

FILED

NOV 04 2020

CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
TOLEDO

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHN TYLER PLA,
JOHNNY LEE PALMER,

Defendants.

) INDICTMENT

) **1:20 CR 716**

) CASE NO. _____

) Title 18, United States Code,
) Sections 1343, 1349, and 2

JUDGE BARKER

GENERAL ALLEGATIONS

At all times material and relevant to this Indictment:

1. Defendants JOHN TYLER PLA and JOHNNY LEE PALMER were residents of Tampa, Florida.
2. Victim 1 was an 86-year-old woman and a resident of Brecksville, Ohio, which was located in the Northern District of Ohio, Eastern Division.
3. Victim 2 was an 81-year-old man and a resident of Parma, Ohio, which was located in the Northern District of Ohio, Eastern Division.
4. Victim 3 was an 80-year-old woman and a resident of Gates Mills, Ohio, which was located in the Northern District of Ohio, Eastern Division.
5. Victim 4 was a 75-year-old woman and a resident of Lorain, Ohio, which was located in the Northern District of Ohio, Eastern Division.
6. Victim 5 was a 73-year-old man and a resident of Mansfield, Ohio, which was located in the Northern District of Ohio, Eastern Division.

7. Victim 6 was an 84-year-old woman and a resident of Fairview Park, Ohio, which was located in the Northern District of Ohio, Eastern Division.

8. Victim 7 was a 83-year-old woman and a resident of Westlake, Ohio, which was located in the Northern District of Ohio, Eastern Division.

9. Victim 8 was a 77-year-old man and a resident of Mentor, Ohio, which was located in the Northern District of Ohio, Eastern Division. Victim 8 had dementia.

COUNT 1

(Conspiracy to Commit Wire Fraud, 18 U.S.C. § 1349)

The Grand Jury charges:

10. Paragraphs 1 through 9 of this Indictment are realleged and incorporated by reference as if fully set forth herein.

11. From on or about July 20, 2020, through on or about August 28, 2020, in the Northern District of Ohio, Eastern Division, and elsewhere, Defendants JOHN TYLER PLA and JOHNNY LEE PALMER, and other persons, both known and unknown to the Grand Jury, did knowingly and intentionally combine, conspire, confederate and agree together and with each other to knowingly, and with the intent to defraud, execute and attempt to execute a scheme and artifice to defraud elderly victims through a “Grandparent’s Scam,” and to obtain money and property from the elderly victims by means of false and fraudulent pretenses, representations, and promises, and for the purpose of executing and attempting to execute the scheme and artifice to defraud:

- a. transmitted and caused to be transmitted by means of wire communication in interstate and foreign commerce, writings signs, signals, pictures, and sounds, in violation of Title 18, Unites States Code, Section 1343.

OBJECT OF THE CONSPIRACY

12. An object of the conspiracy was for Defendants, and others, to obtain money and gift cards from elderly victims, by means of false and fraudulent pretenses, representations, and promises.

MANNER AND MEANS OF THE CONSPIRACY

13. It was part of the conspiracy that:

- a. A member of the conspiracy called elderly victims on the telephone and made false and fraudulent statements to the elderly victims. Specifically, a member of the conspiracy claimed to be a relative of the elderly victims, such as a grandson or a granddaughter, or the attorney for the grandson or granddaughter, and told the elderly victims that that he or she (the victims' purported family member) had been arrested and needed money for bail.
- b. A member of the conspiracy called elderly victims on the telephone and arranged for a purported courier to pick up the money in person for the purported bail.

ACTS IN FURTHERANCE OF THE CONSPIRACY

14. In furtherance of the conspiracy, and to effect the goals and conceal the existence thereof, Defendants and others performed the following acts in the Northern District of Ohio, Eastern Division, and elsewhere:

Vehicle Rentals

- a. On or about July 20, 2020, PLA rented a U-Haul vehicle in Detroit, Michigan, for a rental period of July 20, 2020 to July 25, 2020.

- b. On or about July 29, 2020, PALMER rented a U-Haul vehicle in Des Moines, Iowa, for a rental period of July 29, 2020 to August 10, 2020.
- c. On or about August 9, 2020, PLA rented a U-Haul vehicle in Aurora, Colorado, for a rental period of August 9, 2020 to August 17, 2020.
- d. On or about August 18, 2020, PLA rented a U-Haul vehicle in Columbus, Ohio, for a rental period of August 18, 2020 until August 29, 2020.

Victim 1

- e. On or about August 21, 2020, a member of the conspiracy called Victim 1 on the telephone, claiming to be Victim 1's grandson and in need of \$20,000 in cash for purported bail.
- f. On or about August 21, 2020, a member of the conspiracy caused Victim 1 to go to a bank and withdraw \$10,000 in cash.
- g. On or about August 21, 2020, Defendants traveled to Victim 1's residence in a U-Haul truck and picked up the \$10,000 cash.

