

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

2015 OCT 27 PM 4:37
CLERK OF DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA, FLORIDA

UNITED STATES OF AMERICA

v.

LAJOYCE CALDWELL HOUSTON and
ERIC DELL HOUSTON

CASE NO.

8:15-cr-

18 U.S.C. § 371

18 U.S.C. § 641

18 U.S.C. § 1030(a)(2)

18 U.S.C. § 1028A

18 U.S.C. § 1956(h)

18 U.S.C. § 981(a)(1)(C)

18 U.S.C. § 982(a)(1)

28 U.S.C. § 2461(c)

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INDICTMENT

The Grand Jury charges:

COUNT ONE
(Conspiracy)

A. Introduction

At times material to this Indictment:

1. LaJoyce Caldwell Houston a.k.a. LaJoyce Caldwell (hereinafter LaJoyce Houston) was a sworn law enforcement officer with the Tampa Police Department (TPD). As part of her authorized duties, LaJoyce Houston had access to local, state, and federal law enforcement databases, including the State of Florida's Driver and Vehicle Information Database (DAVID), but her use was restricted to the performance of her authorized duties. LaJoyce Houston was married to Eric Houston, and they resided with their adopted daughter on Andy Drive in Riverview, Florida.

2. Eric Dell Houston was a sworn law enforcement officer and homicide detective with TPD. As part of his authorized duties, Eric Houston had access to local, state, and federal law enforcement databases, including DAVID, but his use was restricted to the performance of his authorized duties. Eric Houston was married to LaJoyce Houston and resided on Andy Drive in Riverview, Florida with their adopted daughter.

3. Rita Monique Girven a.k.a. Rita Monique Newsome (hereinafter Rita Girven) was a resident of Tampa in the Middle District of Florida, a TPD informant, and a family friend of LaJoyce Houston and Eric Houston, as well as the birth mother of the Houstons' adopted daughter.

4. DAVID was a computerized database maintained by the Florida Department of Highway Safety and Motor Vehicles (DHSMV) to, among other things, supply law enforcement agencies with information pertaining to all current and many former drivers in the State of Florida as well as vehicle information. DAVID contained personally identifiable information (PII), including but not limited to names, dates of birth, social security numbers, driver license numbers, and license tag numbers for all current and many former registered drivers in the State of Florida.

5. As employees of TPD, LaJoyce Houston and Eric Houston each had access to TPD computers via their individualized login names and passwords. When LaJoyce Houston and Eric Houston logged in to their TPD computers, warnings appeared that advised them that the use of the computers was limited to

City of Tampa business purposes only. The warnings also stated that unauthorized use of criminal justice information systems available on TPD computers, such as DAVID, was prohibited. Once LaJoyce Houston and Eric Houston logged in to their TPD computers, they could click on an icon to access DAVID. DAVID required each user to have a unique certificate that was downloaded to a specific computer assigned to each user. In order to obtain this DAVID certificate, each user had to register with the DHSMV and, upon obtaining approval from TPD, DHSMV would issue each user her or his own certificate, which they downloaded onto their computer under their unique login. Therefore, in order to access DAVID, LaJoyce Houston and Eric Houston had to both log in to their work computers using their unique logins and passwords and access the DAVID portal with her or his own unique certificate. LaJoyce Houston and Eric Houston were provided secure and unique user certificates to access DAVID for the purpose of carrying out their official duties.

6. The Internal Revenue Service ("IRS") was an agency of the United States Department of the Treasury responsible for administering the tax laws of the United States, including the assessment and collection of taxes owed by its citizens and other entities.

7. A "means of identification" was any name or number that could be used, alone or in conjunction with any other information, to identify a specific individual, including but not limited to a name, social security number, or date of birth.

B. The Conspiracy

8. Beginning on an unknown date, but from at least in or around 2010, and continuing through and including the date of this Indictment, in the Middle District of Florida and elsewhere,

**LAJOYCE CALDWELL HOUSTON
and
ERIC DELL HOUSTON,**

the defendants herein, did knowingly and willfully combine, conspire, confederate, and agree with Rita Girven and others, both known and unknown to the Grand Jury, to commit certain offenses against the United States, specifically:

- a. to defraud the United States for the purpose of impeding, impairing, obstructing, and defeating the lawful government functions of the IRS of the Treasury Department in the ascertainment, computation, assessment, and collection of the revenue: to wit, income taxes; and
- b. to commit the following offenses against the United States:
 - (i) wire fraud, in violation of Title 18, United States Code, Section 1343;
 - (ii) theft of government property, in violation of Title 18, United States Code, Section 641; and
 - (iii) aggravated identity theft, in violation of Title 18, United States Code, Section 1028A.

