IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	**CRIMINAL NO. __________**
v.	:	**DATE FILED: ____________**
ERIC YOUNG, **a/k/a "Kevin,"** **a/k/a "Kev,"** **CALVIN JOHNSON,** **a/k/a "Mike,"** **a/k/a "Wizz"**	: : : :	**VIOLATIONS:** **18 U.S.C. § 371 (conspiracy - 1 count)** **18 U.S.C. § 1344 (bank fraud - 1 count)** **18 U.S.C. § 2 (aiding and abetting)** **Notice of forfeiture**

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

1. From in or about December 2011 through in or about August 2012, in the Eastern District of Pennsylvania, and elsewhere, defendants

ERIC YOUNG,
a/k/a "Kevin,"
a/k/a "Kev," and
CALVIN JOHNSON,
a/k/a "Mike,"
a/k/a "Wizz,"

conspired and agreed, together and with others known and unknown to the grand jury, to commit offenses against the United States, that is, to knowingly execute, and attempt to execute, a scheme to defraud banks, including TD Bank, N.A. ("TD Bank"), the deposits of which were insured by the Federal Deposit Insurance Corporation, and to obtain monies owned by and under the care, custody, and control of those banks by means of false and fraudulent pretenses, representations, and promises, in violation of Title 18, United States Code, Section 1344.

MANNER AND MEANS

It was part of the conspiracy that:

2. Defendants ERIC YOUNG and CALVIN JOHNSON often hired individuals (the "openers"), known and unknown to the grand jury, to open accounts at banks, including TD Bank (the "Depository Banks"), and to provide defendants YOUNG and JOHNSON with the openers' automated teller machine ("ATM") cards, personal identification numbers ("PINs"), and starter checks for the new accounts. Defendants YOUNG and JOHNSON provided the openers with small amounts of cash to use as an initial deposit into the new accounts. In some cases, defendants YOUNG and JOHNSON obtained the ATM cards of individuals with existing accounts at the Depository Banks.

3. Using the ATM cards of the account holders at the Depository Banks, defendants ERIC YOUNG and CALVIN JOHNSON, and others known and unknown to the grand jury, made fraudulent deposits into the accounts. Sometimes the fraudulent deposits were empty deposit envelopes. Other times they were checks drawn upon bank accounts at the Depository Banks with insufficient funds.

4. The Depository Banks then made some of the funds from the fraudulent deposits available for withdrawal by defendants ERIC YOUNG and CALVIN JOHNSON while awaiting confirmation that the deposits were valid.

5. Before the Depository Banks determined that the deposits were fraudulent (either because the deposit envelopes were empty or because the deposited checks were drawn upon accounts with insufficient funds), defendants ERIC YOUNG and CALVIN JOHNSON stole the funds made available by the Depository Banks. Defendants YOUNG and JOHNSON

stole these funds by using the ATM cards obtained from the account holders at the Depository Banks to withdraw funds.

6. Through this scheme, defendants ERIC YOUNG and CALVIN JOHNSON defrauded the Depository Banks of over $100,000.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its objects, defendants ERIC YOUNG and CALVIN JOHNSON, and others known and unknown to the grand jury, committed the following overt acts, among others, in the Eastern District of Pennsylvania and elsewhere:

1. On or about April 17, 2012, in Philadelphia, Pennsylvania, defendants ERIC YOUNG and CALVIN JOHNSON caused two bank accounts to be opened in the name of A.W., an individual known to the grand jury, at TD Bank.

2. On or about April 17, 2012, in Philadelphia, Pennsylvania, defendants ERIC YOUNG and CALVIN JOHNSON caused an empty deposit envelope purporting to contain approximately $1,200 to be deposited into each of the bank accounts opened in the name of A.W.

3. On or about April 18, 2012, in Trevose, Pennsylvania, defendants ERIC YOUNG and CALVIN JOHNSON withdrew or caused to be withdrawn approximately $760 from one of the bank accounts opened in the name of A.W. via an ATM at a WaWa store.

