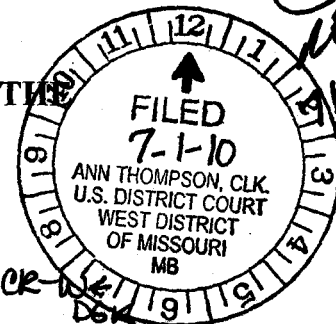


SECRET

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION



UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

JASON BURKS, (1))

[DOB: 09/27/1981],)

DEMETRIA HARRISON, (2))

[DOB: 06/08/1970],)

RAUN LAUDERDALE, JR.(3))

[DOB: 11/22/1983],)

SHANTE PEARSON, (4))

[DOB: 11/29/1977])

ABASS DJIBRIL, (5))

[DOB: 12/07/1965],)

DEANDREAUS KNIGHT, (6))

[DOB: 10/04/1989],)

CHRISTOPHER BRITTO, (7))

[DOB: 05/14/1983],)

RUBEN RIVERS, (8))

[DOB: 07/05/1956], and)

TERRENCE L. CLEMENS, (9))

[DOB: 01/17/1989],)

Defendants.)

Case No.)

10-00194-01/09-CR-W-DGK)

COUNT ONE: Defendants 1 through 9)

Conspiracy)

18 U.S.C. § 371)

NMT: 5 Years Imprisonment)

NMT: \$250,000 Fine)

NMT: 3 Years Supervised Release)

Class D Felony)

COUNT TWO: Defendant 1 only)

Access Device Fraud)

18 U.S.C. §§ 1029(a)(5) and 2)

NMT: 15 Years Imprisonment)

NMT: \$250,000 Fine)

NMT: 3 Years Supervised Release)

Class C Felony)

COUNT THREE: Defendant 1 only)

Aggravated Identity Theft)

18 U.S.C. §§ 1028A(a)(1) and 2)

Mandatory Sentence: 2 Years Imprisonment)

NMT: \$250,000 Fine)

NMT: 3 Years Supervised Release)

Class E Felony)

COUNTS FOUR and FIVE:)

Defendants 1 and 2)

Access Device Fraud)

18 U.S.C. §§ 1029(a)(5) and 2)

NMT: 15 Years Imprisonment)

NMT: \$250,000 Fine)

NMT: 3 Years Supervised Release)

Class C Felony)

) COUNTS SIX and SEVEN:
) Defendants 1 and 2
) **Aggravated Identity Theft**
) 18 U.S.C. §§ 1028A(a)(1) and 2
) Mandatory Sentence: 2 Years Imprisonment
) NMT: \$250,000 Fine
) NMT: 3 Years Supervised Release
) Class E Felony
)
) Maximum Punishment if Convicted
) on All Counts:
)
) Defendant Burks (1):
) Not less than 2 years imprisonment
) Not more than 56 years imprisonment
) \$1,250,000 Fine
) 3 Years Supervised Release
) Order of Restitution
) \$100 Mandatory Special Assessment
) (Each Count)
)
) Defendant Harrison (2):
) Not less than 2 years imprisonment
) Not more than 39 years imprisonment
) \$750,000 Fine
) 3 Years Supervised Release
) Order of Restitution
) \$100 Mandatory Special Assessment
) (Each Count)
)
) All Other Defendants:
) Not more than 5 years imprisonment
) \$250,000 Fine
) 3 Years Supervised Release
) Order of Restitution
) \$100 Mandatory Special Assessment
) (Each Count)
)

I N D I C T M E N T

THE GRAND JURY CHARGES THAT:

COUNT ONE (Conspiracy)

