

1 NICHOLAS A. TRUTANICH
United States Attorney
2 Nevada Bar Number 13644
JIM W. FANG
3 Assistant United States Attorney
501 Las Vegas Boulevard South, Suite 1100
4 Las Vegas, Nevada 89101
Tel: 702.388.6317 / Fax: 702.388.6418
5 jim.fang@usdoj.gov
Attorneys for the United States

FILED
U.S. MAGISTRATE JUDGE
Date: 10-9-2020
Time: 2:01PM

6
7 **UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,

Case No. 2:20-mj- 901-VCF

9 Plaintiff,

COMPLAINT

for violations of:

10 v.

Possession of Counterfeit and

Unauthorized Access Devices

(18 U.S.C. § 1029(a)(3) and (c)(1)(A)(i))

11 DELASHAUN DEAN,

12 Defendant.

Aggravated Identity Theft

(18 U.S.C. § 1028A(a)(1))

14 BEFORE the United States Magistrate Judge, Las Vegas, Nevada, the undersigned
15 Complainant, being duly sworn, deposes and states:

16 COUNT ONE

Possession of Counterfeit and Unauthorized Access Devices

(18 U.S.C. § 1029(a)(3) and (c)(1)(A)(i))

17
18 On or about October 3, 2020, and on or about October 5, 2020, in the State and
19 Federal District of Nevada,

20 DELASHAUN DEAN,

21 defendant herein, knowingly and with intent to defraud, possessed fifteen or more
22 counterfeit and unauthorized access devices, namely at least fifteen California Employment
23 Development Department debit cards issued in other people's names, including a card with
24 the last four digits of the account number being 7045 issued in the name of M.W., and two

1 debit cards issued in the name B.D., said possession affecting interstate and foreign
2 commerce, in violation of 18 U.S.C. § 1029(a)(3) and (c)(1)(A)(i).

3 COUNT TWO
4 Aggravated Identity Theft
5 (18 .S.C. § 1028A(a)(1))

6 On or about October 5, 2020, in the State and Federal District of Nevada,

7 DELASHAUN DEAN,

8 defendant herein, did knowingly possess and use, without lawful authority, a means of
9 identification of another person, that is, a California Employment Development
10 Department debit card with the last four digits of the account number being 7045 issued in
11 the name of M.W., during and in relation to a felony violation enumerated in 18 U.S.C. §
12 1028A(c), that is, the violation of 18 U.S.C. § 1029(a)(3) described in Count One, knowing
13 that the means of identification belonged to another actual person, in violation of 18 U.S.C.
14 § 1028A(a)(1).

15 PROBABLE CAUSE

16 Complainant, Anthony Clark, states the following as and for probable cause.

17 1. I am a Special Agent (SA) employed by the United States Department of
18 Labor (DOL), Office of Inspector General (OIG), Office of Investigations – Labor
19 Racketeering and Fraud, in Las Vegas, Nevada, and have been so employed since January
20 2019. As a DOL OIG SA, my duties include investigating fraud, waste, and abuse of
21 various DOL programs. I have conducted investigations of criminal activity involving
22 unemployment insurance fraud, workers' compensation fraud, and grant fraud.

23 2. The following information contained within this Criminal Complaint is based
24 upon my own participation in this investigation, as well as information and reports provided
to me by other law enforcement personnel. This statement does not include any and all

1 information in reference to this investigation, but rather only those facts necessary to
2 establish probable cause.

3 3. On October 3, 2020, Las Vegas Metropolitan Police Department (“LVMPD”)
4 obtained a search warrant to search Room 3806 of the Cosmopolitan Hotel and Casino in
5 Las Vegas, Nevada, after hotel staff alerted law enforcement to the presence of several large
6 bags of marijuana in the room. During the search, officers discovered six bags of marijuana
7 weighing approximately one pound each, 11 California Employment Development
8 Department (“EDD”) debit cards in different names,¹ and a notebook containing the
9 personal identification information of at least a dozen individuals, as well as information
10 consistent with the filing of unemployment insurance benefits. Hotel staff informed the
11 officers that the room was registered to an individual named DELASHAUN DEAN.
12 Several casino player’s cards were also recovered in the room with DEAN’s name on them.
13 The hotel was instructed to lock the room.

14 4. On October 5, 2020, an individual approached the front desk of the hotel,
15 inquiring as to why his room key to Room 3806 did not work, unaware that the room had
16 been locked per law enforcement’s instructions. Hotel security was contacted, who asked
17 the individual to produce some form of identification, and the individual presented security
18 with an Arizona driver’s license in DEAN’s name. Security then detained DEAN and
19 contacted law enforcement.

