

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA	:	Hon.
	:	
	:	Crim. No. 21-
	:	
v.	:	18 U.S.C. §§ 371; 922(k);
	:	924(a)(1)(B) & (d)(1); 981(a)(1)(C);
	:	982(a)(2)(A); 1028A(a)(1); 1344;
JARID BROOKS and	:	1708 & 2
JUSTIN BROOKS	:	21 U.S.C. §§ 841(a)(1) & (b)(1)(C); 853
	:	28 U.S.C. § 2461(c)

INDICTMENT

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

COUNT 1
(Conspiracy)

Background

1. At times relevant to Count 1 of this Indictment:
 - a. Defendants JARID BROOKS and JUSTIN BROOKS were residents of Vauxhall, New Jersey.
 - b. Kyjuan Hutchins (“Hutchins”) was a resident of Vauxhall.
 - c. Kyle Williams (“Williams”) was a resident of Vauxhall and an employee of the U.S. Postal Service in West Caldwell, New Jersey.
 - d. The U.S. Post Office in West Caldwell served West Caldwell and neighboring towns, including North Caldwell, Caldwell, and Fairfield, New Jersey.

e. The victim financial institutions, including Bank 1 and Bank 2, were “financial institutions” whose deposits were insured by the Federal Deposit Insurance Corporation (“FDIC”) or whose accounts were insured by the National Credit Union Insurance Fund (“NCUIF”).

f. The Coronavirus Aid, Relief, and Economic Security Act authorized economic impact payment (“EIP”) pre-loaded debit cards (“EIP cards”) issued by the U.S. Department of Treasury for financial assistance to certain eligible taxpayers of \$1,200 for individuals, \$2,400 for married couples filing jointly, and up to \$500 for each qualifying child.

The Conspiracy

2. From in or about July 2019 to on or about October 6, 2020, in Essex, Hudson, Morris, Ocean, Passaic, Somerset, and Union Counties, in the District of New Jersey, and elsewhere, defendants

JARID BROOKS and JUSTIN BROOKS

knowingly and intentionally did conspire and agree with each other, Hutchins, Williams, and others: (A) to possess stolen mail, contrary to Title 18, United States Code, Sections 1708; (B) to execute a scheme and artifice to defraud financial institutions, as defined in Title 18, United States Code, Section 20, whose deposits were insured by the FDIC and whose accounts were insured by the NCUIF, and to obtain monies, funds, assets, and other property owned by and under the custody and control of such financial institutions, by means of materially false and fraudulent pretenses, representations, and promises, contrary to Title 18, United States Code, Section 1344; and (C) to defraud the

United States by impeding, impairing, obstructing, and defeating the lawful government functions of the U.S. Postal Service and the U.S. Department of the Treasury through deceit, trickery, and, as needed, corruption of U.S. Postal Service employees.

Objects of the Conspiracy

3. The objects of the conspiracy were for JARID BROOKS, JUSTIN BROOKS, Hutchins, and others to fraudulently obtain money from victim financial institutions and the U.S. Department of Treasury, by among other things, obtaining credit cards issued by the victim financial institutions and EIP cards issued by the U.S. Department of Treasury, which were stolen out of the U.S. mail by co-conspirator U.S. Postal Service employees, including Williams, and fraudulently using the stolen cards to make unauthorized purchases.

Manners and Means of the Conspiracy

4. It was a part of the conspiracy that:

a. JARID BROOKS, JUSTIN BROOKS, and others arranged for U.S. Postal Service employees, including Williams, to steal envelopes containing credit cards and EIP cards from the U.S. mail in New Jersey, in violation of their official duties, and to deliver those credit cards to JARID BROOKS, JUSTIN BROOKS, and others.

b. JARID BROOKS, JUSTIN BROOKS, Hutchins, and others fraudulently used the stolen credit cards at retail stores in New Jersey to purchase retail goods and gift cards.

c. Using the manners and means described above, JARID BROOKS, JUSTIN BROOKS, Hutchins, Williams, and others obtained and attempted to obtain over \$100,000 from the victim financial institutions and the U.S. Department of Treasury.

Overt Acts

5. In furtherance of the conspiracy, the following overt acts, among others, were committed in the District of New Jersey and elsewhere:

a. On or about January 21, 2020, in Madison, New Jersey, JARID BROOKS used a credit card issued by Bank 1 to an accountholder residing in Fairfield ("Victim 1") and that was reported stolen out of the U.S. mail to make a fraudulent purchase in the amount of approximately \$1,456.10.

b. On or about May 29, 2020, JARID BROOKS telephonically activated an EIP card issued by the U.S. Department of Treasury to a taxpayer residing in North Caldwell ("Victim 2"), which card was reported stolen out of or missing from the U.S. mail.

c. On or about June 1, 2020, JARID BROOKS telephonically activated an EIP card issued by the U.S. Department of Treasury to a taxpayer residing in Fairfield ("Victim 3"), which card was reported stolen out of or missing from the U.S. mail.

d. On or about June 3, 2020, at an automated teller machine in Irvington, JUSTIN BROOKS fraudulently withdrew: (i) approximately \$380 in cash, using an EIP card issued to Victim 2; (ii) approximately \$600 in cash,

using an EIP card issued to Victim 3; and (iii) approximately \$400 in cash, using an EIP card issued to Victim 3.

e. On or about August 7, 2020, in Fairfield, JUSTIN BROOKS used a credit card issued by Bank 2 to an accountholder residing in Fairfield ("Victim 4") and that was reported stolen out of the U.S. mail to make a fraudulent purchase in the amount of approximately \$1,046.15.

