

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☐ INDICTMENT
☒ SUPERSEDING
OFFENSE CHARGED

See Attached

☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony
PENALTY:

See Attached

E-filing**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

INTERNAL REVENUE SERVICE

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

SHOW DOCKET NO.

☐ U.S. Att'y ☐ Defense
☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

 Name and Office of Person
 Furnishing Information on THIS FORM

☒ U.S. Att'y ☐ Other U.S. Agency

 Name of Asst. U.S. Att'y
 (if assigned) Kathryn Wong, Brian Bailey, U.S. Trial Attorneys

 Name of District Court, and/or Judge/Magistrate Location
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO

DEFENDANT - U.S.

CRYSTAL ANN POOLE

DISTRICT COURT NUMBER

No. CR 12-0389 SI

FILED
 2012 JUN - 7 P 4:00
 CLERK RICHARD W. WIEKING
 NORTHERN DISTRICT OF CALIFORNIA
DEFENDANT**IS NOT IN CUSTODY**

- 1) ☐ Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges **NOT ISSUED**
- 2) ☐ Is a Fugitive
- 3) ☒ Is on Bail or Release from (show District)

NORTHERN DISTRICT OF CALIFORNIA

IS IN CUSTODY

- 4) ☐ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges } ☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of institution

Has detainer been filed?

☐ Yes
☒ No

 If "Yes"
 give date
 filed

**DATE OF
 ARREST**

Month/Day/Year

Or... if Arresting Agency & Warrant were not

**DATE TRANSFERRED
 TO U.S. CUSTODY**

Month/Day/Year

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☒ NO PROCESS*

☐ WARRANT Bail Amount:

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

Offense Charged

26 U.S.C. § 7201 - Income Tax Evasion

Penalty

26 U.S.C. § 7201 - 5 yrs impris., \$250,000 fine, 3 yrs sup. release, \$100 special assessment.

Offense Charged

18 U.S.C. § 1344 - Bank Fraud

Penalty

18 U.S.C. § 1344 - 30 yrs impris., \$1,000,000 fine, 5 yrs sup. release, \$100 special assessment

Offense Charged

42 U.S.C. § 408 - Social Security Fraud

Penalty

42 U.S.C. § 408 - 5 yrs impris., \$250,000 fine, 3 yrs sup. release, \$100 special assessment

Offense Charged

18 U.S.C. § 1028A - Aggravated Identity Theft

Penalty

18 U.S.C. § 1028A - 2 yrs impris. (mandatory), \$250,000 fine, 1 yr sup. release, \$100 special assessment

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

UNITED STATES OF AMERICA,

V.

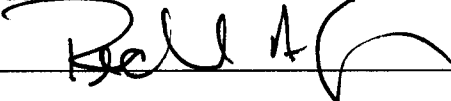
CRYSTAL ANN POOLE

DEFENDANT(S).

SUPERCEDING INDICTMENT

26 USC § 7201 - 7 counts
18 USC § 1344 - 1 count
42 USC § 408 - 3 counts
18 USC § 1028A - 3 counts

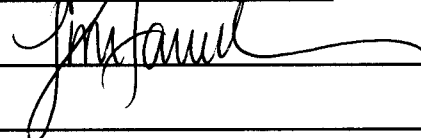
A true bill



Foreman

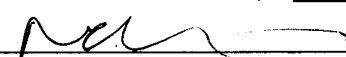
Filed in open court this 7th day of

June, 2012




Clerk

Bail, \$ Summons to appear



Nathanael Cousins
United States Magistrate Judge

FILED
2012 JUN - 7 P 4:00
RICHARD B. WELKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA


MELINDA L. HAAG (CABN 132612)
United States Attorney

FILED
2012 JUN -7 P 4:00
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

E-filing

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,
Plaintiff,
v.
CRYSTAL ANN POOLE,
Defendant.

No. CR 12-0389 SI

VIOLATIONS: 26 U.S.C. § 7201 -
Income Tax Evasion; 18 U.S.C. § 1344 -
Bank Fraud; 42 U.S.C. § 408 - Social
Security Fraud; 18 U.S.C. § 1028A -
Aggravated Identity Theft

SUPERSEDING INDICTMENT

The Grand Jury charges:

COUNT ONE: (26 U.S.C. § 7201)

1. Beginning on or about November of 2003, the exact date being unknown to the Grand Jury, and continuing up through the date of this indictment, in the Northern District of California and elsewhere, the defendant,

CRYSTAL ANN POOLE,

a resident of the Northern District of California, did willfully attempt to evade and defeat the payment of a large part of the income tax due and owing by her to the United States of America for calendar years 1998 through 2004, in the approximate amount of \$227,750, by:

- a. Using the social security number of another individual to conceal the nature, location, and extent of her income and assets.

- b. Using the social security number of another individual to obtain and hold property.

All in violation of Title 26, United States Code, Section 7201.

COUNTS TWO THROUGH SEVEN: (26 U.S.C. § 7201)

2. During each of the calendar years listed below, the defendant,
CRYSTAL ANN POOLE,
a resident of the Northern District of California, had taxable income in the approximate amounts indicated below upon which she owed to the United States of America income taxes. Well knowing and believing this, from 2005 through the date of this indictment, in the Northern District of California and elsewhere, she did willfully attempt to evade and defeat the income taxes she owed by:

- a. Failing to make an income tax return to the Internal Revenue Service on or before the due date for each year's income tax return.
- b. Failing to pay the respective income taxes that were due.
- c. Trying to stop her employers from withholding income tax from her wages.
- d. Using the social security number of another individual to conceal the nature, location, and extent of her income and assets.
- e. Using the social security number of another individual to obtain and hold property.