1. Beginning at least as early as on or about July 25, 2007, and continuing to at least as recently as on or about May 14, 2009, in the Western District of Missouri and elsewhere, **JASON BURKS, DEMETRIA HARRISON, RAUN LAUDERDALE, JR., SHANTE PEARSON, ABASS DJIBRIL, DEANDREAUS KNIGHT, CHRISTOPHER BRITTO, RUBEN RIVERS, and TERRENCE L. CLEMENS,** defendants herein, did knowingly and with intent to defraud, conspire and agree with each other and with others known and unknown to the Grand Jury, to commit violations of Title 18, United States Code, Sections 1029(a)(2) and (a)(5) (Access Device Fraud), and 1028A(a)(1) (Aggravated Identity Theft) by devising and executing a scheme and artifice to defraud, which was to obtain stolen access device information consisting of credit and debit card numbers, together with the matching cardholder names, expiration dates, security codes, billing addresses, and other means of identification, without the knowledge and without the authority of the cardholders, hereinafter “identity theft victims,” and without lawful authority, and then transmitting and causing to be transmitted false and fraudulent pretenses, representations, and promises, namely the stolen access device information and means of identification belonging to the identity theft victims, to make fraudulent purchases on the reservation systems of the domestic airline industry of the United States, in order to effect financial transactions, which

were the fraudulent purchases of airline tickets using stolen access device information and means of identification of the identity theft victims, by which **JASON BURKS, DEMETRIA HARRISON, RAUN LAUDERDALE, JR., SHANTE PEARSON, ABASS DJIBRIL, DEANDREAUS KNIGHT, CHRISTOPHER BRITTO, RUBEN RIVERS,** and **TERRENCE L. CLEMENS**, received things of an aggregate value equal to or exceeding \$1,000 during a one-year period, and the transactions affected interstate commerce.

2. The object of the conspiracy was to create and operate a nationwide “black market” for the sale of airline tickets by using stolen credit and debit card information of the identity theft victims to make purchases of airline tickets through the automated reservation systems of the domestic airline industry. **JASON BURKS, DEMETRIA HARRISON, RAUN LAUDERDALE, JR., SHANTE PEARSON, ABASS DJIBRIL, DEANDREAUS KNIGHT, CHRISTOPHER BRITTO, RUBEN RIVERS,** and **TERRENCE L. CLEMENS**, worked together and with others known and unknown to the grand jury to use stolen credit and debit card information to make fraudulent purchases of airline tickets and to obtain the confirmation codes for the tickets, which were forwarded to the passengers, who were purchasing the tickets at a deep discount of their true value.

MANNER AND MEANS

3. The manner and means by which the conspiracy was sought to be accomplished included, among others, the following:

- a. **JASON BURKS** acted as a black market travel agent. He used stolen credit card and debit card numbers and the means of identification of the cardholders to purchase airline reservations for his customers. **BURKS** generally purchased reservations close to the time of departure, in order to increase the likelihood that the airlines, credit card or debit card companies, or identity theft victims would not detect the fraudulent purchases, and have the tickets canceled. As a result, a passenger could often complete his or her trip before the credit or debit card was detected as being compromised. **BURKS** typically booked the reservation in the passenger's actual name. On occasion **BURKS** would misspell a customer's name in order to further evade the airlines' fraud detection systems. **BURKS** charged his customers far less than the value of a legitimately purchased reservation. **BURKS** accepted payments from his customers or through his passenger brokers or referral sources in the form of cash or wire transfers. **BURKS** profited from the scheme by purchasing the stolen credit and debit card information of the identity theft victims at a nominal cost, then using

the stolen information to purchase the airline tickets at no cost to himself, and then selling the confirmation codes of the airline tickets to customers of the conspirators.

- b. **RAUN LAUDERDALE, DEANDREAUS KNIGHT, TERRENCE CLEMENS** and others known and unknown to the grand jury, provided stolen credit card or debit card information to **JASON BURKS** to further the black market travel scheme. In the instance of **RAUN LAUDERDALE**, he obtained the stolen credit card or debit card information from his place of employment, a hotel in Long Beach, California. **RAUN LAUDERDALE** would sell the stolen credit or debit card information to **JASON BURKS**. In addition to providing stolen credit or debit card information to **JASON BURKS**, **DEANDREAUS KNIGHT** also obtained flights purchased with compromised credit or debit card information through **BURKS'** black market travel scheme.

- c. **DEMETRIA HARRISON, SHANTE PEARSON, CHRISTOPHER BRITTO, TERRENCE CLEMENS, ABASS DJBRIL**, and others known and unknown to the grand jury, acted as passenger brokers or referral sources for the black market travel scheme. They referred passengers, who were seeking discount airline tickets or merchandise

to **BURKS, PEARSON, BRITTO, CLEMENS, and DJIBRIL** knew that **BURKS** would obtain the airline reservations or merchandise by using stolen credit or debit card information. In addition, **PEARSON, BRITTO, CLEMENS, and DJIBRIL** obtained fraudulently purchased airline reservations for themselves through **BURKS**.

