

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: 12:07PM

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

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 KENNETH GREENLAND,

12 BRITTANY GRIESEL, and

13 PAUL NAEGER,

14 Defendants.

Case No. 2:20-mj -892-VCF

COMPLAINT for violations of:
Conspiracy to Effect Illegal Transactions
With Access Devices
(18 U.S.C. § 1029(b)(2))

Illegal Transactions With Access Devices
(18 U.S.C. § 1029(a)(5) and (c)(1)(A)(ii))

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

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

18 COUNT ONE

19 Conspiracy to Effect Illegal Transactions With Access Devices
(18 U.S.C. § 1029(b)(2))

20 1. From at least on or about June 6, 2020, to at least on or about September 7,
21 2020, in the State and Federal District of Nevada and elsewhere,

22 KENNETH GREENLAND (“GREENLAND”),

23 BRITTANY GRIESEL (“GRIESEL”), and

24 PAUL NAEGER (“NAEGER”),

1 defendants herein, did knowingly and willfully conspire and agree with each other, and with
2 other persons known and unknown, to commit the crime of Illegal Transactions With
3 Access Devices in violation of 18 U.S.C. § 1029(a)(5).

4 2. In furtherance of the conspiracy, defendants engaged in the following
5 conduct:

6 a. Between June 13, 2020, and July 5, 2020, GREENLAND used a
7 California Employment Development Department (“EDD”) debit card issued in the name
8 of T.M. to make ATM withdrawals totaling \$5,620 on six occasions.

9 b. Between July 7, 2020, and July 15, 2020, GRIESEL used an EDD
10 debit card issued in the name of M.M. to make ATM withdrawals totaling \$2,900 on three
11 occasions.

12 c. Between August 2, 2020, and August 6, 2020, GREENLAND and
13 GRIESEL transported at least four EDD debit cards issued in the names of R.G., M.M.,
14 T.M., and J.S. from California to Nevada.

15 d. Between August 3, 2020, and August 7, 2020, NAEGER used an
16 EDD debit card in the name of R.G. to pay for at least five outgoing inmate calls from the
17 Harris County Jail.

18 3. All in violation of 18 U.S.C. § 1029(b)(2).

19 COUNT TWO
20 Illegal Transactions With Access Devices
(18 U.S.C. § 1029(a)(5) and (c)(1)(A)(ii))

21 4. From at least on or about June 6, 2020, to at least on or about September 7,
22 2020, in the State and Federal District of Nevada and elsewhere,

23 KENNETH GREENLAND and

24 BRITTANY GRIESEL,

1 defendants herein, knowingly and with intent to defraud, effected transactions with access
2 devices issued to other persons, to wit, at least four California Employment Development
3 Department debit cards issued in the names of R.G., M.M., T.M., and J.S., to receive
4 payment and other things of value, the aggregate value of which was greater than \$1,000,
5 said conduct affecting interstate and foreign commerce, in violation of 18 U.S.C.
6 § 1029(a)(5) and (c)(1)(A)(ii).

7 COUNT THREE
8 Aggravated Identity Theft
9 (18 U.S.C. § 1028A(a)(1))

10 From at least on or about June 6, 2020, to at least on or about September 7, 2020, in
11 the State and Federal District of Nevada and elsewhere,

12 KENNETH GREENLAND,
13 BRITTANY GRIESEL, and
14 PAUL NAEGER,

15 defendants herein, did knowingly possess and use, without lawful authority, means of
16 identification of other people, to wit, four California Employment Development
17 Department debit cards issued in the names of R.G., M.M., T.M., and J.S., during and in
18 relation to a felony violation enumerated in 18 U.S.C. § 1028A(c), that is, the violation of 18
19 U.S.C. § 1029(a)(5) described in Count One, knowing that the means of identification
20 belonged to other actual people, in violation of 18 U.S.C. § 1028A(a)(1).

