

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

UNITED STATES OF AMERICA

v.

INDICTMENT

KYLE MARTIN HUDSON
_____ /

5:19 cr 69-TKW

THE GRAND JURY CHARGES:

COUNT ONE

A. INTRODUCTION

At all times material to this Indictment:

1. The defendant, **KYLE MARTIN HUDSON** was the Clerk of Court for Holmes County, Florida, a duly elected Constitutional Officer as mandated by Article V, Section 16, of the Constitution of the State of Florida.

2. As the Holmes County Clerk of Court, **KYLE MARTIN HUDSON** also served as the Clerk of the Board of County Commissioners, Auditor, Recorder, and Custodian of all County Funds.

3. The Florida Clerks of Court Operations Corporation ("CCOC") was a public corporation established to recommend to the State Legislature changes in the various court-related fines, fees, service charges, and court costs established by law to ensure reasonable and adequate funding of the clerks of the court in the performance of their court-related functions.

4. As the Holmes County Clerk of Court, **KYLE MARTIN HUDSON** was a member of the CCOC, and served on its Executive Council.

5. The Florida Court Clerk and Comptrollers ("FCCC") was a nonprofit association composed of Florida's Clerks of the Circuit Court and Comptrollers established to provide local government support services, technical assistance and accreditation opportunities for all members of the association.

6. In his capacity as the Holmes County Clerk of Court, **KYLE MARTIN HUDSON** was also a member of the FCCC.

7. As the Holmes County Clerk of Court and CCOC Executive Council Member, **KYLE MARTIN HUDSON** was authorized to attend CCOC and FCCC conferences and meetings held throughout the State of Florida.

8. As the Holmes County Clerk of Court, **KYLE MARTIN HUDSON** was the custodian of, and had signature authority on a First Federal Bank of Florida account ending in -0685 that contained the capital reserves of Holmes County, Florida.

9. As the Holmes County Clerk of Court, **KYLE MARTIN HUDSON**, was responsible for the approval of all vouchers for reimbursement of travel expenses, including the costs associated with the attendance of conferences and meetings.

B. THE CHARGE

Between on or about October 9, 2017, and on or about August 7, 2018, in the Northern District of Florida and elsewhere, the defendant,

KYLE MARTIN HUDSON,

did knowingly and willfully devise, and intend to devise, a scheme to defraud and for obtaining money and property by means of material false and fraudulent pretenses, representations, and promises, and for the purpose of executing such scheme, did cause a wire communication to be transmitted in interstate commerce.

C. SCHEME TO DEFRAUD

It was part of the scheme to defraud that:

1. The defendant, **KYLE MARTIN HUDSON**, made and caused to be made false and fraudulent representations in State of Florida Voucher For Reimbursement of Travel Expense forms in order to fraudulently obtain money from Holmes County, Florida.
2. **KYLE MARTIN HUDSON** falsely represented that he attended CCOC and FCCC conferences and meetings, and submitted fraudulent claims for travel reimbursement expenses to include lodging, mileage, and per diem.
3. To facilitate the scheme, **KYLE MARTIN HUDSON** created fictitious agendas, meeting minutes, and hotel folios, which he submitted as supporting documentation for the fraudulent travel reimbursement claims.

4. **KYLE MARTIN HUDSON** directed an employee of the Holmes County Clerk's Office to process the fraudulent travel reimbursement claims, which he then approved, resulting in the issuance of reimbursement checks.

5. To facilitate his theft of the funds of Holmes County, Florida, **KYLE MARTIN HUDSON** negotiated the fraudulently derived reimbursement checks through cash withdrawals at the First Federal Bank of Florida and deposited checks into his Regions Bank account.

6. By this conduct, **KYLE MARTIN HUDSON** fraudulently obtained approximately \$6,858.93 in public funds to which he was not entitled.

D. WIRE COMMUNICATION

On or about April 12, 2018, for the purpose of executing the scheme to defraud, the defendant,

KYLE MARTIN HUDSON,

knowingly did cause a wire communication to be transmitted in interstate commerce, namely, the negotiation of a fraudulently derived reimbursement check in the amount of \$1,490.69, drawn on the First Federal Bank of Florida account of Holmes County, Florida, and deposited into **KYLE MARTIN HUDSON's** checking account at Regions Bank.

In violation of Title 18, United States Code, Sections 1343 and 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,

KYLE MARTIN HUDSON,

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 said defendant up to the value of the forfeitable property.

A TRUE BILL:

[REDACTED]

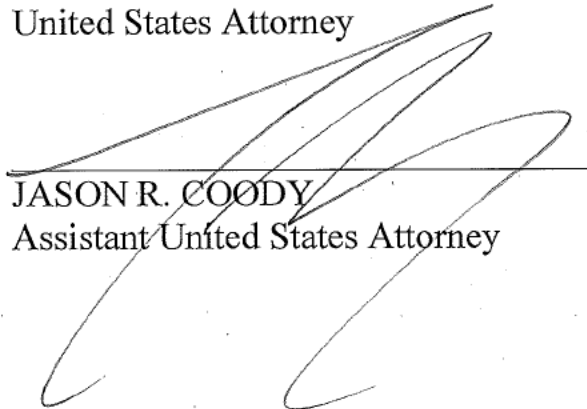
FOREPERSON

10/01/2019

DATE



LAWRENCE KEEFE
United States Attorney



JASON R. COODY
Assistant United States Attorney