In violation of Title 18, United States Code, Section 371.

COUNT 2
(Receipt of Stolen Mail)

1. The allegations set forth in paragraphs 1 and 3 to 5 of Count 1 of this Indictment are realleged and incorporated by reference as if set forth in full herein.

2. From in or about July 2019 to on or about October 6, 2020, in Essex, Hudson, Morris, Ocean, Passaic, Somerset, and Union Counties, in the District of New Jersey, and elsewhere, defendants

**JARID BROOKS and
JUSTIN BROOKS**

did buy, receive, conceal, and unlawfully have in their possession, letters, postal cards, packages, bags, and mail, and articles and things contained therein, which had been stolen, taken, embezzled and abstracted from and out of mail, a post office, mail receptacle, mail route and carrier, and other authorized depository for mail matter, knowing the said mail matter to have been stolen, taken, embezzled and abstracted.

In violation of Title 18, United States Code, Section 1708 and Section 2.

COUNT 3
(Bank Fraud)

1. The allegations set forth in paragraphs 1 and 3 to 5 of Count 1 of this Indictment are realleged and incorporated by reference as if set forth in full herein.

2. From in or about July 2019 to in or about October 6, 2020, in Essex, Hudson, Morris, Ocean, Passaic, Somerset, and Union Counties, in the District of New Jersey, and elsewhere, defendants

**JARID BROOKS and
JUSTIN BROOKS**

knowingly and intentionally did execute, and attempt to execute, a scheme and artifice to defraud financial institutions, as defined in Title 18, United States Code, Section 20, whose deposits were insured by the FDIC and whose accounts were insured by the NCUIF, and to obtain monies, funds, assets, and other property owned by and under the custody and control of such financial institutions, by means of materially false and fraudulent pretenses, representations, and promises.

In violation of Title 18, United States Code, Section 1344 and Section 2.

COUNTS 4 AND 5
(Aggravated Identity Theft)

1. The allegations set forth in Count 3 of this Indictment are realleged and incorporated by reference as if set forth in full herein.

2. On or about the following dates, in Essex and Morris Counties, in the District of New Jersey, and elsewhere, defendants

**JARID BROOKS and
JUSTIN BROOKS**

did knowingly transfer, possess, and use, without lawful authority, a means of identification of another person during and in relation to a felony violation of a provision contained in Chapter 63 of the United States Code, to wit, bank fraud, in violation of Title 18, United States Code, Section 1344, charged in Count 3 of this Indictment, knowing that the means of identification belonged to another actual person.

Count	Date	Defendant	Means of Identification
4	January 21, 2020	JARID BROOKS	Victim 1's Name and Credit Card Number
5	August 7, 2020	JUSTIN BROOKS	Victim 4's Name and Credit Card Number

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

COUNT 6

(Possession with Intent to Distribute Fentanyl and Heroin)

1. The allegation set forth in paragraph 1(a) of Count 1 of this Indictment is realleged and incorporated by reference as if set forth in full herein.

2. On or about October 6, 2020, in Union County, in the District of New Jersey and elsewhere, defendant

JARID BROOKS

knowingly and intentionally did possess with the intent to distribute a quantity of a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, and heroin, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

COUNT 7

(Possession of a Firearm with an Obliterated Serial Number)

1. The allegation set forth in paragraph 1(a) of Count 1 of this Indictment is realleged and incorporated by reference as if set forth in full herein.

2. On or about October 6, 2020, in Union County, in the District of New Jersey and elsewhere, defendant

JUSTIN BROOKS

knowingly possessed a firearm, that is a .45 caliber Metro Arms Corp American Classic Amigo pistol, loaded with five rounds of .45 caliber ammunition, that had been shipped and transported in interstate and foreign commerce, from which the manufacturer's serial number had been removed, altered, and obliterated.

In violation of Title 18, United States Code, Sections 922(k) and 924(a)(1)(B).

FORFEITURE ALLEGATION AS TO COUNT 2

1. The allegations contained in Count 2 of this Indictment are hereby realleged and incorporated by reference as if set forth in full herein for the purpose of noticing forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

2. The United States hereby gives notice to defendants

**JARID BROOKS and
JUSTIN BROOKS**

that, upon conviction of the offense of receipt of stolen mail, in violation of Title 18, United States Code, Section 1708, as charged in Count 2 of this Indictment, the United States will seek forfeiture, in accordance with Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), of any and all property, real and personal, the respective defendants obtained that constitutes and is derived from proceeds traceable to the commission of such offense, and all property traceable to such property.