- d. Through this black market travel scheme operated by **JASON BURKS** hundreds of credit or debit cards have been compromised, and more than \$1,000,000 worth of fraudulent charges have been made or attempted.
- e. The conspirators used cellular telephones, email accounts, and other forms of electronic communication and storage, to communicate with each other and their customers in furtherance of the conspiracy and to transfer, possess, and use stolen credit and debit card information, the means of identification of the identity theft victims, and passenger names, routes, and ticket confirmation numbers. The instrumentalities of the electronic communication and storage included email accounts and telephone numbers, including:

Email Accounts:

jaylove2781@aol.com

kingpin20016301@aol.com

jayboi_chanel@yahoo.com

cutethick@gmail.com

mothachanel@aol.com

Telephone Numbers:

770-895-7006

404-844-3128

404-645-6085

404-389-7536

678-598-8857

314-550-5518

323-898-1024

323-595-6727

310-494-1483

562-376-0995

- f. To further his scheme, **BURKS** accessed the online reservation systems of the domestic airlines industry to make purchases of airline tickets using stolen credit and debit card information belonging to the identity theft victims. **BURKS** did so through the internet, including through an AT&T Internet account at his residence at 12102 Ainsworth, Los Angeles, California.
- g. Upon successfully purchasing airline tickets in this manner, **BURKS** would obtain confirmation numbers for the tickets. **BURKS** would then forward the confirmation number to the passenger or person who referred the passenger to **BURKS**. The passenger could use the confirmation number to obtain boarding passes allowing them to board an aircraft as if a ticket had been legitimately purchased.

OVERT ACTS

4. In furtherance of the conspiracy and to effect the objects of the conspiracy, the following overt acts, among others, were committed in the Western District of Missouri and elsewhere, and such acts were in and affected interstate commerce, and each transaction involving the use of an access device was done without the authority of the cardholder and without lawful authority:

- a. On or about September 25, 2008, **JASON BURKS** booked an Alaska Airlines flight for travel on September 26, 2008 from St. Louis to Los Angeles for passenger **DEANDREAUS KNIGHT**, who knew the ticket was purchased fraudulently, and **JASON BURKS** paid for the ticket using a stolen American Express Card number ending in 21000, belonging to PT of Lee's Summit, Missouri. **JASON BURKS** provided United his email address: dat_chanel_boi@tmail.com. The same day, **JASON BURKS** used the same American Express Card number to book three passengers traveling from Los Angeles to New Orleans on US Airways. **BURKS** provided US Airways his email address as: jayboi_chanel@yahoo.com. The total amount of fraudulent charges on the American Express Card number belonging to PT of Lee's Summit, Missouri was \$3,466.03.

- b. On or about November 4, 2008, **JASON BURKS** booked United Airlines tickets for a flight from Washington, DC to Los Angeles for passenger **CHRISTOPHER BRITTO**, who knew the ticket was purchased fraudulently, and one other passenger. **BURKS** paid for the tickets with a stolen F&A Federal Credit Union VISA card number ending in 0023, belonging to RA of Monterey Park, California. **JASON BURKS** provided United his email address as: jayboi_chanel@yahoo.com. Additional flights were booked on United Airlines, Delta Air Lines, and US Airways using the same VISA card number, for a total amount of fraudulent charges of \$8,404.77.
- c. On or about November 25, 2008, **JASON BURKS** attempted to book a United Airlines flight from Newark, New Jersey, to Los Angeles, California for **CHRISTOPHER BRITTO** (the name was misspelled as "Christopher Beitto"), who knew the ticket was purchased fraudulently, by providing a stolen American Express Card number ending in 61008, belonging to RT of El Cajon, California. The email address used by **JASON BURKS** to book the United tickets was jaylove2781@aol.com.

