

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION**

UNITED STATES OF AMERICA

v.

Case No.: 5:18CR29/RH

VIVIAN WALTERS
_____ /

STATEMENT OF FACTS

The Defendant admits that, if this case were to proceed to trial, the Government could prove the following facts beyond a reasonable doubt.

On March 11, 2016, the Lynn Haven Police Department (“LHPD”) investigated an allegation regarding a fraudulent lottery scheme when victim M.B. wired money to Delroy Williams and Vivian Walters after she was told that she won a Publishers Clearinghouse prize. One of the wires included a \$500 wire that was redeemed in Lynn Haven by Vivian Walters. LHPD recovered video footage from the redemption and Walters was seen receiving the Western Union transfer.

At the time, Delroy Williams and Vivian Walters provided recorded statements to law enforcement. Walters admitted to receiving the transfer, but claimed that he did it as the request of his uncle, Delroy Williams. Delroy Williams admitted that he sent Walters to pick up the wire, but disclaimed all knowledge about

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Northern District of Florida

the fraudulent lottery scheme. After Walters and Williams were approached by the LHPD, they returned the \$500 to law enforcement.

This matter came to the attention of federal law enforcement, by way of the United States Postal Service (“USPS”), on January 27, 2017. On that day, the USPS intercepted a mailed parcel addressed to Vivian Walters at 406 Alabama Avenue, Lynn Haven, Florida, the home address of Delroy Williams, Vivian Walters, and Jevaughn Williams. E.A., an 84-year-old substitute teacher in San Francisco, California, sent the package, which contained \$500 in United States currency. Further investigation revealed more than twenty express and priority parcels were sent throughout the United States to the Alabama Avenue address between January 27, 2016 and January 27, 2017.

The USPS identified two prior shipments involved in a lottery scam that were sent to the Alabama Avenue address in September, 2016, from A.S., another elderly victim. A search for 406 Alabama Avenue in USPS databases returned an investigation involving two parcels mailed on or about September 19, 2016, from A.S., a 78-year-old female who resided in Darlington, Maryland.

In an interview with Inspectors, A.S. advised that the parcel was addressed to Jevaughn Williams at 406 Alabama Avenue, and contained \$1,400 in money orders. Federal Reserve records show that two U.S. Postal Money Orders dated September

19, 2016, in the amount of \$1,000 and \$400 respectively, were made payable to Jevaughn Williams, from A.S., were cashed on or about September 21, 2016, with the endorsement line bearing the signed name, Jevaughn Williams. The USPS conferred with LHPD and determined that the residents of the destined address, 406 Alabama Avenue (Vivian Walters and Delroy Williams) had come to their attention before in March 2016.

With the package of \$500 from 84-year-old E.A. in hand, on January 31, 2017, USPS and LHPD conducted a controlled delivery to the Alabama Avenue address with the E.A. parcel. Walters was at the residence and accepted delivery from Inspector Vecchio. Delroy Williams was also present.

Following the controlled delivery, LHPD executed a state search warrant of the Alabama Avenue residence. Law enforcement recovered multiple wire receipts and approximately \$8,000 from a safe (which also included Walters' Jamaican passport). Law enforcement also seized several electronic devices, including a laptop computer, a tablet, and several cellular telephones.

Walters, Delroy Williams and his son Jevaughn Williams conducted post-*Miranda* interviews (which were all audio recorded).

Walters admitted that he received money parcels along with Delroy and another individual who resided in the house and would then wire money to Jamaica

after keeping some money for themselves. Walters explained that he did not like to use his own name when wiring money to Jamaica, and paid individuals \$50 to use their name to wire money to Jamaica.

Walters admitted that he communicated with his phone with a source in Jamaica (nicknamed "Murder"), who directed Walters when packages would arrive and where to wire the money. Walters admitted meeting "Murder" in person in Jamaica within the last six months before the execution of the warrant. Walters explained that he sent money to Murder using the recipient name "Oleil Dailey." Murder operated a social media account in the name of "Shello," and he makes solicitation calls to victims in the United States. Walters said that he told Murder to stop having money sent to him because he did not want to get in trouble.

Walters admitted that he planned on using the \$500 from the E.A. parcel to buy clothes to bring to Murder in a planned trip to Jamaica in the next two weeks. Walters said that he told Murder that the money was nice but he was afraid he would get caught and end up in jail.

Investigators also found a fraudulent lottery winnings letter to victim C.G. on a cell phone Walters said was his and a laptop computer recovered from the living room.

Delroy Williams also admitted that he would receive (with Walters) packages

containing money from victims, which he would keep a portion of (usually \$200). Then he would wire the rest of the funds to Jamaica. Delroy Williams admitted that he met with one of the main organizers of the scheme in Jamaica, who goes by the name "Blacks." Blacks gave Delroy Williams directions on where to wire the money. Delroy Williams also stated that Blacks owns houses and bars in Negril, Jamaica, and promised him a plot of land in Jamaica and a payoff that would increase the longer he participated in the scheme.

Delroy Williams admitted that he started participating in the scheme in March 2016. He claimed that he told Walters that they would get into trouble and they should not continue with the scheme. But Delroy Williams explained that he was struggling financially and agreed to rejoin the scheme. Delroy Williams also admitted that his son Jevaughn Williams stayed at his house and was also involved in the scheme.

