

FILED

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

2017 APR 12 PM 3:30

CLERK, US DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DISTRICT

UNITED STATES OF AMERICA

v.

CASE NO. 3:17-cr- **65J-250BT**
18 U.S.C. § 1343
26 U.S.C. § 7206(1)

ALBERT JASON MILLER

INDICTMENT

The Grand Jury charges:

COUNTS ONE THROUGH FOUR
(WIRE FRAUD)

A. Introduction

At all times material:

1. CEVA Logistics was a Netherlands-based contract logistics and freight/transportation management company with offices in Jacksonville, Florida.
2. From 2008 through in or about March 2013, MILLER was employed as a buyer for CEVA Logistics' corporate procurement department in Jacksonville, Florida. MILLER was responsible for receiving rebate checks from the various corporate vendors and delivering them to the accounting department for deposit to the CEVA Logistics corporate bank account.
3. In May 2010, MILLER incorporated a fictitious business named

CEVA and filed the necessary incorporation documents with the Florida Division of Corporations. CEVA was an active corporation from May 2010 through December 2015.

B. Scheme and Artifice

4. From in or about May 2010, and continuing through in or about April 2013, in the Middle District of Florida, and elsewhere,

ALBERT JASON MILLER

the defendant herein, did knowingly, willfully, and with intent to defraud, devise, and intend to devise, a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises that related to material facts, which scheme and artifice is described as follows:

C. Manner and Means

5. It was a part of the scheme and artifice to defraud that ALBERT JASON MILLER would and did use his position at CEVA Logistics to embezzle and steal from his employer.

6. It was a further part of the scheme and artifice that ALBERT JASON MILLER would and did incorporate a fictitious business named CEVA on or about May 2010 and filed the necessary incorporation

documents with the Florida Division of Corporations.

7. It was a further part of the scheme and artifice that ALBERT JASON MILLER would and did obtain an Employer Identification Number (EIN) from the Internal Revenue Service in or about June 2010.

8. It was a further part of the scheme and artifice that ALBERT JASON MILLER would and did advise CEVA Logistics' vendors that rebate checks should be made payable to CEVA (MILLER's fictitious corporation), rather than to CEVA Logistics. MILLER explained to vendors that this was because CEVA Logistics was undergoing a legal name change.

9. It was a further part of the scheme and artifice that in or about June 2010 ALBERT JASON MILLER would and did open an account at BBVA Compass Bank in the name of CEVA, naming him as the sole authorized signor and listing his title as President.

10. It was further part of the scheme and artifice that ALBERT JASON MILLER would and did embezzle and steal proceeds from CEVA Logistics by depositing checks that vendors intended to be deposited into a CEVA Logistics account into his CEVA BBVA Compass bank account, which proceeds were used to pay personal expenses of ALBERT JASON MILLER, including his personal credit card bills.

11. It was a further part of the scheme and artifice that ALBERT

JASON MILLER would and did send, and cause to be sent, by interstate wire, payments from the CEVA bank account to pay his personal expenses, including his personal credit card bills.

12. It was a further part of the scheme and artifice that ALBERT JASON MILLER would and did steal and convert to his own use over \$150,000 from CEVA Logistics from July 2010 through April 2013.

D. Execution

13. On or about the dates set forth below, in the Middle District of Florida, and elsewhere,

ALBERT JASON MILLER

the defendant herein, for the purpose of executing and attempting to execute the scheme and artifice to defraud and for obtaining money and property by means of materially false and fraudulent pretenses, representations and promises, did knowingly, and with intent to defraud, transmit and cause to be transmitted by means of wire, in interstate and foreign commerce, the following writings, signs, signals, pictures, and sounds:

<u>Count</u>	<u>Date</u>	<u>Item</u>
1	June 28, 2012	Online payment in the amount of \$1,618.00 from CEVA BBVA Compass bank account 0814 to Capital One

<u>Count</u>	<u>Date</u>	<u>Item</u>
2	July 31, 2012	ACH payment in the amount of \$7,000.00 from CEVA BBVA Compass bank account 0814 to TD Ameritrade account
3	November 30, 2012	Online payment in the amount of \$5,272.10 from CEVA BBVA Compass bank account 0814 to Bank of America account
4	April 11, 2013	Online payment in the amount of \$1,635.27 from CEVA BBVA Compass bank account 0814 to Capital One

All in violation of Title 18, United States Code, Section 1343.