- d. On or about November 26, 2008, **JASON BURKS** successfully booked five United Airlines tickets for a flight from John F. Kennedy International Airport in New York City, to Los Angeles, California, for **CHRISTOPHER BRITTO** and **ABASS DJIBRIL**, who knew the tickets were purchased fraudulently, and three other passengers. All five tickets were purchased with a stolen American Express Card number ending in 23004, belonging to CC of Federal Way, Washington. Additional fraud charges were made on the same American Express Card account for a total amount of fraudulent charges of \$3,111.49. The email address used by **JASON BURKS** to book the United tickets was jaylove2781@aol.com.
- e. Between on or about January 25, 2009, and on or about January 27, 2009, defendant **DEMETRIA HARRISON**, using phone calls and text messages on 404-389-7536, arranged for a pair of Delta Air Lines tickets for two passengers to fly from Atlanta to Kansas City on January 27, 2009. **DEMETRIA HARRISON** priced the cost of the tickets at about half of the true cost of legitimately purchased tickets. **DEMETRIA HARRISON** received \$350 in cash delivered to her at her residence, 470 Bluffs Circle, Union City, Georgia, as payment for the Delta tickets. **DEMETRIA HARRISON** received

the assistance of **JASON BURKS** in booking the tickets because **JASON BURKS** had access to the stolen credit card information and the means of identification of the cardholders used to book the tickets. When **JASON BURKS** successfully booked the tickets, he used 310-494-1483 to send a text message to 404-389-7536, used by **DEMETRIA HARRISON**, which stated: "Ok its done." The Atlanta to Kansas City tickets, and six additional tickets for flights on United and Southwest Airlines were all purchased with a stolen Chase Bank VISA credit card ending in 5154, belonging to AN of San Diego, California. The total amount of fraudulent charges, including baggage fees, on the Chase Bank VISA credit card was \$5,040.10. The email addresses used by **JASON BURKS** to book the United tickets included jaylove2781@aol.com and kingpin20016301@aol.com.

- f. On or about February 20, 2009, defendant **JASON BURKS**, using 310-494-1483, called the toll-free number for the United Airlines reservation system, to purchase a ticket for **DEANDREAUS KNIGHT**, who knew the ticket was purchased fraudulently, to fly from St. Louis to Los Angeles. **KNIGHT**'s flight was scheduled to depart within a few hours of **BURKS**' call to United Airlines. To

pay for the ticket, **JASON BURKS** provided a stolen Washington Mutual Bank VISA card number ending in 5190, belonging to CL of Lakewood, California, along with the means of identity for CL.

JASON BURKS provided United Airlines his email address as: cutethick@gmail.com. Shortly before the flight was scheduled to

depart St. Louis, **JASON BURKS** called **DEANDREAUS**

KNIGHT at 314-550-5518 to make sure **KNIGHT** would not miss the flight.

- g. On or about February 20, 2009, defendant **JASON BURKS**, using 310-494-1483, accepted an order for airline tickets from defendant **ABASS DJIBRIL**, who was using 323-595-6727, for two passengers to fly from Baltimore, Maryland to Los Angeles, California, one of the tickets being for **ABASS DJIBRIL**, himself, who knew the tickets would be purchased fraudulently. Later the same day, **JASON BURKS** booked United Airlines tickets for **ABASS DJIBRIL** and one other passenger to fly together from Baltimore to Los Angeles. **JASON BURKS** paid for the tickets using a stolen Washington Mutual Bank VISA card number ending in 5190, belonging to CL of Lakewood, California. **JASON BURKS** booked the tickets through the United Airlines online

reservation system, using the AT&T internet connection subscribed in the name of his stepfather, Michael Walton, with the service address of 12102 Ainsworth, Los Angeles, California, where **JASON BURKS** lived. In the process of booking the tickets online, **JASON BURKS** provided United Airlines his email address as: jayboi_chanel@yahoo.com.

