

FILED

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
OCALA DIVISION

2020 DEC 30 PM 3: 59

U.S. DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO, FLORIDA

UNITED STATES OF AMERICA

v.

CASE NO. 5:20-cr- **77-0c-28 PRL**

HOWARD D. FARLEY, JR.  
DUC HANH THI VU

18 U.S.C. § 1542  
18 U.S.C. § 1028A  
42 U.S.C. § 408(a)(7)(A)  
18 U.S.C. § 922(g)(1)  
18 U.S.C. § 1001(a)(2)  
49 U.S.C. § 46306(b)(7)  
49 U.S.C. § 46306(b)(8)

**INDICTMENT**

The Grand Jury charges:

**COUNT ONE**  
**(Passport Fraud)**

On or about February 27, 2020, in the Middle District of Florida and elsewhere, the defendants,

**HOWARD D. FARLEY, JR.,**  
and  
**DUC HANH THI VU,**

aided and abetted by each other, did knowingly and willfully make a false statement in an application for a passport with the intent to induce and secure for their own use, or for the use of another, the issuance of a passport under the authority of the United States, contrary to the laws regulating the issuance of such passports and the rules prescribed pursuant to such laws, in that in such

application the defendants included a false name with initials T.B., a false date of birth and a false social security number, all of which they knew to be false.

In violation of 18 U.S.C. §§ 1542 and 2.

**COUNT TWO**  
**(Use of a Means of Identification Without Lawful Authority)**

On or about February 27, 2020, in the Middle District of Florida, and elsewhere, the defendant,

**HOWARD D. FARLEY, JR.,**

did knowingly possess and use, without lawful authority, a means of identification of another person, specifically, the name and date of birth of T.B., during and in relation to a felony violation of passport fraud, in violation of 18 U.S.C. § 1542, as charged in Count One of this Indictment, knowing that such means of identification belonged to an actual person.

In violation of 18 U.S.C. § 1028A(a)(1).

**COUNT THREE**  
**(Social Security Fraud)**

On or about February 27, 2020, in the Middle District of Florida, and elsewhere, the defendant,

**HOWARD D. FARLEY, JR.,**

did willfully, knowingly, and with intent to deceive, use a Social Security account number, assigned by the Commissioner of Social Security on the basis

of false information furnished to the Commissioner of Social Security, to apply for a United States passport renewal.

In violation of 42 U.S.C. § 408(a)(7)(A).

**COUNT FOUR**  
**(Possession of a Firearm and Ammunition by a Convicted Felon)**

On or about December 2, 2020, in the Middle District of Florida, the defendant,

**HOWARD D. FARLEY, JR.,**

knowing he had been previously convicted in any court of a crime punishable by imprisonment for a term exceeding one year, including:

1. Accessory After the Fact, on or about June 16, 1970, did knowingly possess, in and affecting interstate and foreign commerce, a firearm and ammunition, that is, a Ceska Zbrojovka firearm, Hornady ammunition, and Winchester ammunition.

In violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2).

**COUNT FIVE**  
**(False Statements)**

On or about December 2, 2020, in the Middle District of Florida, the defendant,

**DUC HANH THI VU,**

did knowingly and willfully make a materially false, fictitious, and fraudulent

statement and representation in a matter within the jurisdiction of the Executive Branch of the Government of the United States by making false statements to an agent of the Department of Transportation, Office of Inspector General, that she did not know the true identity of HOWARD D. FARLEY, JR.

In violation of 18 U.S.C. § 1001(a)(2).

**COUNT SIX**  
**(Operating as an Airman without legitimate Airman Certificate)**

Between on or about January 4, 2016, and continuing until on or about November 28, 2020, in the Middle District of Florida, and elsewhere, the defendant,

**HOWARD D. FARLEY, JR.,**

did knowingly and willfully serve as an airman, that is, as a Federal Aviation Administration (FAA) Airman Private Pilot, without having a valid Private Pilot Airman's Certificate in his name authorizing him to serve in that capacity, as he was operating aircraft N242TA in U.S. airspace while knowing his FAA airman certificate was fraudulently issued in another person's identity.