Count	Year	Due Date	Income
2	2005	April 17, 2006	\$186,928
3	2006	April 17, 2007	\$202,568
4	2007	April 15, 2008	\$221,305
5	2008	April 15, 2009	\$249,763
6	2009	April 15, 2010	\$213,678
7	2010	April 18, 2011	\$204,527

1 All in violation of Title 26, United States Code, Section 7201.

2
3 COUNT EIGHT: (18 U.S.C. § 1344(1) and § 1344(2))

4 3. Sometime before January 10, 2006, the defendant,

5 CRYSTAL ANN POOLE,

6 a resident of the Northern District of California, devised a scheme and artifice: (1) to defraud the
7 Community Bank of Mississippi, a financial institution the deposits of which were insured by the
8 Federal Deposit Insurance Corporation, and (2) to obtain monies and funds owned by and under
9 the custody and control of the Community Bank of Mississippi, a financial institution the
10 deposits of which were insured by the Federal Deposit Insurance Corporation, by means of
11 materially false and fraudulent pretenses, representations, and promises; that is, POOLE
12 misrepresented her financial circumstances and her social security number in order to borrow
13 money from the bank to buy a home in Florence, Mississippi.

14 4. On or about January 10, 2006, in the Northern District of California and elsewhere,
15 POOLE knowingly executed the scheme and artifice set forth above in that she submitted to the
16 Community Bank of Mississippi an application for a loan of \$335,000, which application she
17 knew was false and fraudulent in that:

18 a. It omitted debts POOLE then owed, including, among others, income taxes due
19 the California Franchise Tax Board, the Internal Revenue Service, and the
20 Georgia Department of Revenue.

21 b. It represented that POOLE had not declared bankruptcy within the past seven
22 years.

23 c. It stated that POOLE was not then a party to any lawsuit.

24 d. It stated that POOLE was not then delinquent or in default on any debt.

25 e. It listed a social security number of another individual as her own.

26 5. On or about January 10, 2006, in the Northern District of California and elsewhere,
27 POOLE knowingly executed the scheme and artifice by submitting to the Community Bank of
28 Mississippi a false and fraudulent IRS Form W-2, Wage and Tax Statement, which overstated

her wages.

6. On or about January 10, 2006, POOLE knowingly executed the scheme and artifice by causing a false and fraudulent IRS Form 4506-T, Request for Transcript of Tax Return, to be submitted to the Community Bank of Mississippi.

7. On or about January 10, 2006, in the Northern District of California and elsewhere, POOLE knowingly executed the scheme and artifice by submitting to the Community Bank of Mississippi a false employment paystub that had been altered to omit her true social security number.

8. On or about January 31, 2006, in the Northern District of California and elsewhere, POOLE knowingly executed the scheme and artifice by causing an employment verification letter from St. Francis Memorial Hospital to be faxed to the Community Bank of Mississippi to satisfy an underwriting condition of the loan.

All in violation of Title 18, United States Code, Section 1344.

COUNTS NINE THROUGH ELEVEN: (42 U.S.C. § 408(a)(7)(B))

9. On or about the dates set forth below, in the Northern District of California and elsewhere, the defendant,

CRYSTAL ANN POOLE,

for the purpose of obtaining something of value and for other purposes, and with the intent to deceive, did falsely represent on the document indicated below that XXX-XX-0101 was the social security number assigned to her by the Commissioner of Social Security, when in fact, as she well knew, the number was not assigned to her by the Commissioner:

Count	Date	Document & Purpose
9	6/7/2007	Loan application to purchase a 2002 Lexus SC340
10	1/29/2008	Application to open Wells Fargo checking account -1211
11	11/13/2009	Application to open JP Morgan Chase checking account -5352

All in violation of Title 42, United States Code, Section 408.

COUNTS TWELVE THROUGH FOURTEEN: (18 U.S.C. § 1028A(a)(1))

10. On or about the dates set forth below, in the Northern District of California and elsewhere, the defendant,

CRYSTAL ANN POOLE,

did knowingly possess and use, without lawful authority, another person's means of identification, to wit, social security number XXX-XX-0101 during and in relation to the commission of the felonies charged in Counts Nine through Eleven, to wit, social security fraud in violation of Title 42, United States Code 408:

Count	Date	Description
12	6/7/2007	using the number to buy a 2002 Lexus SC340
13	1/29/2008	using the number to open a Wells Fargo checking account
14	11/13/2009	using the number to open a JP Morgan Chase checking account

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

A True Bill

Dated: June 7, 2012

FORFEITURE

MELINDA HAAG
United States Attorney

J. Douglas Wilson for
MIRANDA KANE
Chief, Criminal Division

Approved as to Form

Brian D. Bailey
BRIAN D. BAILEY
KATHERINE L. WONG
Trial Attorneys

United States District Court
Northern District of California

CRIMINAL COVER SHEET

FILED

2012 JUN -7 P 4:00

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Instructions: Effective January 3, 2012, this Criminal Cover Sheet must be completed and submitted, along with the Defendant Information Form, for each new criminal case. Please place this form on top of the Defendant Information Form.

E-filing

Case Name:

USA v. Crystal Ann Poole

Case Number:

CR 12-0389 SI

Total Number of Defendants:

1 ☒ 2-7 _____ 8 or more _____

Is This Case Under Seal?

Yes _____ No ☒

Does this case involve ONLY charges under 8 U.S.C. § 1325 and/or 1326?

Yes _____ No ☒

Venue (Per Crim. L.R. 18-1):

SF ☒ OAK _____ SJ _____

Is this a death-penalty-eligible RICO Act gang case?

Yes _____ No ☒

Assigned AUSA (Lead Attorney):

Brian D. Bailey

Comments:

Superseding Indictment

Date Submitted:

June 7, 2012