20 5. Upon arrival, LVMPD officers placed DEAN under arrest. During a search
21 incident to arrest, officers discovered another EDD debit card in the name of M.W., a Texas

22
23 ¹ EDD is the agency that administers California’s unemployment insurance program, which
24 is designed to provide benefits to eligible workers who become unemployed through no fault
of their own. EDD provides unemployment insurance benefits to qualified applicants on a
debit card.

1 driver's license in the name of B.D. but with a photo that matched DEAN, and two Visa
2 debit cards in B.D.'s name, all in DEAN's wallet. Below is DEAN's booking photo and a
3 photo of the Texas ID:



12 6. After DEAN's arrest, hotel security gathered his belongings from Room 3806,
13 located three more EDD debit cards not in DEAN's name, and turned them over to
14 LVMPD. In all, 15 EDD debit cards, all in different names and none in DEAN's name,
15 were discovered on DEAN's person and in Room 3806, which was registered to DEAN.

16 7. According to EDD records, at least \$222,930 of unemployment insurance
17 benefits were approved on the cards found in DEAN's room and DEAN's person.

18 8. Officers interviewed DEAN after his arrest, and he denied any knowledge of
19 the items found in Room 3806. He claimed that the room was registered to two people and
20 he was not the only occupant, which was contrary to hotel records. When asked to identify
21 the other individual, DEAN refused to state who else was staying in the room. He also
22 stated that he never went to the room, and that October 5 was his first time "coming back to
23 the room."


1 9. When asked about items found in his wallet, DEAN asserted that he did not
2 know who B.D. was, and that the Texas ID bearing B.D.'s name was a fake ID. He did not
3 deny having possession of the fake ID, the two Visa debit cards in B.D.'s name, and the
4 EDD debit card in M.W.'s name. When asked how he obtained the M.W. card, DEAN
5 stated that someone had left it in the room, despite claiming that he never went to the room
6 registered in his name.

7 10. As described above, the notebook found inside Room 3806 contained the
8 dates of birth and social security numbers of at least seven individuals. One of those
9 individuals was M.W., whose card was found on DEAN's person. The notebook also
10 contained what appears to be a ledger of cards for different individuals, when the cards were
11 sent, and the balance for each card, ranging from \$18,670 to \$19,440 each. It also contained
12 notes to reroute several accounts to different addresses, as well as listing two addresses
13 labeled as "dummy address[es]." In addition, the notebook contained a list of individuals
14 "not approved." Based on my training and experience, all of the information found in the
15 notebook is consistent with fraudulent applications of unemployment insurance benefits.

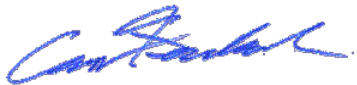
16 11. According to EDD records, at least another \$103,014 of unemployment
17 insurance benefits were approved for DEAN himself and an additional four individuals
18 whose PII were found in the notebook. Moreover, out of the 16 claims for which EDD had
19 records that were not DEAN's own claim, the mailing addresses for 12 of them were the
20 same Suisun City, California address used as DEAN's mailing address for his own EDD
21 claim. In other words, 13 individuals, including DEAN himself, appear to have listed the
22 same address for their EDD claims. Based on my training and experience, this is another
23 indicator of fraudulent unemployment benefits activity.

1 12. DEAN’s unlawful possession of the aforementioned debit cards affected
2 interstate commerce because most of these cards were from a source outside of the State of
3 Nevada, i.e. EDD cards from California. Moreover, the EDD debit cards, administered by
4 the Bank of America, likely traveled through interstate commerce before being possessed by
5 DEAN in the State of Nevada, because Bank of America is not incorporated nor has its
6 primary places of business located here in the State of Nevada.

7 13. Based on the above, I believe there is probable cause that, on or about
8 October 3, 2020, and October 5, 2020, DELASHAUN DEAN did violate 18 U.S.C.
9 § 1029(a)(3) (Possession of Counterfeit and Unauthorized Access Devices) and 1028A(a)(1)
10 (Aggravated Identity Theft).

11
12 
13 Anthony Clark, Special Agent
14 United States Department of Labor
Office of the Inspector General

15 Attested to by the applicant in accordance with the requirements
16 of Fed. R. Crim. P. 4.1 by telephone on October 9, 2020.

17 

18 _____
HONORABLE CAM FERENBACH
19 UNITED STATES MAGISTRATE JUDGE