

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

UNITED STATES OF AMERICA

v.

INDICTMENT

BRYAN S. GAINES
_____ /

3:19cr14/MCR

THE GRAND JURY CHARGES:

COUNT ONE

Between on or about December 6, 2006, and on or about May 31, 2018, in
the Northern District of Florida, the defendant,

BRYAN S. GAINES,

knowingly and willfully:

1. did embezzle, steal, and convert to his use and to the use of another,
and without authority did convey and dispose of money of the United States of a
value of more than \$1,000, namely, money of the Department of Veterans Affairs,
an agency of the United States, in the approximate amount of \$242,739.57; and

2. did receive, conceal, and retain, with the intent to convert to his own
use, money of the United States of a value of more than \$1,000, namely, money of
the Department of Veterans Affairs, an agency of the United States, in the

Returned in open court pursuant to Rule 6(f)

February 19, 2019

Date

Miley Davis

United States Magistrate Judge

approximate amount of \$242,739.57, knowing such money to have been embezzled, stolen, and converted.

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

COUNT TWO

On or about February 26, 2018, in the Northern District of Florida, in a matter within the jurisdiction of the executive branch of the Government of the United States, that is, the Department of Veterans Affairs, the defendant,

BRYAN S. GAINES,

did knowingly and willfully make materially false, fictitious, and fraudulent statements and representations, to wit, the defendant falsely stated that he does not work currently and had not worked since 2007, whereas, in truth and in fact, and as the defendant well knew, the defendant was currently working at an automotive repair business at the time the statement was made and had been working for that business since approximately 1994.

In violation of Title 18, United States Code, Section 1001(a)(2).

CRIMINAL FORFEITURE

The allegations contained in Count One of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeiture.

From his engagement in the violation alleged in Count One of this Indictment, the defendant,

BRYAN S. GAINES,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), any and all of the defendant's right, title, and interest in any property, real and personal, constituting, and derived from, proceeds traceable to such offense.

If any of the property described above as being subject to forfeiture, as a result of acts or omissions of the defendant:

- i. cannot be located upon the exercise of due diligence;
- ii. has been transferred, sold to, or deposited with a third party;
- iii. has been placed beyond the jurisdiction of this Court;
- iv. has been substantially diminished in value; or
- v. has been commingled with other property that cannot be subdivided without difficulty,

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c),

to seek forfeiture of any other property of the defendant up to the value of the forfeitable property.

A TRUE BILL:

Redacted per privacy policy

FOREPERSON

2-19-19
DATE


LAWRENCE KEEFE
United States Attorney


ALICIA H. FORBES
Assistant United States Attorney