3. The property to be forfeited by defendant **JARID BROOKS** includes, but is not limited to, all of his right, title, and interest in the following, which was seized from the residence of defendant **JARID BROOKS** on or about October 6, 2020:

- a. One (1) Amazon card
- b. Three (3) American Express gift cards
- c. One (1) CWC Gift Card Company gift card
- d. Two (2) Dunkin Donuts gift cards
- e. Two (2) Exxon Mobil gift cards

- f. Two (2) Five Back Visa gift cards
- g. 61 Mastercard gift cards
- h. Five (5) Mastercard Greendot debit cards
- i. One (1) Netspend Mastercard debit card
- j. Eight (8) Netspend Visa debit cards
- k. Two (2) Nordstrom gift cards
- l. Two (2) OneVanilla Mastercard cards
- m. One (1) Style Everywhere gift card
- n. One (1) Vanilla Mastercard gift card
- o. Four (4) Vanilla Visa gift cards
- p. One (1) Vanilla Visa prepaid card
- q. 91 Visa gift cards
- r. 17 Visa Greendot debit cards
- s. 11 Visa prepaid cards
- t. Five (5) Walmart gift cards

4. The property to be forfeited by defendant **JUSTIN BROOKS** includes, but is not limited to, all of his right, title, and interest in the following, which was seized from the residence of defendant **JUSTIN BROOKS** on or about October 6, 2020:

- a. \$3,330 in U.S. currency
- b. One (1) American Express gift card
- c. 29 Mastercard gift cards
- d. Four (4) Netspend debit cards
- e. 13 Vanilla gift cards

- f. Nine (9) Vanilla Visa prepaid cards
- g. Six (6) Visa Economic Impact Payment debit cards
- h. 21 Visa gift cards

FORFEITURE ALLEGATION AS TO COUNT 3

1. The allegations contained in Count 3 of this Indictment are hereby realleged and incorporated by reference as if set forth in full herein for the purpose of noticing forfeiture pursuant to Title 18, United States Code, Sections 982(a)(2)(A).

2. The United States hereby gives notice to defendants

**JARID BROOKS and
JUSTIN BROOKS**

that, upon conviction of the bank fraud offense in violation of Title 18, United States Code, Section 1344, as charged in Count 3 of this Indictment, the United States will seek forfeiture, in accordance with Title 18, United States Code, Section 982(a)(2)(A), of any property constituting, and derived from, proceeds the respective defendants obtained directly and indirectly as the result of such offense, and all property traceable to such property.

3. The property to be forfeited by defendant **JARID BROOKS** includes, but is not limited, to all of his right, title, and interest in the property listed in paragraph 3 of the Forfeiture Allegation as to Count 2 of this Indictment.

4. The property to be forfeited by defendant **JUSTIN BROOKS** includes, but is not limited to, all of his right, title, and interest in the property listed in paragraph 4 of the Forfeiture Allegation as to Count 2 of this Indictment.

FORFEITURE ALLEGATION AS TO COUNT 6

1. The allegations contained in Count 6 of this Indictment are hereby realleged and incorporated by reference as if set forth in full herein for the purpose of alleging forfeiture pursuant to Title 21, United States Code, Section 853.

2. The United States hereby gives notice to defendant

JARID BROOKS

that, upon conviction of the controlled substance offense in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C), as charged in Count 6 of this Indictment, the United States will seek forfeiture, in accordance with Title 21, United States Code, Section 853(a), of any and all property constituting and derived from any proceeds the defendant obtained, directly and indirectly, as a result of the said offense, and any and all property used and intended to be used in any manner and part to commit and to facilitate the commission of the offense alleged in Count 6 of this Indictment, and all property traceable to such property.

FORFEITURE ALLEGATION AS TO COUNT 7

1. The allegations contained in Count 7 of this Indictment are hereby realleged and incorporated by reference as if set forth in full herein for the purpose of noticing forfeitures pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c).

2. The United States hereby gives notice to defendant

JUSTIN BROOKS

that, upon conviction of the firearms offense in violation of Title 18, United States Code, Sections 922(k) and 924(a)(1)(B), as charged in Count 7 of this Indictment, the United States will seek forfeiture, in accordance with Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), of any firearms and ammunition involved in the commission of the offense, to wit, (i) one .45 caliber Metro Arms Corp American Classic Amigo pistol, from which the manufacturer's serial number was removed, altered, and obliterated; (ii) one Nec-Gar magazine; and (iii) 49 rounds of assorted .45 caliber, .380 caliber, and 9mm caliber ammunition.

SUBSTITUTE ASSETS PROVISION

(Counts 1, 2, 3, 6, and 7)

1. If any of the above-described forfeitable property, as a result of any act or omission of the respective defendants:

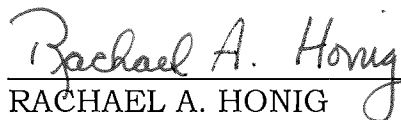
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be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

the United States shall be entitled, pursuant to Title 21, United States Code, Sections 853(p) and 982(b)(1), and Title 28, United States Code, Section 2461(d), to forfeiture of any other property of the defendants up to the value of the above-described forfeitable property.

A TRUE BILL



FOREPERSON



RACHAEL A. HONIG
Acting United States Attorney