- h. On or about February 20, 2009, Mark Rogers wired \$400 via Western Union from Dothan, Alabama to **JASON BURKS** in Inglewood, California, as an advance payment for airline tickets.
- i. On or about February 21, 2009, defendant **JASON BURKS**, using 310-494-1483, accepted an order for airline tickets from Mark Rogers, who was requesting a flight for himself and his mother, Rose Peoples, to fly from the Dothan Regional Airport in Alabama, to Los Angeles, California. **JASON BURKS** booked the flight on Alaska Airlines using a stolen Washington Mutual Bank VISA card number ending in 5190, belonging to CL of Lakewood, California. **JASON BURKS** booked the tickets through the Alaska Airlines online reservation system, using the AT&T internet connection subscribed in the name of his stepfather, Michael Walton, with the service address of 12102 Ainsworth, Los Angeles, California. The total

amount of fraudulent charges posted to the Washington Mutual VISA card belonging to CL of Lakewood, California, was \$3,424.73.

- j. On or about February 24, 2009, **JASON BURKS** used his cell phone, 310-494-1483, to call the United Airlines toll-free number for reservations, 800-241-6522, to request a modification for a reservation made for confirmation number JMQSW6 to change the date of travel to February 25, 2009, instead of February 24, for passenger **DEANDREAUS KNIGHT** to fly from Los Angeles to St. Louis. **DEANDREAUS KNIGHT** knew the ticket was purchased fraudulently. The ticket was purchased by **JASON BURKS** using a Washington Mutual Bank MasterCard number ending in 6011, belonging to KD of Buena Park, California.
- k. On or about February 27, 2009, **DEMETRIA HARRISON** used 404-645-6085 to contact **JASON BURKS**, who was using 310-494-1483, to request his assistance in purchasing two airline tickets for passengers to fly from Kansas City to Atlanta. At approximately 1:21 a.m., Central Time, on or about February 28, 2009, **JASON BURKS** sent a text message from his cell phone, 310-494-1483, to **DEMETRIA HARRISON** who was using 404-645-6085, which

contained the United Airlines confirmation code, X9H4FI, for the two requested passengers to fly from Kansas City to Atlanta.

JASON BURKS provided United his email address as:

jaylove2781@aol.com. Later the same day, on or about February 28,

2009, **JASON BURKS** and **DEMETRIA HARRISON** worked

together using the same telephones to rebook the same passengers on

a US Airways flight from Kansas City to Atlanta. **RAUN**

LAUDERDALE sold **BURKS** a stolen American Express Card

number ending in 22005, belonging to LT of Long Beach,

California. **RAUN LAUDERDALE** obtained LT's American

Express Card information from his place of employment. **JASON**

BURKS used the stolen American Express Card number and the

cardholder's means of identity to purchase the US Airways tickets

for the two passengers traveling from Kansas City to Atlanta.

BURKS provided US Airways his email address as:

jayboi_chanel@yahoo.com.

1. On or about March 4 and 5, 2009, **DEMETRIA HARRISON**, using 404-645-6085, exchanged a series of text messages with **JASON BURKS**, who was using 310-494-1483, to arrange a flight for two passengers traveling from Atlanta to Kansas City. **JASON BURKS**

first attempted to book the passengers on US Airways using an American Express Card number ending in 82157, and the means of identification of the cardholder, PN of Piscataway, New Jersey.

JASON BURKS provided US Airways his email address as:

kingpin20016301@aol.com. Later, **JASON BURKS** used the same

American Express Card number to book the same two passengers on

a United Airlines flight. **BURKS** provided United his email address

as: jayboi_chanel@yahoo.com. Three of the four United Airlines

reservations were all made by **JASON BURKS** through the AT&T

Internet connection subscribed in the name of his stepfather, Michael

Walton, with the service address of 12102 Ainsworth, Los Angeles,

California, where **JASON BURKS** lived. **RAUN LAUDERDALE**

stole PN's American Express Card information from

LAUDERDALE's place of employment, and sold the information to

JASON BURKS.

- m. On or about March 9, 2009, **SHANTE PEARSON**, used 323-898-1024, to call **JASON BURKS** at 310-494-1483 to request a first class ticket on United Airlines to fly from Washington, D.C., to Los Angeles. **SHANTE PEARSON** gave his email address to **BURKS** as: mothachanel@aol.com. **JASON BURKS** booked the ticket

through the United Airlines online reservation system, using the AT&T Internet connection subscribed in the name of his stepfather, Michael Walton, with the service address of 12102 Ainsworth, Los Angeles, California, where **JASON BURKS** lived. **JASON BURKS** provided United the email address of **SHANTE PEARSON**, mothachanel@aol.com, so that United would send the flight information directly to **SHANTE PEARSON**. **JASON BURKS** paid for the ticket using a stolen American Express Card number ending in 82157, and the means of identification of the cardholder, PN of Piscataway, New Jersey.

