(a)(3) and 2.

COUNT 11

**Receipt of Stolen Mail
(Title 18, U.S.C. § 1708)**

On or about December 12, 2014, in the District of Kansas,

JENNIFER M. MILLER,

a defendant herein, did knowingly receive mail, an article and thing contained therein, which was stolen, taken and abstracted, knowing that the article and thing contained there were stolen, taken and abstracted from a mail receptacle in the District of Kansas.

In violation of Title 18, United States Code, Sections 1708 and 2.

COUNT 12

**Bank Fraud/Attempted Bank Fraud
(Title 18, U.S.C. §§ 1344 and 1349)**

On or about December 22, 2014, in the District of Kansas,

**SAM L. ROCKMORE,
and JENNIFER M. MILLER,**

defendants herein, did knowingly and willfully devise a scheme and artifice to obtain money owned by, and under the custody and control of Fidelity Bank, 3128 S. Seneca, Wichita, Kansas, a financial institution whose accounts were insured by the Federal Deposit Insurance Corporation (FDIC), by means of a materially false and fraudulent pretense and representation, in that, the defendants used a check stolen from another

person (R.B.) and then altered the check to obtain money owned by, and under the custody and control of Fidelity Bank.

In violation of Title 18, United States Code, Sections 1344(2), 1349 and 2.

COUNT 13

**Aggravated Identity Theft
(Title 18, U.S.C. § 1028A)**

On or about December 22, 2014, in the District of Kansas,

**SAM L. ROCKMORE,
and JENNIFER M. MILLER,**

defendants herein, did knowingly and willfully possess and use, without lawful authority, a means of identification of another person (R.B.) during and in relation to Bank Fraud/Attempted Bank Fraud in violation of Title 18, United States Code, Sections 1344 and 1349.

In violation of Title 18, United States Code, Sections 1028A and 2.

COUNT 14

**Receipt of Stolen Mail
(Title 18, U.S.C. § 1708)**

On or about December 22, 2014, in the District of Kansas,

**SAM L. ROCKMORE,
and JENNIFER M. MILLER,**

defendants herein, did knowingly receive mail, an article and thing contained therein, which was stolen, taken and abstracted, knowing that the article and thing contained there were stolen, taken and abstracted from a mail receptacle in the District of Kansas.

In violation of Title 18, United States Code, Sections 1708 and 2.

COUNT 15

**Bank Fraud/Attempted Bank Fraud
(Title 18, U.S.C. §§ 1344 and 1349)**

On or about December 23, 2014, in the District of Kansas,

JENNIFER M. MILLER,

a defendant herein, did knowingly and willfully devise a scheme and artifice to obtain money owned by, and under the custody and control of Fidelity Bank, 3128 S. Seneca, Wichita, Kansas, a financial institution whose accounts were insured by the Federal Deposit Insurance Corporation (FDIC), by means of a materially false and fraudulent pretense and representation, in that, the defendants used a check stolen from another person (P.M.) and then altered the check to obtain money owned by, and under the custody and control of Fidelity Bank.

In violation of Title 18, United States Code, Sections 1344(2), 1349 and 2.

COUNT 16

**Receipt of Stolen Mail
(Title 18, U.S.C. § 1708)**

On or about December 23, 2014, in the District of Kansas,

JENNIFER M. MILLER,

a defendant herein, did knowingly receive mail, an article and thing contained therein, which was stolen, taken and abstracted, knowing that the article and thing contained there were stolen, taken and abstracted from a mail receptacle in the District of Kansas.

In violation of Title 18, United States Code, Sections 1708 and 2.

COUNT 17

**Receipt of Stolen Mail
(Title 18, U.S.C. § 1708)**

On or about December 24, 2014, in the District of Kansas,

SAM L. ROCKMORE,

a defendant herein, did knowingly receive mail, an article and thing contained therein, which was stolen, taken and abstracted, knowing that the article and thing contained there were stolen, taken and abstracted from a mail receptacle in the District of Kansas.

In violation of Title 18, United States Code, Sections 1708 and 2.

COUNT 18

**Bank Fraud/Attempted Bank Fraud
(Title 18, U.S.C. §§ 1344 and 1349)**

On or about December 29, 2014, in the District of Kansas,

JENNIFER M. MILLER,

a defendant herein, did knowingly and willfully devise a scheme and artifice to obtain money owned by, and under the custody and control of Southwest National Bank,

Wichita, Kansas, a financial institution whose accounts were insured by the Federal Deposit Insurance Corporation (FDIC), by means of a materially false and fraudulent pretense and representation, in that, the defendants used a check stolen from another person (J.Y.) and then altered the check to obtain money owned by, and under the custody and control of Fidelity Bank.

In violation of Title 18, United States Code, Sections 1344(2), 1349 and 2.

COUNT 19

**Possession of Methamphetamine with
the Intent to Distribute
(Title 21, U.S.C. § 841)**

On or about February 27, 2015, in the District of Kansas,

**DANIEL E. LAYTHAM, Jr.,
and DESIREE N. GRUBE,**

defendants herein, did unlawfully and knowingly possess with the intent to distribute more than five (5) grams of Methamphetamine, a controlled substance.

In violation of Title 21, United States Code Section 841 and Title 18, United States Code, Section 2.