C. Manner and Means of the Conspiracy

9. The manner and means by which the defendants sought to accomplish the conspiracy included, among other things, the following:

a. It was part of the conspiracy that the conspirators would and did access the PII of individuals using a variety of sources, including law enforcement databases such as DAVID.

b. It was further part of the conspiracy that the conspirators would and did transmit and cause to be transmitted PII accessible to them from protected law enforcement databases such as DAVID to individuals, including Rita Girven, whom the conspirators knew were using that information to commit crimes, including the filing of false federal income tax returns, the receipt of fraudulently obtained tax refunds, the establishment and use of financial accounts in others' names, and identity theft.

c. It was further part of the conspiracy that the conspirators would and did use personal home computers and other devices to electronically file and cause to be electronically filed fraudulent federal income tax returns using stolen identities, claiming tax refunds to which they were not entitled. These electronic returns were filed via interstate wire transmissions that were sent from the Middle District of Florida to the IRS's computers and servers located outside the State of Florida.

d. It was further part of the conspiracy that the conspirators would and did direct that the fraudulently obtained tax refunds be deposited onto reloadable debit cards, including GreenDot and H&R Block cards, and direct deposited in to bank accounts opened and maintained in the names of the conspirators, and the names of others, including identity theft victims' names.

e. It was further part of the conspiracy that the conspirators would and did use the debit cards and bank accounts funded with fraudulently obtained tax refunds to conduct financial transactions, including making purchases, paying off lines of credit, buying money orders, and withdrawing cash from ATMs.

f. It was further part of the conspiracy that the conspirators would and did share in the proceeds of the wire fraud, theft of government property, and identity theft.

g. It was further part of the conspiracy that the conspirators would and did misrepresent, conceal, hide, and cause to be misrepresented, concealed, and hidden acts done in furtherance of the conspiracy.

D. Overt Acts

10. In furtherance of the conspiracy and to effect the objects thereof, the conspirators committed and caused to be committed, within the Middle District of Florida and elsewhere, the following overt acts, among others:

The M.M. Fifth Third Bank Account Ending in -7656

a. On or about January 25, 2011, a conspirator opened or caused to be opened a Fifth Third Bank account ending in -7656 in the name of M.M. via Fifth Third Bank's online portal, www.53.com, with a debit card ending in -3334. The account opening documentation listed Rita Girven's then-home address and cellular telephone number as the account owner's address and phone number and listed "City of Tampa" as the account holder's employer.

b. Between on or about February 3, 2011, and on or about March 24, 2011, a conspirator electronically filed or caused to be filed at least nine fraudulent federal income tax returns, including one in the name of Rita Girven, claiming refunds that were directed to the Fifth Third Bank account in M.M.'s name ending in -7656. All of the PII used to file these fraudulent returns, with the exception of Rita Girven's own return, belonged to individuals who died prior to the filing of the returns.

c. Between on or about February 10, 2011, and on or about April 1, 2011, a conspirator caused the IRS to direct deposit approximately \$61,660.52 in fraudulently obtained federal income tax refunds in to the Fifth Third Bank account ending in -7656.

d. On or about March 13, 2011, a conspirator used or caused to be used the debit card ending in -3334 belonging to the Fifth Third account ending in -7656, which was funded with fraudulently obtained federal income tax refunds, to make a purchase at Amazon.com of approximately \$215.69. The purchase was made via LaJoyce Houston's Amazon.com account and delivered to the Houstons' Andy Drive residence.

e. On or about March 18, 2011, a conspirator used or caused to be used the debit card ending in -3334 belonging to the Fifth Third account ending in -7656, which was funded with fraudulently obtained federal income tax refunds, to make a payment of approximately \$2000 at the Target store on Bloomingdale

Avenue in Brandon, FL, which was applied towards the balance on LaJoyce Houston's Target Visa credit card ending in -7999.