- n. On or about March 10, 2009, **RUBEN RIVERS**, using 404-933-7833, called **JASON BURKS** at 310-494-1483 to request an Amtrak ticket for **RUBEN RIVERS** to travel from Atlanta, Georgia to New York, New York, knowing that **BURKS** would pay for the ticket with stolen credit card information. In fact, **RIVERS** requested that **BURKS** engage in access device fraud in order to pay for the restitution.
- o. On or about March 11, 2009, **JASON BURKS** called the toll-free reservation number for Amtrak, 800-872-7245, and paid for the train

ticket for **RUBEN RIVERS** to travel from Atlanta to New York.

JASON BURKS verbally identified himself as an American Express Cardholder named PN of Piscataway, New Jersey, and gave the American Express Card number belonging to PN, along with the expiration day, security code, and the zip code of the billing address.

In the course of making the reservation, **JASON BURKS** verbally provided his email address as: jaylove2781@aol.com.

- p. On or about March 16, 2009, **SHANTE PEARSON**, using 323-898-1024 called **JASON BURKS** at 310-494-1483 to request airline tickets for two passengers to fly from Los Angeles to Denver and on to Atlanta. **JASON BURKS** agreed to book the tickets, and used the AT&T Internet connection at his residence, subscribed in the name of his stepfather, Michael Walton, with the service address of 12102 Ainsworth, Los Angeles, California, to access the United Airlines online reservation system. **JASON BURKS** paid for the United tickets using a stolen American Express Card number ending in 41042 and the means of identification of the cardholder, JO of Ft. Worth, Texas. **RAUN LAUDERDALE** stole JO's American Express Card information from **LAUDERDALE**'s place of employment, and sold the information to **JASON BURKS**.

- q. On or about March 25, 2009, an unindicted co-conspirator sent an email to cutethick@gmail.com, used by **JASON BURKS**, which contained a stolen VISA card number ending in 3115, and the means of identification of the cardholder, BO of Provo, Utah. The unindicted co-conspirator had earlier obtained the stolen VISA card number from a source in Bangladesh who used the email address geezybeary@yahoo.com to transmit the stolen VISA card number and the means of identification of the cardholder to the unindicted co-conspirator in the United States.
- r. On or about March 25, 2009, **TERRENCE CLEMENS**, used 562-376-0995, to call **JASON BURKS**, who was using 310-494-1483, to request his assistance in purchasing two airline tickets for passengers to fly from Kansas City to Los Angeles, knowing that **JASON BURKS** would use stolen credit card information to purchase the tickets. **JASON BURKS** booked the flight on United Airlines using the stolen VISA card number and means of identification of BO of Provo, Utah, that he had received earlier the same day from the unindicted co-conspirator. **JASON BURKS** booked the tickets through the United Airlines online reservation system, using the AT&T Internet connection subscribed in the name of his stepfather,

Michael Walton, with the service address of 12102 Ainsworth, Los Angeles, California, where **JASON BURKS** lived. **BURKS** provided United his email address as: jaylove2781@aol.com. The total amount of fraudulent charges on the VISA card belonging to BO of Provo, Utah, was \$426.40.

- s. On or about March 30, 2009, **TERRENCE CLEMENS** and **JASON BURKS** began a series of phone calls to arrange for both of them to fly together from Los Angeles to Las Vegas.
- t. On or about March 31, 2009, **JASON BURKS**, using 310-494-1483, called the United Airlines toll-free reservations number, 800-241-6522, to pay for the two United tickets for himself and **TERRENCE CLEMENS** to fly from Los Angeles to Las Vegas. In the course of the conversation, **JASON BURKS** provided his email address as cutethick@gmail.com. After an American Express Card number provided by **JASON BURKS** was declined, **JASON BURKS** provided a VISA card number ending in 7804, belonging to JB of Omaha, Nebraska, along with the cardholder's billing address, the card's expiration date, and the security code number on the back of the card, and the payment was approved. **RAUN LAUDERDALE**

stole JB's Visa card information from **LAUDERDALE**'s place of employment, and sold the information to **JASON BURKS**.

