

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

UNITED STATES OF AMERICA

v.

KEVIN ROBERT LEE
_____ /

**SEALED
INDICTMENT**

4:19 cr 24- MW

THE GRAND JURY CHARGES:

COUNTS ONE THROUGH TWENTY

A. INTRODUCTION

At all times material to this Indictment:

1. The FSU Credit Union ("FSUCU") was a federally insured financial institution.
2. **KEVIN ROBERT LEE** was employed as the Lending Director for the FSUCU, a position that allowed him to open accounts and approve lines of credit.
3. **KEVIN ROBERT LEE** served as Treasurer of the Tallahassee Chapter of Credit Unions ("TCCU"), a non-profit organization that advocated pro-credit union legislation.

CERTIFIED A TRUE COPY
Jessica J. Lyublanovits

By *Lexus Perry*
Deputy Clerk

4. **KEVIN ROBERT LEE** was listed as an owner of the TCCU bank account at FSUCU due to his position as Treasurer; he also had signature authority on the account as well as access to a credit/debit card that was linked to the account.

B. THE CHARGE

Between on or about June 19, 2014, and on or about November 15, 2017, in the Northern District of Florida, the defendant,

KEVIN ROBERT LEE,

did knowingly execute and attempt to execute a scheme to obtain moneys, funds, credits, assets, and other property owned by and under the custody and control of FSU Credit Union, a federally insured financial institution, by means of material false and fraudulent pretenses, representations, and promises.

C. THE SCHEME

It was part of the scheme to defraud that:

1. **KEVIN ROBERT LEE** fraudulently opened accounts at FSUCU in the names of T.C.C.U. (Account # [REDACTED]), E.Z. (Account # [REDACTED]), and L.G.H. (Account # [REDACTED]), without the consent or knowledge of this organization or these individuals.

2. In doing so, **KEVIN ROBERT LEE** forged the signatures of M.A., E.Z., and L.G.H.

3. **KEVIN ROBERT LEE** fraudulently opened lines of credit for account numbers [REDACTED] and [REDACTED] without the consent or knowledge of E.Z. and L.G.H.

4. **KEVIN ROBERT LEE** made unauthorized withdrawals and transfers of the funds from the accounts of approximately 20 FSUCU customers, and deposited these embezzled funds into account numbers [REDACTED], [REDACTED], and [REDACTED].

5. **KEVIN ROBERT LEE** used the embezzled funds and fraudulently obtained loan proceeds to:

a. make payments to his third-party creditors for things such as his home mortgage loan and car loan, make payments to his credit cards, and pay for school tuition;

b. write checks directly to himself, withdraw funds using Automated Teller Machine(s) (ATMs), and transfer funds into his personal bank account; and

c. conceal the fact that he had embezzled from FSUCU customers and fraudulently obtained lines of credit by repaying monies that he had embezzled from the accounts of other FSUCU customers and paying down the balances of the lines of credit he fraudulently opened in account numbers [REDACTED] and [REDACTED].

6. When FSUCU customers complained about unauthorized withdrawals or low account balances, **KEVIN ROBERT LEE** falsely represented to the FSUCU customers that FSUCU had closed their accounts and sent the customers a check in the mail. The defendant would then access another customer account to replace the money in the account of the complaining customer to conceal his criminal activity.


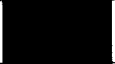
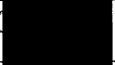

7. By this conduct, **KEVIN ROBERT LEE** fraudulently obtained and attempted to obtain approximately \$1,200,000 in moneys, funds, and credits owned by and under the custody of FSUCU.

D. EXECUTION OF THE SCHEME

On or about the following dates, for the purpose of executing the scheme to defraud, the defendant,

KEVIN ROBERT LEE,

did knowingly cause the below-described FSUCU accounts to be debited in the following approximate amounts:

COUNT	DATE(S)	ACCOUNT #	ACCOUNT OWNER	AMOUNT
ONE	On or about 5/15/2015		E.D.Z.	\$1,900.00
TWO	On or about 05/26/2015		H.L.C.	\$34,450.94
THREE	On or about 01/19/2016		T.R.B.	\$10,000.00
FOUR	On or about 11/1/2016		J.G.P.	\$42,937.26

FIVE	On or about 2/10/2017		R.R.R.	\$42,989.54
SIX	On or about 2/14/2017		J.P.	\$43,000.00
SEVEN	On or about 2/14/2017		K.O.P.	\$35,000.00
EIGHT	On or about 4/21/2017		T.F.	\$60,000.00
NINE	On or about 05/17/2017		J.K.H.	\$60,000.00
TEN	On or about 05/31/2017		D.S.	\$60,000.00
ELEVEN	On or about 6/6/2017		J.H.	\$20,000.00
TWELVE	On or about 06/14/2017		J.K.D.	\$42,000.00
THIRTEEN	On or about 6/28/2017		M.F.N.	\$9,800.00
FOURTEEN	On or about 8/2/2017		D.R.	\$86,000.00
FIFTEEN	On or about 8/7/2017		J.D.	\$69,500.00
SIXTEEN	On or about 10/23/2017		A.L.D.	\$35,000.00
SEVENTEEN	On or about 10/25/2017		N.P.	\$93,620.00
EIGHTEEN	On or about 11/2/2017		W.R.H.	\$60,000.00
NINETEEN	On or about 11/9/2017		A.H.	\$35,000.00
TWENTY	On or about 11/13/2017		W.A.H.	\$69,500.00

All in violation of Title 18, United States Code, Section 1344.