21 PROBABLE CAUSE

22 Complainant, Joshua Arambulo, states the following as and for probable cause:

23 1. I am a Special Agent (SA) employed by the United States Department of
24 Labor (DOL), Office of Inspector General (OIG), Office of Investigations – Labor
Racketeering and Fraud, in Las Vegas, Nevada, and have been so employed since March

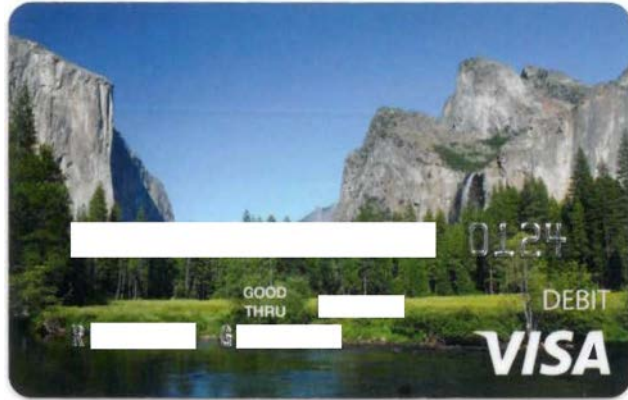
1 2017. As a DOL OIG SA, my duties include investigating fraud, waste, and abuse of
2 various DOL programs. I have conducted investigations of criminal activity involving
3 unemployment insurance fraud, workers' compensation fraud, and labor racketeering.

4 2. The following information contained within this Criminal Complaint is based
5 upon my own participation in this investigation, as well as information and reports provided
6 to me by other law enforcement personnel. This statement does not include any and all
7 information in reference to this investigation, but rather only those facts necessary to
8 establish probable cause.

9 3. On August 8, 2020, Las Vegas Metropolitan Police Department ("LVMPD")
10 effectuated a traffic stop, on Sahara Boulevard in Las Vegas, of a white Maserati sedan
11 driven by Defendant KENNETH GREENLAND ("GREENLAND"), with Defendant
12 BRITTANY GRIESEL ("GRIESEL") as a passenger. GREENLAND and GRIESEL
13 were arrested after law enforcement officers noticed the presence of illegal narcotics in the
14 car. During the subsequent search of their persons and their car, officers discovered and
15 confiscated nine debit cards issued by the Bank of America to disburse unemployment
16 insurance benefits for the California Employment Development Department ("EDD").¹

17 Below is an example of one of these cards:
18
19
20
21
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 benefits to qualified applicants on a debit card.



1
2
3
4
5
6
7 4. Out of the nine cards recovered, one was in GREENLAND's name, and
8 another was in Defendant PAUL NAEGER's name. None of the cards were in
9 GRIESEL's name. I will refer to the seven cards issued in the name of individuals other
10 than Defendants, collectively, as "the unauthorized EDD cards." Two of the unauthorized
11 EDD cards were found in GRIESEL's purse: (a) a card ending in 0124 issued in the name
12 of R.G. (pictured above); and (b) a card ending in 2500 issued in the name of J.S.
13 NAEGER's card was also found in GRIESEL's purse.

14 5. Another five unauthorized EDD cards were found in the center console of the
15 car, including (a) a card ending in 7180 issued in the name of T.M.; (b) a card ending in
16 2753 issued in the name of G.M.; (c) a card ending in 8621 issued in the name of M.M.;
17 (d) a card ending in 0166 issued in the name of W.W.; and (e) a card ending in 4734 issued
18 in the name of C.W. The EDD card issued to GREENLAND was also found in the center
19 console with these five unauthorized cards.

20 6. EDD and bank records show that the EDD debit cards found in
21 GREENLAND and GRISEL's possession had been approved for at least \$255,000 of
22 unemployment insurance benefits and funded with at least \$200,000 in such benefits.