Jevaughn Williams admitted that "David Craig" sent him a "lottery paper" to his email the first time he came to the United States in 2014. He said that the letter would still be on his laptop. Jevaughn Williams said that David Craig asked him to mail it to victims, but he said that he declined to do so. Notably, the letter on his laptop was addressed to "A.G." one of the victims of the scheme. Jevaughn received a wire transfer from A.G. after he was interviewed. Vivian Walters

received approximately \$5,000 from A.G. between October 2015 and August 2016. Delroy Williams received a wire transfer from A.G. on May 12, 2015 for \$1,800. Approximately \$2,600 was received from A.G. between November 2015 and October 2016. Further review of wire transfers identified the scheme had dated back to 2014.

USPS interviewed victim E.A. on February 1, 2017. She stated that she was contacted and told that she won a large amount of money in a lottery and needed to send \$500 to cover associated fees to claim her winnings. She had actually wired \$500 to Jamaica a couple of hours before the interview but Western Union was able to reverse the wire and E.A. got her money back. E.A. also provided information that she had previously sent a wire to Walters for approximately \$700 on July 25, 2016, "to cover fees for lottery winnings."

Law enforcement obtained search warrants to search the electronic devices found in the residence during the search of the Alabama Avenue residence. During searches of those devices, they recovered additional evidence showing the Defendants' knowledge of the fraudulent scheme.

In a cellular telephone that belonging to Vivian Walters, (listing the owner's contact as "Tuffy Walters,") law enforcement uncovered text messages with a contact saved as "Shello11" at phone number 876-580-0608 starting in September,

2015.

On November 12, 2015, Walters texted “Shello” photos of two express mail labels that were addressed to A.G. from Lynn Haven, FL, along with one receipt show for the purchase of the postage. Later that day, Shello texted Walters A.G.’s name, home address, and “33087396, \$1,000.” Walters received approximately \$5,095 via Walmart wires from A.G. between October 2015 and August 2016.

Law enforcement also reviewed a laptop that Jevaughn Williams claimed to own. In the “Downloads” folder was found to contain a folder titled “Colorado.” Inside the Colorado folder, law enforcement discovered a letter with “Internal Revenue Service United States Department of the Treasury” letterhead addressed to A.G. This letter requested A.G. pay \$9,500.00 to cover taxes for winnings of 9.5 million dollars from the “International Sweepstakes Promotion.” The letter also listed “Mr. DELROY WILLIAMS” as the Chief Accountant of International Sweepstakes Promotion Group.

A review of Jevaughn Williams’ laptop revealed text communications between Jevaughn Williams and his contacts discussing multiple fraudulent transactions. On August 16, 2016, Jevaughn Williams texted Vivian Walters (saved as “BigBro” @ What’s App # 850-625-0208) a photograph of an Express mail label dated August 15, 2016, addressed to Vivian Walters from A.G. Jevaughn

Williams received \$500 and \$1000 wired from A.G. on August 3, 2017, and August 10, 2017, respectively.

After the defendants were interviewed by law enforcement in 2017, according to Walmart records, Vivian Walters received five wires between March 27, 2017, and April 4, 2017, from two victims totaling \$3,580. He subsequently wired \$1,700 to Jamaica. All wire transfers were communications conducted through interstate commerce.

The Government can show the actual and intended loss related to Count One is at least \$200,000.

ELEMENTS

Conspiracy to Commit Wire and Mail Fraud - 18 U.S.C. § 1349 (Count One)

The Defendant can be found guilty of this crime only if all the following facts are proved beyond a reasonable doubt:

- (1) Two or more persons, in some way or manner, agreed to try to accomplish a common and unlawful plan to commit mail or wire fraud, as charged in the indictment; and
- (2) the Defendant knew the unlawful purpose of the plan and willfully joined in it.

Wire Fraud – 18 U.S.C. § 1343 (Count Seven)

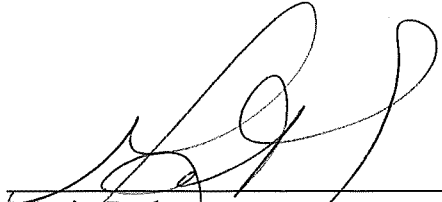
The Defendant can be found guilty of this crime only if all the following facts are proved beyond a reasonable doubt:

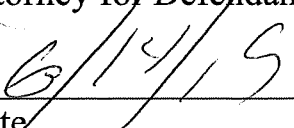
- (1) the Defendant knowingly devised or participated in a scheme to defraud, or to obtain money or property using false pretenses, representations, or promises;
- (2) the false pretenses, representations, or promises were about a material fact;
- (3) the Defendant acted with the intent to defraud; and
- (4) the Defendant transmitted or caused to be transmitted by wire some communication in interstate commerce to help carry out the scheme to defraud.

Mail Fraud – 18 U.S.C. § 1341 (Count Seventeen)

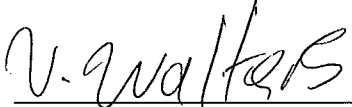
The Defendant can be found guilty of this crime only if all the following facts are proved beyond a reasonable doubt:

- (1) the Defendant knowingly devised or participated in a scheme to defraud someone, or obtain money or property, using false or fraudulent pretenses, representations, or promises;
- (2) the false pretenses, representations, or promises were about a material fact;
- (3) the Defendant intended to defraud someone; and
- (4) the Defendant used the United States Postal Service by mailing or cause to be mailed something meant to help carry out the scheme to defraud.



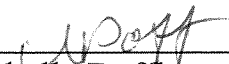
Maria Dykes
Attorney for Defendant


Date



Vivian Walters
Defendant

LAWRENCE KEEFE
United States Attorney



Michelle Daffin
Assistant United States Attorney
Florida Bar No. 0640761
Northern District of Florida
1001 East Business Hwy 98, Ste 200
Panama City, FL 32401
(850) 767-5006
michelle.daffin@usdoj.gov