COUNT 20

**Possession of
Fraudulent Documents
(Title 18, U.S.C. § 1028(a)(3))**

On or about February 27, 2015, in the District of Kansas,

**DANIEL E. LAYTHAM, Jr.,
DESIREE N. GRUBE,**

and **SAM L. ROCKMORE,**

defendants herein, did knowingly, in and affecting interstate commerce, possess with the intent to unlawfully use five or more identification documents not issued lawfully for the use of the defendants, including Social Security cards, credit card numbers and other identification documents, which the defendants possessed with the intent to use them in furtherance of other criminal activity.

In violation of Title 18, United States Code, Sections 1028(a)(3) and 2.

COUNT 21

**Receipt of Stolen Mail
(Title 18, U.S.C. § 1708)**

On or about February 27, 2015, in the District of Kansas,

**DANIEL E. LAYTHAM, Jr.,
and DESIREE N. GRUBE,**

defendants herein, did knowingly receive mail, an article and thing contained therein, which was stolen, taken and abstracted, knowing that the article and thing contained there were stolen, taken and abstracted from a mail receptacle in the District of Kansas.

In violation of Title 18, United States Code, Sections 1708 and 2.

COUNT 22

**Mail Fraud/Attempted Mail Fraud
(Title 18, U.S.C. §§ 1341 and 1349)**

On or about February 27, 2015, in the District of Kansas,

**DANIEL E. LAYTHAM, Jr.,
and DESIREE N. GRUBE,**

defendants herein, having devised and intending to devise a scheme to defraud which included mailing fraudulent applications , in executing the scheme and attempting to execute the scheme, knowingly placed and caused to be placed in a post office and in an authorized depository for mail matter, to be sent and delivered by the United States Postal Service, and deposited and caused to be deposited matter to be sent and delivered by the United States Postal Service or a commercial interstate carrier, documents and correspondence in support of the scheme.

In violation of Title 18, United States Code, Sections 1341, 1349 and 2.

COUNT 23

**Aggravated Identity Theft
(Title 18, U.S.C. § 1028A)**

On or about February 27, 2015, in the District of Kansas,

**DANIEL E. LAYTHAM, Jr.,
and DESIREE N. GRUBE,**

defendants herein, did knowingly and willfully possess and use, without lawful authority, a means of identification they knew to be of another person (R.C.) during and in relation to Mail Fraud in violation of Title 18, United States Code, Section 1341 and Attempted Mail Fraud in violation of Title 18, United States Code, Section 1349.

In violation of Title 18, United States Code, Sections 1028A and 2.

COUNT 24

**Receipt of Stolen Mail
(Title 18, U.S.C. § 1708)**

On or about May 2, 2015, in the District of Kansas,

JENNIFER M. MILLER,

a defendant herein, did knowingly receive mail, an article and thing contained therein, which was stolen, taken and abstracted, knowing that the article and thing contained there were stolen, taken and abstracted from a mail receptacle in the District of Kansas.

In violation of Title 18, United States Code, Sections 1708 and 2.

COUNT 25

**Possession of
Fraudulent Documents
(Title 18, U.S.C. § 1028(a)(3))**

On or about May 2, 2015, in the District of Kansas,

JENNIFER M. MILLER,

a defendant herein, did knowingly, in and affecting interstate commerce, possess with the intent to unlawfully use five or more identification documents not issued lawfully for the use of the defendant, including Social Security cards, credit card numbers and other identification documents, which the defendants possessed with the intent to use them in furtherance of other criminal activity.

In violation of Title 18, United States Code, Sections 1028(a)(3) and 2.

COUNT 26

**Attempted Bank Fraud
(Title 18, U.S.C. §1349)**

On or about August 24, 2015, in the District of Kansas,

JENNIFER M. MILLER,

a defendant herein, knowingly and willfully attempted to devise a scheme and artifice to obtain money owned by, and under the custody and control of Meritrust Credit Union, 1322 W. Pawnee, Wichita, Kansas, a financial institution whose accounts were insured by the National Credit Union Administration Board, by means of a materially false and fraudulent pretense and representation, in that, the defendants used a check stolen from another person (J.L.) and then altered the check in an attempt to obtain money owned by, and under the custody and control of Meritrust Credit Union.

In violation of Title 18, United States Code, Sections 1349 and 2.

COUNT 27

**Bank Fraud/Attempted Bank Fraud
(Title 18, U.S.C. §§ 1344 and 1349)**

On or about August 24, 2015, in the District of Kansas,

JENNIFER M. MILLER,

a defendant herein, did knowingly and willfully devise a scheme and artifice to obtain money owned by, and under the custody and control of Emprise Bank, 4833 S. Broadway, Wichita, Kansas, a financial institution whose accounts were insured by the

Federal Deposit Insurance Corporation (FDIC), by means of a materially false and fraudulent pretense and representation, in that, the defendants used a check stolen from another person (J.L.) and then altered the check to obtain money owned by, and under the custody and control of Emprise Bank.

In violation of Title 18, United States Code, Sections 1344(2), 1349 and 2.

A TRUE BILL

August 14, 2018
DATE

s/ Foreman
FOREMAN OF THE GRAND JURY

s/Stephen R. McAllister
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