23 7. EDD records also show that the seven unauthorized EDD cards are likely
24 associated with the names, birth dates, and social security numbers of real people. For

1 example, I spoke to G.M., who informed me that she had never lived in California and has
2 never applied for unemployment benefits in California. I also spoke to J.S., who informed
3 me that he never lived in California and last visited in 1983. He has never applied for
4 unemployment benefits in California. Both confirmed that the names, birth dates, and
5 social security numbers associated with the unauthorized EDD cards in their names belong
6 to them. In addition, I spoke to R.G.'s son, who informed me that R.G. passed away in
7 February 2020, so R.G. could not have been the person who applied for unemployment
8 benefits claim that was submitted on June 21, 2020.

9 8. During LVMPD's search of the Maserati, officers also recovered, among
10 other things, approximately \$45,000 in cash, over a dozen Visa gift cards, ATM withdrawal
11 receipts, and various documents in GREENLAND's and GRIESEL's names indicating
12 they had recently gambled at Aria Resort and Casino, Palace Station, and Red Rock
13 Casino. I note that initially, according to both the arrest report and body camera footage,
14 GREISEL had claimed everything in the car was hers, although she later identified some
15 contents as belonging to GREENLAND.



Still Image of Recovered Cash from Body Cam Footage

1 9. I performed a DMV check of the Maserati that GREENLAND was driving at
2 the time of the traffic stop and discovered that the car was registered to Enterprise Rent-A-
3 Car. Enterprise provided me with documentation showing that GREENLAND had rented
4 the Maserati from an Enterprise location in Van Nuys, California on August 2, 2020.

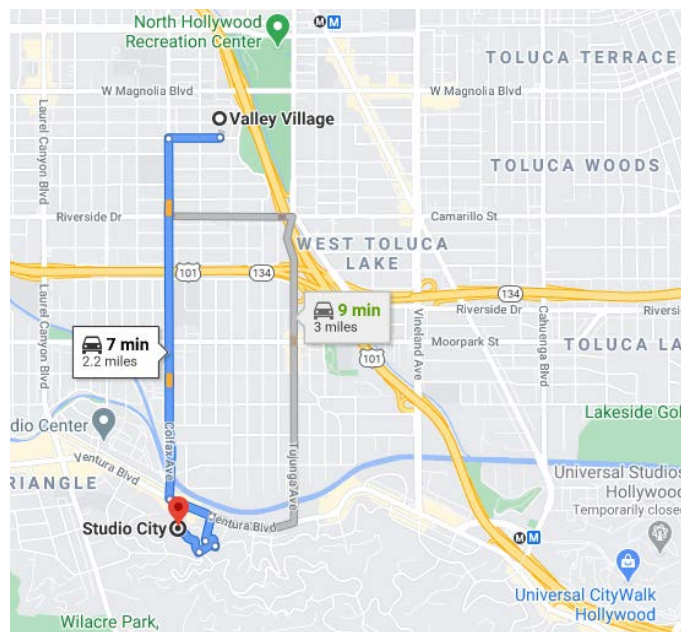
5 10. The two unauthorized EDD cards found in GRIESEL's purse were used to
6 purchase at least \$1,327 in goods and services and withdraw at least \$1,235 from ATMs in
7 Las Vegas, Nevada between August 6, 2020, and August 8, 2020 (the day of the arrest of
8 Defendants GREENLAND and GRIESEL by LVMPD), including, but not limited to, the
9 following transactions:

Approx. Date	EDD Card Name	Transaction
August 6, 2020	R.G.	\$96.45 purchase at Nordstrom
	R.G.	\$1,008.99 ATM withdrawal
August 7, 2020	R.G.	\$31.44 purchase at Walgreens
August 8, 2020	J.S.	\$1,029.95 purchase at Palace Station
	R.G.	\$41.66 purchase at Aria's Patisserie
	R.G.	\$25.57 purchase at Aria's Burger Lounge
	R.G.	\$226.99 ATM withdrawal at the Wynn