COUNT TWENTY-ONE

Between on or about February 18, 2015, and on or about March 31, 2017, in the Northern District of Florida, the defendant,

KEVIN ROBERT LEE,

did knowingly possess and use, without lawful authority, a means of identification of another person, to wit: the name, date of birth, and social security number of

E.Z., L.G.H., and M.A. during and in relation to a felony violation enumerated in Title 18, United States Code, Section 1028A(c), that is, bank fraud as charged in Counts One through Twenty in this Indictment.

In violation of Title 18, United States Code, Section 1028A(a)(1).

COUNT TWENTY-TWO

Between on or about June 19, 2014 and on or about November 14, 2017, in the Northern District of Florida, the defendant,

KEVIN ROBERT LEE,

being an agent and employee of FSU Credit Union ("FSUCU"), a credit union the accounts of which were then insured by the National Credit Union Administration, knowingly and with the intent to defraud FSUCU, did embezzle and willfully misapply more than one thousand dollars (\$1,000.00) in moneys, funds, and credits intrusted to the care of FSUCU, to wit: approximately \$800,000.

In violation of Title 18, United States Code, Section 657.

COUNT TWENTY-THREE

On or about February 5, 2016, in the Northern District of Florida, the defendant,

KEVIN ROBERT LEE,

a resident of Tallahassee, Florida, did willfully make and subscribe a United States Individual Income Tax Return, Form 1040, for the calendar year 2015, which was filed with the Internal Revenue Service and contained and was verified by a written declaration that it was made under the penalties of perjury, and which the defendant did not believe to be true and correct as to every material matter, in that the return represented a total income on line 15 of \$79,245, when, in truth and fact and as the defendant then well knew, his total income for the calendar year 2015 was in excess of that amount.

In violation of Title 26, United States Code, Section 7206(1).

COUNT TWENTY-FOUR

On or about March 5, 2017, in the Northern District of Florida, the defendant,

KEVIN ROBERT LEE,

a resident of Tallahassee, Florida, did willfully make and subscribe a United States Individual Income Tax Return, Form 1040, for the calendar year 2016, which was filed with the Internal Revenue Service and contained and was verified by a written declaration that it was made under the penalties of perjury, and which the defendant did not believe to be true and correct as to every material matter, in that the return represented a total income on line 22 of \$82,154, when, in truth and fact

and as the defendant then well knew, his total income for the calendar year 2016 was in excess of that amount.

In violation of Title 26, United States Code, Section 7206(1).

COUNT TWENTY-FIVE

On or about March 18, 2018, in the Northern District of Florida, the defendant,

KEVIN ROBERT LEE,

a resident of Tallahassee, Florida, did willfully make and subscribe a United States Individual Income Tax Return, Form 1040, for the calendar year 2017, which was filed with the Internal Revenue Service and contained and was verified by a written declaration that it was made under the penalties of perjury, and which the defendant did not believe to be true and correct as to every material matter, in that the return represented a total income on line 22 of \$98,085, when, in truth and fact and as the defendant then well knew, his total income for the calendar year 2017 was in excess of that amount.

In violation of Title 26, United States Code, Section 7206(1).

CRIMINAL FORFEITURE

The allegations contained in Counts One through Twenty, and Twenty-Two of this Indictment are hereby realleged and incorporated by reference for the

purpose of alleging forfeiture. From his engagement in the violations alleged in Counts One through Twenty, and Twenty-Two of this Indictment, the defendant,

KEVIN ROBERT LEE,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(2)(A), 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 offenses.

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 18, United States Code, Section 982(b)(1), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property.

A TRUE BILL:

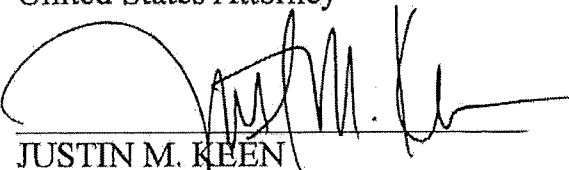
Redacted

FOREPERSON

3 / 5 / 2019

DATE


LAWRENCE KEEFE
United States Attorney


JUSTIN M. KEEN
Assistant United States Attorney