f. On or about March 19, 2011, a conspirator used or caused to be used the debit card ending in -3334 belonging to the Fifth Third account ending in -7656, which was funded with fraudulently obtained federal income tax refunds, to make a payment of approximately \$1863.08 at the Target store on Bloomingdale Avenue in Brandon, FL to pay off the balance on LaJoyce Houston's Target Visa credit card account ending in -7999.

g. On or about March 20, 2011, a conspirator used or caused to be used the debit card ending in -3334 belonging to the Fifth Third account ending in -7656, which was funded with fraudulently obtained federal income tax refunds, to make a payment of approximately \$2000 at the Home Depot store on Florida Avenue in Tampa, FL, which was applied towards the balance on Eric Houston's Home Depot credit card account ending in -6609.

h. On or about March 21, 2011, a conspirator used or caused to be used the debit card ending in -3334 belonging to the Fifth Third account ending in -7656, which was funded with fraudulently obtained federal income tax refunds, to make a payment of approximately \$2000 at the Home Depot store on Florida Avenue in Tampa, FL, which was applied towards the balance on Eric Houston's Home Depot credit card account ending in -6609.

i. On or about March 22, 2011, a conspirator used or caused to be used the debit card ending in -3334 belonging to the Fifth Third account ending

in -7656, which was funded with fraudulently obtained federal income tax refunds, to make a payment of approximately \$1301.65 at the Home Depot store on Florida Avenue in Tampa, FL to pay off the outstanding balance on Eric Houston's Home Depot credit card account ending in -6609.

j. On or about April 4, 2011, a conspirator used or caused to be used the debit card ending in -3334 belonging to the Fifth Third account ending in -7656, which was funded with fraudulently obtained federal income tax refunds, to make a payment of approximately \$3954.81 to All-American Pool for products and services for the swimming pool at LaJoyce Houston and Eric Houstons' Andy Drive residence.

Rita Girven Fifth Third Bank Account Ending in -0873

k. On or about February 16, 2011, a conspirator opened or caused to be opened a Fifth Third Bank account ending in -0873 in Rita Girven's name via Fifth Third Bank's online portal, www.53.com. The account opening documentation listed Rita Girven's home address and date of birth, among other identifiers.

l. On or about February 16, 2011, a conspirator electronically filed or caused to be filed at least two fraudulent federal income tax returns using the PII of D.T. and J.P., claiming refunds that were directed to the Rita Girven Fifth Third Bank account ending in -0873. Both D.T. and J.P. died before these returns were filed.

m. Between on or about February 25, 2011, and on or about March 4, 2011, a conspirator caused the IRS to direct deposit approximately \$9495 in fraudulently obtained federal income tax returns in to the Rita Girven Fifth Third Bank account ending in -0873.

n. On or about March 9, 2011, a conspirator withdrew or caused to be withdrawn the funds in the Rita Girven Fifth Third Bank account ending in -0873 by obtaining cashier's check number 17859678 for \$9494. The cashier's check, which was cashed the same day at approximately 8:15 a.m., listed "Rita Girven" as the payee, and featured Rita Girven's endorsement on the back.

o. On or about March 12, 2011, between approximately 5:49 p.m. and 5:59 p.m., a conspirator made or caused to be made six successive ATM cash deposits totaling approximately \$4850 in to LaJoyce Houston and Eric Houston's joint GTE Federal Credit Union (FCU) account ending in -2362 at the Bloomingdale Avenue GTE FCU branch in Brandon, FL.

p. On or about March 12, 2011, at approximately 6:53 p.m., a conspirator made or caused to be made an in-person cash payment of approximately \$849.98 at a JC Penney store in Brandon, FL to pay off the balance of LaJoyce Caldwell's JC Penney Visa card account ending in -8161.

q. On or about March 12, 2011, a conspirator made or caused to be made an in-person cash payment of approximately \$1774.88 at a Sears store in Brandon, FL to pay off the balance of LaJoyce Houston's Sears store credit card account ending in -6653.

r. On or about March 12, 2011, a conspirator made or caused to be made an in-person cash payment of approximately \$652 at a Best Buy store in Brandon, FL to pay off the balance of Eric Houston's Best Buy store credit card account ending in -1879.

s. On or about March 12, 2011, at approximately 7:43 p.m., a conspirator made or caused to be made an ATM cash deposit of \$1440 in to LaJoyce Houston and Eric Houston's joint GTE FCU account ending in -2362 at the Bloomingdale Avenue GTE FCU branch in Brandon, FL. The cash deposits in and pay-offs to the Houstons' accounts on or about March 12, 2011, totaled approximately \$9566.86, which is approximately \$72.86 more than the cashier's check cashed three days earlier and obtained from the Rita Girven Fifth Third account ending in -0873.