In violation of 49 U.S.C. § 46306(b)(7).

**COUNT SEVEN**

**(Employing or Using an Airman without legitimate Airman Certificate)**

Between on or about January 4, 2016, and continuing until on or about November 28, 2020, in the Middle District of Florida, and elsewhere, the defendant,

**DUC HANH THI VU,**

did knowingly and willfully employ for service or use in any capacity as an airman, HOWARD D. FARLEY, JR., who did not have a valid Private Pilot Airman's Certificate in his name authorizing him to serve in that capacity, in that she used HOWARD D. FARLEY, JR. to operate aircraft N242TA in U.S. airspace, knowing his FAA airman certificate was fraudulently obtained in another person's identity.

In violation of 49 U.S.C. § 46306(b)(8).

**FORFEITURE**

1. The allegations contained in Counts One, Four, Six and Seven of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to the provisions of 18 U.S.C. §§ 982(a)(6) and 924(d), 49 U.S.C. §§ 46304, 46305, and 28 U.S.C. § 2461(c).

2. Upon conviction of a violation of 18 U.S.C. § 1542, the defendants shall forfeit to the United States, pursuant to 18 U.S.C. § 982(a)(6):

a. Any conveyance, including any vessel, vehicle, or aircraft

used in the commission of the offense;

b. Any property, real or personal, that constitutes, or is derived from or is traceable to the proceeds obtained directly or indirectly from the commission of the offense; and

c. Any property that is used to facilitate, or is intended to be used to facilitate, the commission of the offense.

3. Upon conviction of a violation of 18 U.S.C. § 922(g)(1), the defendant, **HOWARD D. FARLEY, JR.**, shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), all firearms and ammunition involved in or used in the violation.

4. Upon a conviction of a violation of 49 U.S.C. § 46306(b), the defendants shall forfeit to the United States, pursuant to 49 U.S.C. § 46306(d)(1) and 28 U.S.C. § 2461(c), an aircraft whose use is related to a violation of subsection (b) of this section, or that aids or facilitates a violation, regardless of whether a person is charged with the violation.

5. The property to be forfeited includes, but is not limited to, the following: a Tecnam P2008 aircraft, U.S. Registration N242TA, serial number 068; a Ceska Zbrojovka pistol, model CZ-75 P-07 Duty, serial number A670149; twenty-five rounds of Hornady 9mm Luger ammunition, and 89 rounds of Winchester 9mm ammunition.

6. 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,

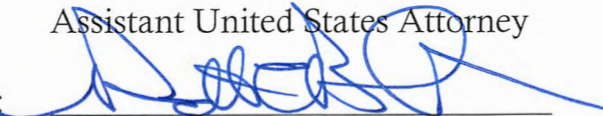
the United States shall be entitled to forfeiture of substitute property under the provisions of 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 982(b)(1) and 28 U.S.C. § 2461(c).

A TRUE BILL,

  
\_\_\_\_\_  
Foreperson

MARIA CHAPA LOPEZ  
United States Attorney

By:   
\_\_\_\_\_  
Michael P. Felicetta  
Assistant United States Attorney

By:   
\_\_\_\_\_  
Robert E. Bođnar, Jr.  
Assistant United States Attorney  
Chief, Ocala Division

No. 20-1-35

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

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THE UNITED STATES OF AMERICA

vs.

HOWARD D. FARLEY, JR. and DUC HANH THI VU

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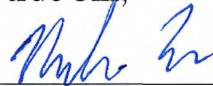
**INDICTMENT**

Violations: 18 U.S.C. § 1542, 18 U.S.C. § 1028A, 42 U.S.C. § 408(a)(7)(A), 18 U.S.C. § 922(g)(1),  
18 U.S.C. § 1001(a)(2), 49 U.S.C. § 46306(b)(7), 49 U.S.C. § 46306(b)(8)

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A true bill,



\_\_\_\_\_  
Foreperson

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Filed in open court this 30th day

of December 2020.

  
\_\_\_\_\_  
Clerk

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

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