15 11. Several of the transactions above occurred at casinos where GREENLAND
16 and GRIESEL were confirmed to have gambled during a similar time period. At the time
17 of her arrest, GRIESEL had on her person three Forms W-2G issued to her based on
18 gambling at the Aria Resort and Casino on August 6, 2020. At the time of his arrest,
19 GREENLAND had on his person: (a) two Forms W-2G issued to him based on gambling
20 at the Aria Resort and Casino on August 6, 2020; (b) one Form W-2G issued to him based
21 on gambling at the Red Rock Casino on August 7, 2020; and (c) two cash vouchers and
22 seven ATM receipts indicating that he had been gambling at Palace Station Casino on both
23 August 7 and 8, 2020.

1 12. Bank of America transaction records also suggest that on numerous occasions
2 GREENLAND made ATM withdrawals using unauthorized EDD cards shortly before or
3 after making withdrawals using the EDD card in his own name.

4 a. On June 23, 2020, GREENLAND used his EDD card to make an
5 \$803 ATM withdrawal at a Wells Fargo Bank in Studio City, California. Nine minutes
6 earlier, the unauthorized EDD card issued in T.M.'s name (7180) was used to make a
7 \$1,000 withdrawal at a Bank of America in Valley Village, California. Studio City and
8 Valley Village are approximately 2.2 miles apart:



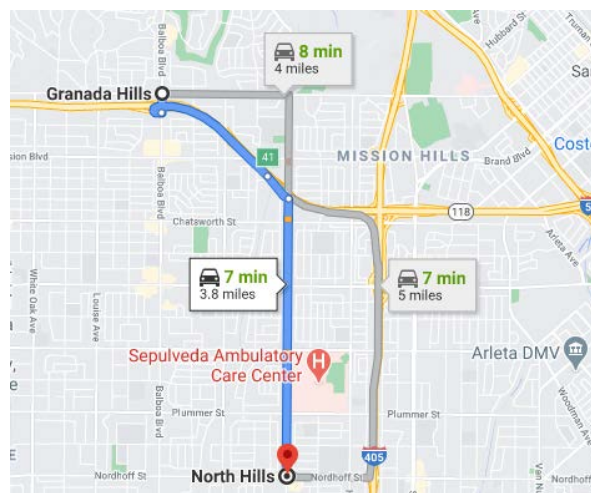
18 b. On June 24, 2020, GREENLAND used his EDD card to make an
19 \$800 ATM withdrawal at a Bank of America in Studio City. In the ten minutes before that
20 withdrawal, the unauthorized EDD card issued in T.M.'s name (7180) was used to make a
21 two withdrawals: a \$503 withdrawal at a Wells Fargo Bank in Studio City; and a \$403
22 withdrawal at a Chase Bank in Studio City.

23 c. On June 27, 2020, GREENLAND used his EDD card to make an
24 \$800 ATM withdrawal at a Bank of America in Studio City. Eleven minutes later, the

1 unauthorized EDD card issued in T.M.'s name (7180) was used to make an \$803
2 withdrawal at a Wells Fargo Bank in Studio City.

3 d. On July 10, 2020, GREENLAND used his EDD card to make an
4 \$1,003 ATM withdrawal at a Wells Fargo Bank in Studio City. In the 20 minutes before
5 that withdrawal, the unauthorized EDD card issued in T.M.'s name (7180) was used to
6 make a \$403 withdrawal at a Wells Fargo Bank in Studio City, and the unauthorized EDD
7 card issued in C.W.'s name (4734) was used to make an \$803 withdrawal at a Wells Fargo
8 Bank in Studio City.