E.M. Fifth Third Bank Account Ending in - 0970

t. On or about March 16, 2011, a conspirator using Eric Houston's unique DAVID login information conducted or caused to be conducted a search in DAVID for E.M., who had been a witness to an alleged attempted murder and aggravated battery in the City of Tampa on or about March 13, 2011, and had cooperated with TPD in that criminal investigation. The DAVID search results included E.M.'s PII.

u. On or about March 16, 2011, a conspirator accessed or caused to be accessed the TPD police reports associated with E.M. This access generated a supplement report in TPD's report writing system that listed LaJoyce

Houston as the submitter of the supplement but indicated that LaJoyce Houston took no action. E.M.'s PII was available in the TPD reports.

v. On or about March 24, 2011, a conspirator opened or caused to be opened a Fifth Third Bank account ending in -0970 via Fifth Third Bank's online portal, www.53.com. The account was opened using E.M.'s name and social security number without E.M.'s knowledge or permission. The account opening documentation listed Rita Girven's home address and cellular telephone number as the account owner's address and phone number and listed "Girven" as the account holder's mother's maiden name.

w. Between on or about March 28, 2011, and on or about July 8, 2011, a conspirator electronically filed or caused to be filed at least five fraudulent federal income tax returns for the 2010 tax year using the PII of other people, at least three of which were deceased prior to the filing of the returns. At least three of these fraudulent returns listed Rita Girven's home address as the filers' address and at least two others listed LaJoyce Houston's father, W.C.'s address as the filers' home address. All of these returns directed the IRS to direct deposit the claimed refunds in to the E.M. Fifth Third Bank account ending -0970.

Fraudulent Federal Income Tax Returns Filed from Houstons' Residence

x. On or about April 1, 2011, a conspirator electronically filed or caused to be filed a fraudulent federal income tax return using the PII of H.S. This return was electronically filed from IP address 96.228.234.150, which was linked at the time to the Houstons' residence on Andy Drive. The return listed Rita Girven's

home address as the taxpayer address for H.S., who died in Massachusetts on or about February 11, 2011, before the fraudulent return was filed. The return claimed taxable interest income of \$25,187 and a refund of \$6804, which was requested to be direct deposited in to the E.M. Fifth Third Bank account ending -0970.

y. On or about April 11, 2011, a conspirator electronically filed or caused to be filed a fraudulent income tax return for the 2010 tax year using the PII of W.C., LaJoyce Houston's father, from IP address 96.228.234.150. This IP address was linked at the time to the Houstons' residence on Andy Drive. W.C.'s 2010 return claimed taxable interest income of \$25,187, which was identical to the taxable interest income claimed on the false H.S. 2010 return also filed from the Houston's residence on or about April 1, 2011. The W.C. return claimed a refund of \$4176 and directed the Internal Revenue Service to direct deposit the refund in to an account at Tampa Bay FCU ending in -0960 in the name of W.C. and LaJoyce Houston.

z. On or about October 14, 2011, a conspirator caused the IRS to direct deposit W.C.'s 2010 tax refund in the amount of approximately \$3266.79, in to the account at Tampa Bay FCU ending in -0960 in the name of W.C. and LaJoyce Houston.

aa. On or about October 21, 2011, a conspirator withdrew or caused to be withdrawn approximately \$3500 from the account at Tampa Bay FCU ending in -0960 in the name of W.C. and LaJoyce Houston. The withdrawal slip

includes LaJoyce Houston's name and signature on the "signature authorize withdrawal" line.

bb. On or about October 21, 2011, a conspirator deposited or caused to be deposited approximately \$3200 in to LaJoyce and Eric Houston's joint GTE FCU account ending in -2362.