4. On or about April 24, 2012, in Philadelphia, Pennsylvania, defendants ERIC YOUNG and CALVIN JOHNSON caused a bank account to be opened in the name of F.S., an individual known to the grand jury, at TD Bank.

5. On or about April 24, 2012, in Philadelphia, Pennsylvania, defendants ERIC YOUNG and CALVIN JOHNSON caused an empty deposit envelope purporting to contain approximately $1,200 to be deposited into the bank account opened in the name of F.S.

6. On or about April 25, 2012, in Philadelphia, Pennsylvania, defendants ERIC YOUNG and CALVIN JOHNSON withdrew or caused to be withdrawn approximately $760 from the bank account opened in the name of F.S. via an ATM at a WaWa store.

7. On or about April 24, 2012, in Philadelphia, Pennsylvania, defendants ERIC YOUNG and CALVIN JOHNSON caused a bank account to be opened in the name of C.M., an individual known to the grand jury, at TD Bank.

8. On or about April 24, 2012, in Philadelphia, Pennsylvania, defendants ERIC YOUNG and CALVIN JOHNSON caused an empty deposit envelope purporting to contain approximately $1,200 to be deposited into the bank opened in the name of C.M.

9. On or about April 25, 2012, in Philadelphia, Pennsylvania, defendants ERIC YOUNG and CALVIN JOHNSON withdrew or caused to be withdrawn approximately $760 from the bank account opened in the name of C.M. via an ATM at a WaWa store.

10. On or about April 24, 2012, in Philadelphia, Pennsylvania, defendants ERIC YOUNG and CALVIN JOHNSON caused two bank accounts to be opened in the name of S.W., an individual known to the grand jury, at TD Bank.

11. On or about April 24, 2012, in Philadelphia, Pennsylvania, defendants ERIC YOUNG and CALVIN JOHNSON caused an empty deposit envelope purporting to contain approximately $1,200 to be deposited into one of the bank accounts opened in the name of S.W.

12. On or about April 25, 2012, in Philadelphia, Pennsylvania, defendants ERIC YOUNG and CALVIN JOHNSON withdrew or caused to be withdrawn approximately $760 from one of the bank accounts opened in the name of S.W. via an ATM at a WaWa store.

13. On or about August 8, 2012, in Philadelphia, Pennsylvania, defendants ERIC YOUNG and CALVIN JOHNSON caused two bank accounts to be opened in the name of R.S., an individual known to the grand jury, at TD Bank.

14. On or about August 8, 2012, in Philadelphia, Pennsylvania, defendants ERIC YOUNG and CALVIN JOHNSON deposited or caused to be deposited empty deposit envelopes purporting to contain approximately $800 into each of the bank accounts opened in the name of R.S.

15. On or about August 9, 2012, in Philadelphia, Pennsylvania, defendants ERIC YOUNG and CALVIN JOHNSON made or caused to be made multiple withdrawals from one of the bank accounts opened in the name of R.S. via an ATM.

16. On or about August 27, 2012, in Philadelphia, Pennsylvania, defendants ERIC YOUNG and CALVIN JOHNSON caused a bank account to be opened in the name of M.N., an individual known to the grand jury, at TD Bank.

17. On or about August 27, 2012, at different times, in Philadelphia, Pennsylvania, defendants ERIC YOUNG and CALVIN JOHNSON deposited, caused to be deposited, or attempted to deposit into the bank account opened in the name of M.N. (i) a starter check in the amount of approximately $109, (ii) a starter check in the amount of approximately $103, and (iii) an empty deposit envelope purporting to contain approximately $1,000.

18. On or about August 27, 2012, defendants ERIC YOUNG and CALVIN JOHNSON attempted to make multiple withdrawals from the bank account opened in the name of M.N.

19. On or about August 28, 2012, in Philadelphia, Pennsylvania, defendants ERIC YOUNG and CALVIN JOHNSON caused two bank accounts to be opened in the name of T.T., an individual known to the grand jury, at TD Bank.

