

RECEIVED

FEB 26 2018

AT 8:30 *WLM*
WILLIAM T. WALSH, CLERK

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Criminal No. 18- <i>00086-FLW</i>
	:	
v.	:	18 U.S.C. § 1349
	:	18 U.S.C. § 1029
SHOPE OLUWO	:	18 U.S.C. § 1028A
	:	
	:	<u>INDICTMENT</u>
	:	

The Grand Jury in and for the District of New Jersey, sitting at Newark,
charges:

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

Background

1. At all times relevant to this Indictment:
 - a. Defendant Shope Oluwo ("OLUWO") resided in or near Fort Lee, New Jersey.
 - b. Dermot Sutherland ("Sutherland"), a co-conspirator not named as a defendant in this Indictment, resided in or near Philadelphia, Pennsylvania.
 - c. "Victim-1" resided in or near Leavenworth, Kansas and was a Major in the United States Army.
 - d. "Tax Preparation Company" is a company that operates tax preparation offices throughout the United States, including in New Jersey.

The Conspiracy

2. From in or around January 2016 through in or around February

2016, in the District of New Jersey, and elsewhere, the defendant,

SHOPE OLUWO,

did knowingly and intentionally conspire and agree with others to devise a scheme and artifice to defraud, and to obtain money and property, that is, tax refunds, by means of materially false and fraudulent pretenses, representations, and promises, and, for the purpose of executing such scheme and artifice to defraud, to transmit and cause to be transmitted by means of wire communications in interstate and foreign commerce certain writings, signs, signals, and sounds, contrary to Title 18, United States Code, Section 1343.

Object of the Conspiracy

3. It was the object of the conspiracy for defendant OLUWO and others to enrich themselves by using stolen identity information of individuals (the “Victims”) to submit fraudulent tax returns in the Victims’ names, and obtain property, that is, tax refunds, without the consent or knowledge of the Victims, in the District of New Jersey, and elsewhere.

Manner and Means of the Conspiracy

4. It was part of the conspiracy to defraud that OLUWO obtained stolen identity information of Victims, including Victim-1.

5. It was further part of the conspiracy that OLUWO provided the stolen identity information of Victims, including Victim-1, to co-conspirator Dermot Sutherland.

6. It was further part of the conspiracy to defraud that Sutherland would present fake military identification cards and fraudulent W-2 forms bearing the Victims' names, which Sutherland had received from OLUWO, to the Tax Preparation Company, and caused the Tax Preparation Company to prepare and file fraudulent tax returns in the names of the Victims. The W-2 forms were further manipulated such that the tax return resulted in a refund.

7. It was further part of the conspiracy that Sutherland caused the Tax Preparation Company to submit the tax returns via wire communications in interstate and foreign commerce to the United States Department of the Treasury, Internal Revenue Service ("IRS").

8. It was further part of the conspiracy that Sutherland received a debit card from the Tax Preparation Company for any refund issued by the IRS for the fraudulent tax returns filed on behalf of, and unbeknownst to, the Victims.

9. It was further part of the conspiracy that Sutherland provided the debit cards received from the Tax Preparation Company to OLUWO.

In violation of Title 18, United States Code, Section 1349.

COUNT TWO

**(Access Device Fraud)
(18 U.S.C. § 1029(a)(3))**

On or about June 27, 2016, in the District of New Jersey, and elsewhere,
the defendant,

SHOPE OLUWO,

knowingly and with intent to defraud, possessed fifteen or more devices which
are counterfeit or unauthorized access devices, as defined in Title 18, United
States Code, Sections 1029(e)(1)-(3), namely falsified military identification
cards and social security numbers, in and affecting interstate commerce.

In violation of Title 18, United States Code, Section 1029(a)(3).

COUNT THREE
(Aggravated Identity Theft)
(18 U.S.C. § 1028A(a)(1))

1. The allegations contained in paragraph 1 of Count One of this Indictment are hereby repeated, realleged, and incorporated as if fully set forth herein.