LaJoyce Houston Unauthorized DAVID Searches

cc. On or about January 24, 2012, between approximately 10:46 a.m. and 10:51 a.m., a conspirator using LaJoyce Houston's unique DAVID identifier conducted or caused to be conducted five consecutive DAVID searches on five different individuals: G.S., J.S., J.H., E.H., and L.W. The results of these searches contained the PII of G.S., J.S., J.H., E.H., and L.W.

dd. Between on or about January 23, 2012, and on or about February 14, 2012, a conspirator electronically filed or caused to be filed fraudulent federal income tax returns for the 2011 tax years using the PII of G.S., J.S., J.H., E.H., and L.W. The returns directed the IRS to send the refunds to reloadable debit cards, at least one of which was in Rita Girven's name.

J.R. GreenDot Card Ending in -7844

ee. On or about May 22, 2011, a conspirator activated or caused to be activated a GreenDot card opened in the name of J.R., which was originally directed to be sent to the then-home address of LaJoyce Houston's father, W.C. but redirected to the then-home address of Rita Girven.

ff. On or about May 24, 2011, a conspirator electronically filed or caused to be filed a fraudulent federal income tax return for the 2010 tax year using J.R.'s PII that listed the tax filer's address as that belonging to LaJoyce Houston's father, W.C. The return directed that the tax refund be deposited onto the GreenDot card ending in -7844 in J.R.'s name and, on June 17, 2011, the IRS transmitted a tax refund of \$3162.10 to this card.

gg. On or about January 18, 2012, a conspirator electronically filed or caused to be filed a fraudulent federal income tax return for the 2011 tax year using J.R.'s PII that listed the tax filer's address as that belonging to LaJoyce Houston's father, W.C. The return directed that the tax refund be deposited onto the GreenDot card ending in -7844 in J.R.'s name and, on February 1, 2012, the IRS transmitted a tax refund of \$5678.10 to this card.

hh. On or about February 1, 2012, a conspirator purchased or caused to be purchased at least one \$500 Western Union Money Order, number 14-399985572, at a Winn Dixie in Riverview, FL using the GreenDot card ending in -7844 in J.R.'s name, which was funded with fraudulently obtained tax refunds. The money order was made payable to LaJoyce Houston and listed Rita Girven as the purchaser.

ii. On or about February 1, 2012, a conspirator purchased or caused to be purchased at least one \$500 Western Union Money Order, number 14-385926831, at a Winn Dixie in Seffner, FL using the GreenDot card ending in -7844 in J.R.'s name, which was funded with fraudulently obtained tax refunds.

The money order was made payable to LaJoyce Houston and listed Rita Girven as the purchaser.

jj. On or about February 2, 2012, a conspirator deposited or caused to be deposited Western Union Money Order numbers 14-399985572 and 14-385926831 totaling \$1000 purchased with the GreenDot card ending in -7844 in J.R.'s name in to the joint GTE FCU account of LaJoyce Houston and Eric Houston.

kk. On or about February 2, 2012, a conspirator purchased or caused to be purchased at least one \$800 United States Postal Service Money Order, number 19783107224, from a post office in Tampa, FL using the GreenDot card ending in -7844 in J.R.'s name, which was funded with fraudulently obtained tax refunds. The money order was made payable to LaJoyce Houston.

ll. On or about February 3, 2012, a conspirator deposited or caused to be deposited United States Postal Service Money Order, number 19783107224 for \$800 purchased with the GreenDot card ending in -7844 in J.R.'s name in to the joint GTE FCU account of LaJoyce and Eric Houston. The deposit slip features LaJoyce Houston's signature to authorize the withdrawal of \$100 in cash.

All in violation of Title 18, United States Code, Section 371.

COUNTS TWO THROUGH EIGHT
(Theft of Government Property)

On or about the dates listed below, in the Middle District of Florida and elsewhere,

LAJOYCE CALDWELL HOUSTON
and
ERIC DELL HOUSTON,

the defendants herein, did willfully and knowingly receive, conceal, and retain stolen property of the United States, that is federal income tax refunds with an aggregate value in excess of \$1000, all of which were directed to and deposited in to the M.M. Fifth Third Bank Account ending in -7656 with a debit card ending in -3334, with the intent to convert said property to their own use and the use of others, then knowing said property to have been stolen, as more fully described below:

COUNT	DATE OF DEBIT CARD USAGE OF CARD	AMOUNT OF TAX REFUNDS ON CARD	USE OF DEBIT CARD
TWO	3/13/2011	\$61,660.52	\$215.69 purchase via LaJoyce Houston's Amazon.com account
THREE	3/18/2011	\$61,660.52	\$2000 payment to LaJoyce Houston's Target Visa ending in -7999
FOUR	3/19/2011	\$61,660.52	\$1863.08 payment to LaJoyce Houston's Target Visa ending in -7999
FIVE	3/20/2011	\$61,660.52	\$2000 payment to Eric Houston's Home Depot credit card ending in -6609
SIX	3/21/2011	\$61,660.52	\$2000 payment to Eric Houston's Home Depot credit card ending in -6609

COUNT	DATE OF DEBIT CARD USAGE OF CARD	AMOUNT OF TAX REFUNDS ON CARD	USE OF DEBIT CARD
SEVEN	3/22/2011	\$61,660.52	\$1301.65 payment to Eric Houston's Home Depot credit card ending in -6609
EIGHT	4/4/2011	\$61,660.52	\$3954.81 payment to All-American Pool Products

In violation of Title 18, United States Code, Sections 641 and 2.

COUNTS NINE THROUGH ELEVEN
(Theft of Government Property)

On or about the dates listed below, in the Middle District of Florida and elsewhere,

LAJOYCE CALDWELL HOUSTON,

the defendant herein, did willfully and knowingly receive, conceal, and retain stolen property of the United States, that is federal income tax refunds with an aggregate value in excess of \$1000, all of which were directed to and deposited on to the J.R. GreenDot card ending in -7844, with the intent to convert said property to her own use and the use of others, then knowing said property to have been stolen, as more fully described below:

COUNT	DATE OF USAGE OF CARD	AMOUNT OF TAX REFUNDS ON CARD	USE OF CARD
NINE	2/1/2012	\$8840.20	\$500 Western Union Money Order number 14-399985572
TEN	2/1/2012	\$8840.20	\$500 Western Union Money Order number 14-385926831

COUNT	DATE OF USAGE OF CARD	AMOUNT OF TAX REFUNDS ON CARD	USE OF CARD
ELEVEN	2/2/2012	\$8840.20	\$800 United States Postal Money Order number 19783107224

In violation of Title 18, United States Code, Sections 641 and 2.

COUNT TWELVE

(Obtaining Information from a Protected Computer with Intent to Defraud)

On or about January 24, 2012, in the Middle District of Florida and elsewhere,

LAJOYCE CALDWELL HOUSTON,

the defendant herein, intentionally exceeded authorized access to a computer, and thereby obtained information, namely the personally identifiable information of G.S., J.S., J.H., E.H., and L.W., from a protected computer used in and affecting interstate commerce, specifically the State of Florida's Driver and Vehicle Information Database (DAVID), and the offense was committed in furtherance of a criminal and tortious act in violation of the Constitution and the laws of the United States, specifically conspiracy to commit wire fraud and theft of government property, in violation of 18 U.S.C. § 371, theft of government property, in violation of 18 U.S.C. § 641, and aggravated identity theft, in violation of 18 U.S.C. § 1028A.

In violation of Title 18, United States Code, Sections 1030(a)(2)(C), 1030(c)(2)(B)(ii), and 2.

COUNT THIRTEEN
(Aggravated Identity Theft)

On or about January 24, 2012, in the Middle District of Florida and elsewhere,

LAJOYCE CALDWELL HOUSTON,

the defendant herein, did knowingly transfer, possess, and use without lawful authority, a means of identification of another person, and aided and abetted others in the transfer, possession, and use without lawful authority of a means of identification of another person, specifically the PII of G.S., J.S., J.H., E.H., and L.W., during and in relation to the felony offenses of obtaining information from a protected computer, in violation of 18 U.S.C. § 1030(a)(2), and conspiracy to commit wire fraud and theft of government property, in violation of 18 U.S.C. § 371.

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

COUNT FOURTEEN
(Conspiracy to Launder Monetary Instruments)

A. Introduction

1. Paragraphs 1 through 7 of Part A of Count One of this Indictment, Introduction, are realleged and incorporated by reference as if fully set forth herein.