COUNT FIVE

On or about April 11, 2011, in the Middle District of Florida, and elsewhere, the defendant,

ALBERT JASON MILLER

did willfully, make, and subscribe, and cause to be made and subscribed, a joint 2010 U.S. Individual Income Tax Return, IRS Form 1040, which was verified by a written declaration that was made under penalties of perjury, and which he did not believe to be true and correct as to every material matter, in that the return was prepared and signed in the Middle District of Florida and was filed with the IRS, and reported his total income on line 22 of Form 1040 as \$110, 986, whereas, as he then and there well knew he omitted embezzlement income in the amount of \$37,209.

In violation of 26 U.S.C. § 7206(1).

COUNT SIX

On or about April 30, 2012, in the Middle District of Florida, and elsewhere, the defendant,

ALBERT JASON MILLER

did willfully, make, and subscribe, and cause to be made and subscribed, a joint 2011 U.S. Individual Income Tax Return, IRS Form 1040, which was verified by a written declaration that was made under penalties of perjury, and which he did not believe to be true and correct as to every material matter, in that the return was prepared and signed in the Middle District of Florida and was filed with the IRS, and reported his total income on line 22 of Form 1040 as \$111, 029, whereas, as he then and there well knew he omitted embezzlement income in the amount of \$43,066.

In violation of 26 U.S.C. § 7206(1).

COUNT SEVEN

On or about April 8, 2013, in the Middle District of Florida, and elsewhere, the defendant,

ALBERT JASON MILLER

did willfully, make, and subscribe, and cause to be made and subscribed, a joint 2012 U.S. Individual Income Tax Return, IRS Form 1040, which was

verified by a written declaration that was made under penalties of perjury, and which he did not believe to be true and correct as to every material matter, in that the return was prepared and signed in the Middle District of Florida and was filed with the IRS, and reported his total income on line 22 of Form 1040 as \$109,068 whereas, as he then and there well knew he omitted embezzlement income in the amount of \$52,221.

In violation of 26 U.S.C. § 7206(1).

COUNT EIGHT

On or about April 28, 2014, in the Middle District of Florida, and elsewhere, the defendant,

ALBERT JASON MILLER

did willfully, make, and subscribe, and cause to be made and subscribed, a joint 2013 U.S. Individual Income Tax Return, IRS Form 1040, which was verified by a written declaration that was made under penalties of perjury, and which he did not believe to be true and correct as to every material matter, in that the return was prepared and signed in the Middle District of Florida and was filed with the IRS, and reported his total income on line 22 of Form 1040 as \$117,283 whereas, as he then and there well knew he omitted embezzlement income in the amount of \$29,786.

In violation of 26 U.S.C. § 7206(1).

FORFEITURE

1. The allegations contained in Counts One through Four are incorporated by reference for the purpose of alleging forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c).

2. Upon conviction of a violation of 18 U.S.C. § 1343, the defendant, ALBERT MILLER, shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the violation.

3. The property to be forfeited includes, but is not limited to, a \$162,282.96 forfeiture money judgment, which represents the proceeds of the offense charged in Counts One through Four.


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

A TRUE BILL,

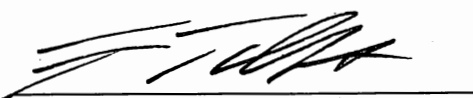

Foreperson

W. STEPHEN MULDROW
Acting United States Attorney

By:


BEATRIZ GONZALEZ
Assistant United States Attorney

By:


FRANK TALBOT
Assistant United States Attorney
Acting Chief, Jacksonville
Division

No.

UNITED STATES DISTRICT COURT

Middle District of Florida

Jacksonville Division

THE UNITED STATES OF AMERICA

vs.

ALBERT JASON MILLER

INDICTMENT

Violations: 18 U.S.C. § 1343, Wire Fraud
26 U.S.C. § 7206(1), Filing a False Tax-Related Document

A true bill,

Michelle E. Smith

Foreperson

Filed in open court this 12th day

of April, 2017.

Angel Oschen, Deputy Clerk

Clerk

Bail \$ _____