2. From in or around January 2016 through on or about June 27, 2016, in the District of New Jersey, and elsewhere, the defendant,

SHOPE OLUWO,

did knowingly and willfully transfer, possess, and use, without lawful authority, a means of identification of another person, namely the name, date of birth, and social security number of Victim-1, during and in relation to a felony violation, that is, conspiracy to commit wire fraud, contrary to 18 U.S.C. § 1349, knowing that the means of identification belonged to another actual person.

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

FORFEITURE ALLEGATION AS TO COUNT ONE

1. As a result of committing the wire fraud offense charged in Count One of this Indictment, defendant SHOPE OLUWO 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 property, real or personal, constituting or derived from proceeds traceable to the offense contrary to Title 18, United States Code, Section 1343, in violation of Title 18, United States Code, Section 1349 alleged in Count One of this Indictment.

FORFEITURE ALLEGATION AS TO COUNT TWO

2. As a result of committing the access device fraud offense in violation of 18 U.S.C. § 1029 alleged in Count Two of this Indictment, the defendant SHOPE OLUWO shall forfeit to the United States, pursuant to 18 U.S.C. § 982(a)(2)(B), any property constituting, or derived from, proceeds obtained directly or indirectly, as a result of such offense, and pursuant to 18 U.S.C. § 1029(c)(1)(C), any personal property that was used or intended to be used to commit or to facilitate the commission of the offense charged in Count Two of the Indictment, including but not limited to, all right, title, and interest of the defendant in the following:

- (a) All the computers, media storage devices, and mobile phones listed in Schedule A that were seized pursuant to a search warrant on or about June 27, 2016.

SUBSTITUTE ASSETS PROVISION
(Applicable to All Forfeiture Allegations)

3. If any of the above-described forfeitable property, as a result of any

act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

the United States shall be entitled, pursuant to 21 U.S.C. § 853(p) (as incorporated by 28 U.S.C. § 2461(c)), to forfeiture of any other property of the defendant up to the value of the above-described forfeitable property.

A TRUE BILL,

!

FOREPERSON


CRAIG CARPENITO
United States Attorney

SCHEDULE A

1. One iMac All in One Computer - SN: C02L5PBTf8J2
2. One Scandisk Thumb Drive - SDCZ60-004G
3. One Data Traveler Thumb Drive – CN040107
4. One Samsung Galaxy Note 5 Phone – SN: RF8G7217TGL
5. One Motorola Phone – SN: K566QG2RTZ
6. One LG Phone – SN: 507KPNY0384271
7. One LG Phone – SN: 406KPSL015774
8. One iPhone, Model A1332 – IC: 579C-E238OA
9. One Samsung Tablet, Model QMV7A
10. One iPod 32GB – SN: 1B805DF80JW
11. One Seagate External Hard Drive – SN: NA76KP3N
12. One Macbook Laptop – SN: C02NRA5JG085
13. One PNY Memory Card – SD-K04G
14. One white Apple iPhone, Model A1688 – IC: 579C-E2946A
15. One grey Apple iPhone, Model A1688 – IC: 579C-E2946A
16. One 32GB Mini SD Memory Card
17. One white Apple iPhone – SN: DNPLLV2TFFDN
18. One iPad – SN: DLXR5FRUGMW5
19. One iPhone – IMEI: 359280069380900

CASE NUMBER: 18 - *cr-00086-FLW*

United States District Court
District of New Jersey
UNITED STATES OF AMERICA

v.

SHOPE OLUWO

INDICTMENT FOR

18 U.S.C. § 1349
18 U.S.C. § 1029
18 U.S.C. § 1028A

A True Bill

CRAIG CARPENITO
UNITED STATES ATTORNEY
NEWARK, NEW JERSEY

CATHERINE R. MURPHY
ASSISTANT U.S. ATTORNEY
(973) 297-2098