B. The Conspiracy

2. From on or about an unknown date, but from at least in or around 2010, and continuing through and including the date of this Indictment, in the Middle District of Florida and elsewhere,

**LAJOYCE CALDWELL HOUSTON
and
ERIC DELL HOUSTON,**

the defendants herein, did knowingly combine, conspire, and agree with each other, Rita Girven, and other persons known and unknown to the Grand Jury to commit certain offenses against the United States, namely to knowingly conduct and attempt to conduct financial transactions affecting interstate commerce and foreign commerce, which transactions involved the proceeds of specified unlawful activity, that is, wire fraud, in violation of 18 U.S.C. § 1343, and theft of government property, in violation of 18 U.S.C. § 641, knowing that the transactions were designed in whole or in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of specified unlawful activity, and that while conducting and attempting to conduct such financial transactions, knew that the property involved in the financial transactions represented the proceeds of some form of unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i).

C. Manner and Means of the Conspiracy

3. The substance of the scheme and artifice is set forth in Part C of Count One of this Indictment, the allegations of which are realleged and incorporated by reference as if fully set forth herein.

In violation of Title 18, United States Code, Sections 1956(h) and 1956(a)(1)(B)(i).

FORFEITURE

1. The allegations contained in Counts One through Twelve and Count Fourteen of this Indictment are incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 981(a)(1)(C), Title 28, United States Code, Section 2461(c), Title 18, United States Code, Section 982(a)(1), and Title 18, United States Code, Section 982(b)(2)(B).

2. Upon conviction for the violations of Title 18, United States Code, Section 371 and Title 18, United States, Section 641 alleged in Counts One through Eight of this Indictment, the defendants,

**LAJOYCE CALDWELL HOUSTON
and
ERIC DELL HOUSTON,**

shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and 28 United States Code, Section 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to said violations.

3. Upon conviction for the violations of Title 18, United States Code, Section 641 alleged in Counts Nine through Eleven of this Indictment, the defendant,

LAJOYCE CALDWELL HOUSTON,

shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any

property, real or personal, which constitutes or is derived from proceeds traceable to said violation.

4. Upon conviction for the violation of Title 18, United States Code, Section 1030 alleged in Count Twelve of this Indictment, the defendant,

LAJOYCE CALDWELL HOUSTON,

shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 982(a)(2)(B), any property constituting, or derived from, proceeds obtained directly or indirectly as the result of such violation.

5. Upon conviction for the violation of Title 18, United States Code, Sections 1956(h) and 1956(a)(1)(B)(i) alleged in Count Fourteen of this Indictment, the defendants,

**LAJOYCE CALDWELL HOUSTON
and
ERIC DELL HOUSTON,**

shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 982(a)(1), any property, real or personal, involved in such offense and any property traceable to such property.

6. The property to be forfeited includes, but is not limited to, a money judgment in an amount to be determined, but at least \$239,116.91.

7. If any of the property described above, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;

- c. has been placed beyond the jurisdiction of the court;d.has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,


the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 982(b)(1).

A TRUE BILL,


Foreperson

A. LEE BENTLEY, III
United States Attorney

By:


AMANDA L. RIEDEL
Assistant United States Attorney

By:


MEGAN K. KISTLER
Assistant United States Attorney

By:


ROBERT A. MOSAKOWSKI
Assistant United States Attorney
Chief, Economic Crimes Section

No.

UNITED STATES DISTRICT COURT
Middle District of Florida
Tampa Division

THE UNITED STATES OF AMERICA

vs.

LAJOYCE CALDWELL HOUSTON and
ERIC DELL HOUSTON

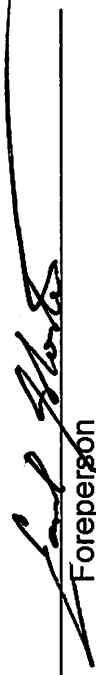
INDICTMENT

Violations:

18 U.S.C. § 371
18 U.S.C. § 641
18 U.S.C. § 1030(a)(2)
18 U.S.C. § 982(a)(1)

18 U.S.C. § 1956(h)
18 U.S.C. § 981(a)(1)(C)
18 U.S.C. § 1028A
28 U.S.C. § 2461(c)

A true bill,


Foreperson

Filed in open court this 27th day
of October, 2015.

Clerk

Bail \$ _____