

FILED

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

2020 DEC 10 PM 1:53

CLERK, US DISTRICT COURT  
MIDDLE DISTRICT OF FL  
JACKSONVILLE, FLORIDA

UNITED STATES OF AMERICA

v.

CASE NO. **3:20-cr-157-J-34PDB**  
18 U.S.C. § 1029(a)(4)  
18 U.S.C. § 1029(a)(1)

EUGENE STEPHAN COLE  
a/k/a James Cole

**INDICTMENT**

The Grand Jury charges:

**COUNT ONE**

On or about March 4, 2020, in the Middle District of Florida, and  
elsewhere, the defendant,

EUGENE STEPHAN COLE  
a/k/a James Cole,

did knowingly, and with intent to defraud, produce, traffic in, have control  
and custody of, and possess device-making equipment, as defined in 18 U.S.C.  
§ 1029(e)(6), and the offense affected interstate and foreign commerce.

In violation of 18 U.S.C. § 1029(a)(4) and (c)(1)(A)(ii).

**COUNT TWO**

From a date unknown through in or about March 2020, in the Middle District of Florida, and elsewhere, the defendant,

EUGENE STEPHAN COLE  
a/k/a James Cole,

did knowingly and with intent to defraud produce, use, and traffic in one or more counterfeit access devices, as defined in 18 U.S.C. § 1029(e)(2), and the offense affected interstate commerce.

In violation of 18 U.S.C. § 1029(a)(1) and (c)(1)(A)(i).

**FORFEITURE**

1. The allegations contained in Counts One and Two are incorporated by reference for the purpose of alleging forfeiture pursuant to the provisions of 18 U.S.C. §§ 982(a)(2)(B) and 1029(c)(1)(C).

2. Upon conviction of a violation of 18 U.S.C. § 1029, the defendant shall forfeit to the United States of America, pursuant to 18 U.S.C. § 982(a)(2)(B), any property constituting, or derived from, proceeds the person obtained directly or indirectly, as a result of such violation, and pursuant to 18 U.S.C. § 1029(c)(1)(C), any personal property used or intended to be used to commit the offense.

3. The property to be forfeited includes, but is not limited to, the following: Letratag Labeler, Dymo Letratag label maker, Apple iWatch, Verizon Hot Spot with charger, Misiri card encoder/re-encoder with cords, black Apple iPhone, Apple iPhone Model # A1549 with serial # DNPW5GNFHYFK, Apple iPad Model # A1489 with serial # DMPQ30TKFCM5, and a card embosser.

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

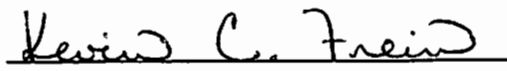
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value;
- e. has been commingled with other property which cannot be divided without difficulty;

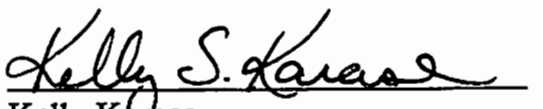
the United States shall be entitled to forfeiture of substitute property under the provisions of 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. §§ 982(b)(1) and 1029(c)(2).

A TRUE BILL,

  
Foreperson

MARIA CHAPA LOPEZ  
United States Attorney

By:   
Kevin C. Frein  
Assistant United States Attorney

By:   
Kelly Karase  
Assistant United States Attorney  
Deputy 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.

EUGENE STEPHAN COLE  
a/k/a James Cole

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INDICTMENT

Violations: Ct. 1: 18 U.S.C. § 1029(a)(4)  
Ct. 2: 18 U.S.C. § 1029(a)(1)

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A true bill,

Douglas Riegert-Johnson  
Foreperson

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Filed in open court this 70th day  
of December, 2020.

[Signature]  
Clerk

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

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