

FILED

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

2016 APR 15 AM 9:13

CLERK, US DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DISTRICT

UNITED STATES OF AMERICA

v.

BRIAN LEE ADAMS

CASE NO. 3:16-cr-50-J-34JBT  
Ct. 1: 18 U.S.C. § 1344  
Ct. 2: 18 U.S.C. § 641  
Cts. 3-6: 18 U.S.C. § 1028A  
Forfeiture: 18 U.S.C.  
§ 981(a)(1)(C) &  
28 U.S.C. § 2461(c)

**INDICTMENT**

The Grand Jury charges:

**COUNT ONE**

**A. Introduction**

At all times material to this indictment:

1. The Defendant, BRIAN LEE ADAMS, was an individual who resided in Clay County, in the Middle District of Florida.
2. The Defendant's mother, whose initials are J.Y.A., resided in Clay County in the Middle District of Florida until a presently unknown time, but not later than on or about July 4, 2014. At some point prior to that date, J.Y.A. died, with the cause and manner of her death presently being undetermined.
3. Subsequent to her death, the Defendant, BRIAN LEE ADAMS, buried, caused the burial, and aided and abetted in the burial, of his mother, J.Y.A. in the yard of J.Y.A.'s residence located at 2403 Creekfront Drive, Green

Cove Springs, Clay County, Florida.

4. At some point prior to her death, J.Y.A. established a banking account with Citizens National Bank of Quitman, a financial institution as defined by 18 U.S.C. § 20; that is, Citizens National Bank of Quitman is an insured depository institution with deposits insured by the Federal Deposit Insurance Corporation. J.Y.A.'s bank account with Citizens National Bank of Quitman was assigned account number XX9038.

5. J.Y.A. routinely received monthly direct deposits in her account number XX9038 from the Annheuser Busch L Pension. The deposits were in the amount of \$576.76.

#### **B. Scheme and Artifice**

From between in or about July 2014 and in or about June 2015, at Clay County in the Middle District of Florida, North Carolina, and elsewhere, the defendant, BRIAN LEE ADAMS, knowingly executed a scheme and artifice to defraud and cause to be defrauded Citizens National Bank of Quitman, a financial institution, and to obtain and cause to be obtained moneys, funds, credits, assets, and other property owned by and under the custody and control of Citizens National Bank of Quitman, a financial institution, by means of false and fraudulent pretenses and representations.

#### **C. Manner and Means**

1. It was part of the scheme and artifice that BRIAN LEE ADAMS would bury his dead mother so that the event, cause, and circumstances of her

death would remain undiscovered after she died.

2. It was further part of the scheme and artifice that BRIAN LEE ADAMS would prepare and use written checks drawn on account number XX9038, said checks purportedly being issued and signed by J.Y.A.

3. It was further part of the scheme and artifice that BRIAN LEE ADAMS would use the bank card of his dead mother, J.Y.A. to obtain goods or services by issuing debits from Citizens National Bank of Quitman that otherwise were not authorized.

All in violation of 18 U.S.C. § 1344.

### COUNT TWO

Between in or about July 2014, and continuing through in or about July 2015, in Clay County, in the Middle District of Florida, North Carolina, and elsewhere,

**BRIAN LEE ADAMS,**

the defendant herein, did knowingly and willfully steal, embezzle, purloin, and convert to his own use and the use of another, more than \$1,000.00 in property of the United States, that is, unlawfully obtained Title II Retirement, Survivors, and Disability Benefits, comprising property of the Social Security Administration, an agency of the United States, said property consisting of benefit payments paid by the Social Security Administration for the benefit of the defendant's mother, J.Y.A., after the defendant's mother's death and the concealment of that death by defendant burying his mother in her yard, all with the intent to deprive the Social

Security Administration of the use and benefit of said property.

In violation of Title 18, United States Code, Section 641.

**COUNTS THREE THROUGH SIX**

The allegations of Counts One and Two are incorporated herein.

On or about the dates listed in the table below, in the Middle District of Florida, North Carolina, and elsewhere, the defendant, BRIAN LEE ADAMS, did knowingly possess and use, without lawful authority, a means of identification of another person as listed in the table below during and in relation to the felony violations alleged in counts one and two, above.

<b>COUNT</b>	<b>DATE</b>	<b>MEANS OF IDENTIFICATION</b>
3	10/6/2014	The name of the person whose initials are J.Y.A.
4	11/19/2014	The name of the person whose initials are J.Y.A.
5	12/10/2014	The name of the person whose initials are J.Y.A.
6	1/17/2015	The name of the person whose initials are J.Y.A.

All in violation of 18 U.S.C. § 1028A.

**FORFEITURES**

1. The allegations contained in Counts One and Two of this Indictment are incorporated by reference for the purpose of alleging forfeiture

pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

2. Upon conviction of a violation of Title 18, United States Code, Sections 641 and 1344, the defendant 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 the offense.

3. The property to be forfeited includes, but is not limited to, the following:

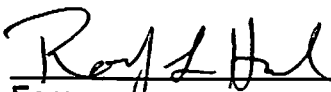
A sum of money equal to at least \$35,345.36 in United States currency, representing the amount of proceeds obtained as a result of the offenses, 18 U.S.C. §§ 641 and 1344.

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

- 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 under the provisions of Title 21 , United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

A TRUE BILL,

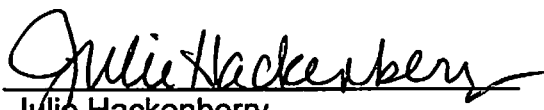
  
\_\_\_\_\_  
Foreperson

A. LEE BENTLEY, III  
United States Attorney

By:

  
\_\_\_\_\_  
Mac D. Heavener, III  
Assistant United States Attorney

By:

  
\_\_\_\_\_  
Julie Hackenberry  
Assistant United States Attorney  
Chief, Jacksonville Division

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**UNITED STATES DISTRICT COURT**  
Middle District of Florida  
Jacksonville Division

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THE UNITED STATES OF AMERICA

vs.

BRIAN LEE ADAMS

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**INDICTMENT**

Violations:

Ct: 1: 18 U.S.C. § 1344  
Ct: 2: 18 U.S.C. § 641  
Cts. 3-6: 18 U.S.C. § 1028A

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A true bill,

  
\_\_\_\_\_  
Foreperson

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Filed in open court this 14<sup>th</sup> day

of April, 2016.

  
\_\_\_\_\_  
Clerk

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Bail \$ \_\_\_\_\_

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