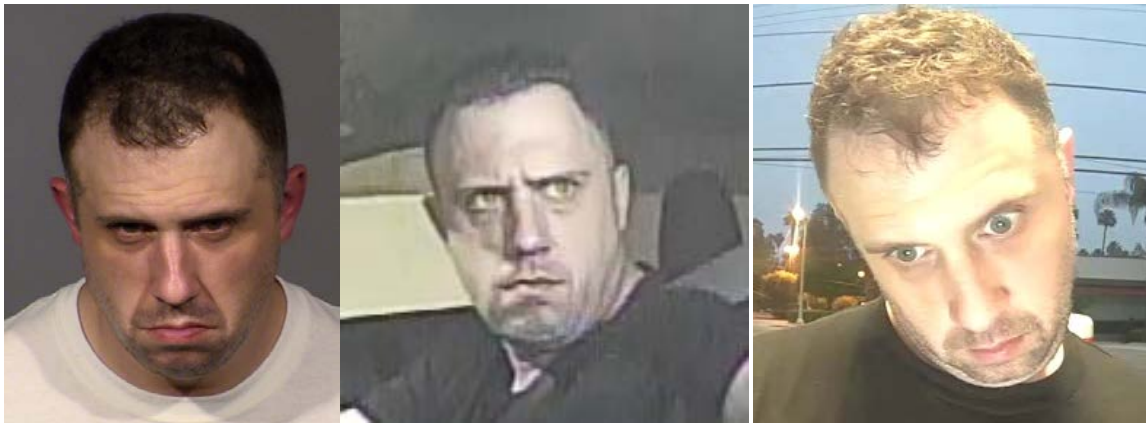
9 e. On July 13, 2020, GREENLAND used his EDD card to make an
10 \$1,000 ATM withdrawal at a Bank of America in Granada Hills, California. In the 20
11 minutes after that withdrawal, the unauthorized EDD card issued in M.M.'s name (8621)
12 was used to make a \$1,003 withdrawal at a Citibank in North Hills, California, and the
13 unauthorized EDD card issued in R.G.'s name (0124) was used to make a \$1,003
14 withdrawal at a Citibank in North Hills. Granada Hills and North Hills are approximately
15 3.8 miles apart:



23 f. Four of the five cards referenced in Paragraph 12, including the card in
24 GREENLAND's name, were found in the center console of the Maserati GREENLAND

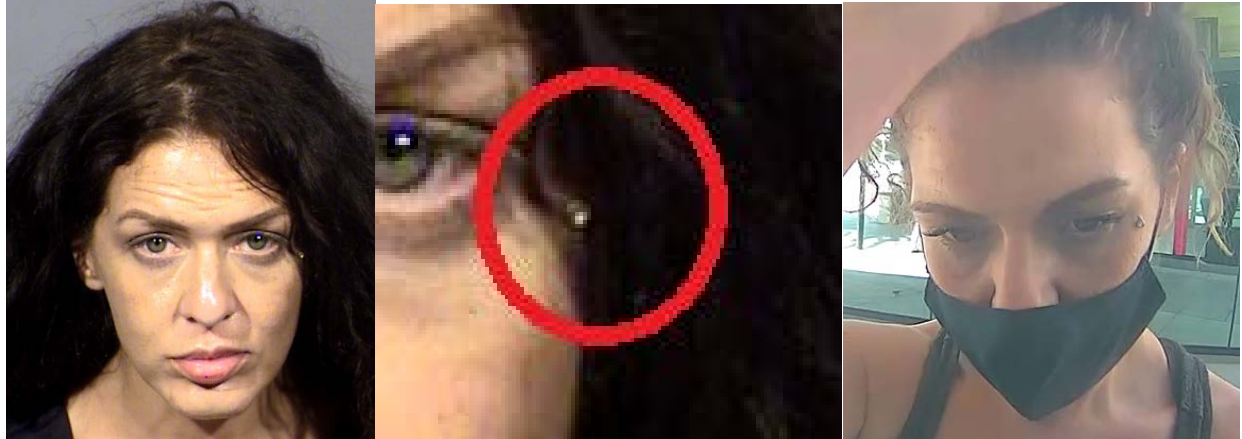
1 was driving at the time of his arrest. The fifth card was recovered from his passenger
2 GRIESEL.