20. On or about August 28, 2012, at different times, in Philadelphia, Pennsylvania, defendants ERIC YOUNG and CALVIN JOHNSON deposited or caused to be deposited into one of the bank accounts opened in the name of T.T. (i) a starter check in the amount of approximately $106 and (ii) an empty deposit envelope purporting to contain approximately $1,000.

21. On or about August 29, 2012, in Philadelphia, Pennsylvania, defendants ERIC YOUNG and CALVIN JOHNSON made or caused to be made multiple withdrawals from the bank accounts opened in the name of T.T. via an ATM.

22. On or about August 28, 2012, in Philadelphia, Pennsylvania, defendants ERIC YOUNG and CALVIN JOHNSON caused a bank account to be opened in the name of O.A., an individual known to the grand jury, at TD Bank.

23. On or about August 28, 2012, at different times, in Philadelphia, Pennsylvania, defendants ERIC YOUNG and CALVIN JOHNSON deposited or caused to be deposited into the bank account opened in the name of O.A. (i) a starter check in the amount of approximately $109 and (ii) an empty deposit envelope purporting to contain approximately $1,000.

24. On or about August 29, 2012, in Philadelphia, Pennsylvania, defendants ERIC YOUNG and CALVIN JOHNSON made or caused to be made multiple withdrawals from the bank accounts opened in the name of O.A. via an ATM.

25. On or about August 28, 2012, in Philadelphia, Pennsylvania, defendants ERIC YOUNG and CALVIN JOHNSON caused a bank account to be opened in the name of L.A., an individual known to the grand jury, at TD Bank.

26. On or about August 28, 2012, at different times, in Philadelphia, Pennsylvania, defendants ERIC YOUNG and CALVIN JOHNSON deposited or caused to be deposited into the bank account opened in the name of L.A. (i) a starter check in the amount of approximately $102 and (ii) an empty deposit envelope purporting to contain approximately $1,000.

27. On or about August 29, 2012, in Philadelphia, Pennsylvania, defendants ERIC YOUNG and CALVIN JOHNSON made or caused to be made multiple withdrawals from the bank account opened in the name of L.A. via ATMs.

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

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. TD Bank, N.A. ("TD Bank") was a financial institution, the deposits of which were insured by the Federal Deposit Insurance Corporation, Certificate No. 18409.

2. From in or about December 2011 through in or about August 2012, in the Eastern District of Pennsylvania, and elsewhere, defendants

ERIC YOUNG,
a/k/a "Kevin,"
a/k/a "Kev," and
CALVIN JOHNSON,
a/k/a "Mike,"
a/k/a "Wizz,"

knowingly executed, and attempted to execute, a scheme to defraud TD Bank, and to obtain monies owned by and under the care, custody, and control of that bank by means of false and fraudulent pretenses, representations, and promises.

THE SCHEME

4. Paragraphs 2 through 6 and overt acts 1 through 27 of Count One are incorporated here.

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

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Sections 371 and 1344, set forth in this indictment, defendants

ERIC YOUNG,
a/k/a "Kevin,"
a/k/a "Kev," and
CALVIN JOHNSON,
a/k/a "Mike,"
a/k/a "Wizz,"

shall forfeit to the United States of America any property that constitutes, or is derived from, proceeds obtained directly or indirectly from the commission of such violations including, but not limited to, the sum of $100,000.

2. If any of the property subject to forfeiture, as a result of any act or omission of the 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;

it is the intent of the United States, pursuant to Title 28, United States Code, Section 2461(c), incorporating Title 21, United States Code, Section 853(p), and Title 18, United States Code, Sections 981 and 982, to seek forfeiture of any other property of the defendants up to the value of the property subject to forfeiture.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Sections 981(a)(1)(C) and 982(a)(2).

A TRUE BILL:

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GRAND JURY FOREPERSON

ZANE DAVID MEMEGER
UNITED STATES ATTORNEY