Victim 2

- h. On or about August 21, 2020, members of the conspiracy called and spoke with Victim 2 on the telephone claiming to be Victim 2's granddaughter and the attorney for Victim 2's granddaughter, and claiming to need \$9,700 in cash for purported bail.
- i. On or about August 21, 2020, a member of the conspiracy caused Victim 2 to go to a bank and withdraw \$9,700 in cash.
- j. On or about August 21, 2020, Defendants traveled to Victim 2's residence in a U-Haul vehicle and picked up the cash.

Victim 3

- k. On or about August 24, 2020, members of the conspiracy called and spoke with Victim 3 on the telephone claiming to be Victim 3's grandson and the attorney for Victim 3's grandson, and claiming to need \$15,000 in cash for purported bail.
- l. On or about August 24, 2020, a member of the conspiracy caused Victim 3 to go to a bank and withdraw \$15,000 in cash.
- m. On or about August 24, 2020, a member of the conspiracy traveled to Victim 3's residence in a U-Haul vehicle and picked up the cash.

Victim 4

- n. On or about August 24, 2020, members of the conspiracy called and spoke with Victim 4 on the telephone claiming to be Victim 4's grandson and the attorney for Victim 4's grandson, and claiming to need \$15,000 in cash for purported bail.
- o. On or about August 24, 2020, a member of the conspiracy caused Victim 4 to go to a bank and withdraw \$15,000 in cash.
- p. On or about August 24, 2020, Defendants traveled to Victim 4's residence in a U-Haul vehicle and picked up the cash.

Victim 5

- q. On or about August 24, 2020, members of the conspiracy called and spoke with Victim 5 on the telephone claiming to be Victim 5's grandson and the attorney for Victim 5's grandson, and claiming to need \$15,000 in cash for purported bail.

- r. On or about August 24, 2020, a member of the conspiracy caused Victim 5 to go to a bank and withdraw \$15,000 in cash.
- s. On or about August 24, 2020, Defendants traveled to Victim 5's residence in a U-Haul vehicle and picked up the cash.

Victim 6

- t. On or about August 25, 2020, members of the conspiracy called and spoke with Victim 6 on the telephone claiming to be Victim 6's grandson and the attorney for Victim 6's grandson, and claiming to need \$15,000 in cash for purported bail.
- u. On or about August 25, 2020, a member of the conspiracy caused Victim 6 to go to a bank and withdraw \$15,000 in cash.
- v. On or about August 25, 2020, Defendants traveled to Victim 6's residence in a U-Haul vehicle and picked up the cash.

Victim 7

- w. On or about August 25, 2020, members of the conspiracy called and spoke with Victim 7 on the telephone claiming to be Victim 7's grandson and the attorney for Victim 7's grandson, and claiming to need \$18,000 in cash for purported bail.
- x. On or about August 25, 2020, a member of the conspiracy caused Victim 7 to go to a bank and withdraw \$6,000 in cash.
- y. On or about August 25, 2020, Defendants traveled to Victim 7's residence in a U-Haul vehicle and picked up the cash.

Victim 8

- z. On or about August 27, 2020, members of the conspiracy called and spoke with Victim 8 on the telephone claiming to be Victim 8's grandson and the attorney for Victim 8's grandson, and claiming to need \$8,000 in cash for purported bail.
- aa. On or about August 25, 2020, a member of the conspiracy caused Victim 8 retrieve \$8,000 in cash.
- bb. On or about August 25, 2020, Defendants traveled to Victim 8's residence in a U-Haul vehicle and picked up the cash.

As a result of the foregoing scheme and artifice, Victim 1, Victim 2, Victim 3, Victim 4, Victim 5, Victim 6, Victim 7, Victim 8, and others sustained a total loss of approximately \$383,932.

All in violation of Title 18, United States Code, Section 1349.

COUNTS 2-9
(Wire Fraud, 18 U.S.C. § 1343)

The Grand Jury further charges:

15. The factual allegations of Paragraphs 1 to 9 and 12 to 14 of this Indictment are realleged and incorporated by reference as if fully set forth herein.

16. From on or about July 20, 2020, through on or about August 28, 2020, in the Northern District of Ohio, Eastern Division, and elsewhere, Defendants JOHN TYLER PLA and JOHNNY LEE PALMER, and other persons, both known and unknown to the Grand Jury, knowingly devised and intended to devise a scheme and artifice to defraud elderly victims through a "Grandparent's Scam," and to obtain money and property from the elderly victims by means of false and fraudulent pretenses, representations, and promises, as described above.

17. From on or about August 21, 2020, through on or about August 27, 2020, for the purpose of executing and attempting to execute the scheme and artifice to defraud described above, Defendants transmitted and caused to be transmitted by means of wire communication in interstate commerce, writings signs, signals, pictures, and sounds, to wit: Defendants used Google Maps, a map application on a cell phone, to access the Internet to identify the locations of the home addresses of the following victims on the dates below, each transmission representing a separate count of this Indictment:

Count	Date	Victim
2	8/21/20	1
3	8/21/20	2
4	8/24/20	3
5	8/24/20	4
6	8/21/20	5
7	8/25/20	6
8	8/25/20	7
9	8/27/20	8

All in violation of Title 18, United States Code, Sections 1343 and 2.

A TRUE BILL.

Original document - Signatures on file with the Clerk of Courts, pursuant to the E-Government Act of 2002.