3 13. Bank of America surveillance photos also showed GREENLAND making
4 withdrawals at Bank of America ATMs using T.M.'s card (7180) on at least six other
5 occasions between June 13, 2020, and July 5, 2020, in amounts totaling \$5,620. I was able
6 to positively identify GREENLAND from the surveillance photos by comparing them to his
7 booking photo at LVMPD and the LVMPD body camera footage of his arrest:



8
9
10
11
12
13
14 *A Comparison of GREENLAND's August 8 Booking Photo (Left) with*
15 *Still Images from the Use of T.M.'s Card on June 11 (Center) and June 24 (Right)*

16 14. There also several surveillance photos of someone resembling GRIESEL
17 making ATM withdrawals using one of the unauthorized EDD cards, while making
18 withdrawals at Bank of America ATMs using M.M.'s card (8621) on at least three occasions
19 between July 7, 2020, and July 15, 2020, in amounts totaling \$2,900 wearing a mask.
20 GRIESEL has a distinctive stud piercing next to her left eye, which is visible beneath her
21 hair in her LVMPD booking photo. One of her arresting officers confirmed that he observed
22 GRIESEL's piercing in this location during her August 8 arrest. In the surveillance photos,
23 the woman making ATM withdrawals has a stud piercing next to her left eye.



A Comparison of GRIESEL's August 8 Booking Photo (Left and Center) with Still Image from the Use of M.M.'s Card on July 7 (Right)

15. When I attempted to track down the individuals whose identities appeared to have been used to apply for the EDD cards found during the search, I discovered that one person, namely Defendant NAEGER, had been arrested and was incarcerated at the Harris County Jail in Texas. Bank of America records show use of the EDD cards to pay for calls to or from an inmate at an unknown location. Many of these transactions were made using NAEGER's card that was found in GRIESEL's purse, but R.G.'s card was used to pay for five outgoing calls between August 3 and August 7, 2020. Call records from the company that provides inmate call services at Harris County Jail, Securus Technologies, confirmed that those five calls were made using R.G.'s card by NAEGER.

16. Call recordings of those jail calls confirmed that GRIESEL and NAEGER were romantically involved. There was also a conversation between the two about GRIESEL attempting to send care packages to NAEGER in prison; indeed, two transactions in the Bank of America records appeared to be purchases at a website that provides inmate care packages. These two purchases were made using two of the seven unauthorized EDD cards. Further conversation between the two concerned NAEGER questioning whether GRIESEL had been scammed by the website, with GRIESEL

1 confirming that she had in fact been scammed, to which NAEGER responded, “well, you
2 know what, sometimes it takes one to know one, you know what I mean? Sometimes it
3 comes back around, you know what I mean? . . . That’s a good lick,” which caused both to
4 laugh as if in agreement with the comment.

5 17. Defendants’ conduct affected interstate commerce because they transported
6 the unauthorized EDD cards across state lines and effectuated transactions using those
7 cards in other states, namely Nevada and Texas.

8 18. Based on the above, I believe there is probable cause that KENNETH
9 GREENLAND and BRITTANY GRIESEL did violate 18 U.S.C. § 1029(a)(5) and
10 (c)(1)(A)(ii) (Illegal Transactions With Access Devices Issued to Other Persons). Moreover,
11 there is probable cause to believe that GREENLAND, GRIESEL, and PAUL NAEGER
12 engaged in a conspiracy to effectuate Illegal Transactions With Access Devices Issued to
13 Other Persons, in violation of 18 U.S.C. § 1029(b)(2), as well as 18 U.S.C. § 1028A(a)(1)
14 (Aggravated Identity Theft).



15
16 Joshua Arambulo, Special Agent
United States Department of Labor
Office of the Inspector General

17
18 Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
19 telephone on this 9th day of October, 2020.

20 
21 HONORABLE CAM FERENBACH
UNITED STATES MAGISTRATE JUDGE