All in violation of Title 18, United States Code, Section 371.

COUNT TWO
(Access Device Fraud)

1. The Grand Jury incorporates by reference all the allegations contained in Count One of the Indictment as if fully set forth herein.

2. On or about September 25, 2008, in the Western District of Missouri and elsewhere, **JASON BURKS**, did knowingly and with intent to defraud, effect financial transactions using an access device consisting of an American Express Card number ending in 21000, without the authority of the cardholder, PT, of Lee's Summit, Missouri, by which **JASON BURKS** intended to receive things of an aggregate value of at least \$1,000 during a one-year period, consisting of fraudulently purchased airline tickets, and which transactions affected interstate commerce; all in violation of Title 18, United States Code, Sections 1029(a)(5) and 2.

COUNT THREE
(Aggravated Identity Theft)

1. The Grand Jury incorporates by reference all the allegations contained in Counts One and Two of the Indictment as if fully set forth herein.

2. On or about September 25, 2008, in the Western District of Missouri, and elsewhere **JASON BURKS** did knowingly and without lawful authority transfer, use, and

possess one or more means of identification, consisting of an American Express Card number ending in 21000, of another person, namely PT of Lee's Summit, Missouri, during and in relation to a felony offense, that being access device fraud as defined by Chapter 47, Title 18, United States Code, Section 1029(a)(5), all in violation of Title 18, United States Code, Sections 1028A(a)(1) and 2.

COUNTS FOUR through FIVE
(Access Device Fraud)

1. The Grand Jury incorporates by reference all the allegations contained in Count One as if fully set forth herein.

2. On or about the dates indicated in each count below, in the Western District of Missouri and elsewhere, in furtherance of the conspiracy to commit access device fraud and aggravated identity theft and to accomplish the goals of the conspiracy's scheme to defraud the airlines, defendants **JASON BURKS, DEMETRIA HARRISON**, and other accomplices did knowingly and with intent to defraud, effect financial transactions using access devices consisting of the accounts described in each count below and issued in the names of the identity theft victims below, by which **JASON BURKS, DEMETRIA HARRISON** and other accomplices received things of an aggregate value equal to and exceeding \$1,000 during a one-year period, and said transactions affected interstate commerce, as follows:

<u>Count</u>	<u>Date</u>	<u>Amount</u>	<u>Issuer</u>	<u>ID Theft Victim</u>
4	01/27/09	\$5,040.10	Chase Bank	AN, San Diego, CA

5 03/05/09 \$3,499.10 American Express PN, Piscataway, NJ

All in violation of Title 18, United States Code, Sections 1029(a)(5) and 2.

COUNTS SIX through SEVEN
(Aggravated Identity Theft)

1. The Grand Jury incorporates by reference all of the allegations contained in Counts One, Four, Five, and Six of the Indictment as if fully set forth herein.

2. On or about the dates listed below, in the Western District of Missouri and elsewhere, in furtherance of the conspiracy to commit access device fraud and aggravated identity theft and to accomplish the goals of the conspiracy's scheme to defraud the airlines, the credit card companies and their cardholders, defendants **JASON BURKS** and **DEMETRIA HARRISON** did knowingly and without lawful authority transfer, use, and possess one or more means of identification of another person, as identified in each count below, during and in relation to a predicate felony offense, that being access device fraud as defined by Chapter 47, Title 18, United States Code, Section 1029(a)(5), and such actions affected interstate commerce, as follows:

<u>Count</u>	<u>Date</u>	<u>Airline Tickets Purchased:</u>	<u>ID Theft Victim</u>
6	01/27/09	Atlanta, Georgia to Kansas City, Missouri	AN, San Diego, CA
7	03/05/09	Atlanta, Georgia to Kansas City, Missouri	PN, Piscataway, NJ


All in violation of Title 18, United States Code, Sections 1028A(a)(1) and 2.

A TRUE BILL.


FOREPERSON OF THE GRAND JURY


John E. Cowles #11797

Matt Hiller
Assistant United States Attorneys


Date