

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA** : **CRIM NO. 13-\_\_\_\_\_**  
**v.** : **DATE FILED:**  
**RICHARD LEWIS** : **VIOLATION**  
: **18 U.S.C. § 371 (conspiracy– 1 count)**

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

At all times material to this indictment:

1. The Philadelphia Housing Authority (“PHA”) was a public, not-for-profit, state agency whose central mission was to provide low-income Philadelphians with decent, affordable housing. PHA owned, built, maintained and rented housing for low-income Philadelphians.

2. Much of PHA’s funding came directly and indirectly from the federal government and PHA received annual benefits in excess of \$10,000 in each of calendar years 2007 and 2008 under federal programs involving grants, contracts, subsidies, loans, guarantees and other forms of federal assistance.

3. PHA’s housing stock (“sites”) included low-rise garden complexes, clusters of attached town-house properties and what were called “scattered site” properties, that is, apartments and homes in individual, stand-alone houses located throughout Philadelphia. Sometimes this housing was also referred to as “Section 8” housing. These were federally subsidized rentals in private housing which Philadelphians may qualify to rent under the income restrictions of Section 8 of the Housing Choice Program.

4. Co-Conspirator Richard Perri, known to the grand jury and charged elsewhere, was a materials coordinator for the PHA Maintenance Department from in or about November 1998 until in or about July 2008 and, in that role, was responsible for overseeing purchases of materials for PHA property site maintenance projects. Perri was authorized to order materials for PHA property sites and to charge the purchases to any PHA property site.

**The Conspiracy**

5. From in or about September 2002 through in or about July 2011, in the Eastern District of Pennsylvania and elsewhere, defendant

**RICHARD LEWIS**

knowingly and willfully conspired and agreed with Richard Perri, and with Jaquel Crews and Mark Miller, known to the grand jury and charged elsewhere, and others, known and unknown to the grand jury, to commit an offense against the United States, that is, to embezzle, steal, obtain by fraud, or otherwise without authority knowingly convert to the use of any person other than the rightful owner or intentionally misapply, property that is owned by, or under the care, custody or control of a state government agency for which co-conspirator Perri was an agent, that is, at least approximately \$348,900 from PHA, in violation of Title 18, United States Code, Section 666(a)(1)(A), and to conceal that theft.

## MANNER AND MEANS

It was a part of the conspiracy that:

6. From in or about September 2002 to in or about July 2011, defendant RICHARD LEWIS conspired with Richard Perri, Jaquel Crews, Mark Miller and others known and unknown to the grand jury to fraudulently sell at a discount building materials that had been purchased with PHA funds and to conceal those fraudulent sales.

7. From in or about September 2002 through in or about July 2008, Jaquel Crews, Mark Miller and others ordered building materials from defendant RICHARD LEWIS, who was employed by PHA. Defendant LEWIS then directed Perri, using his role as PHA materials coordinator, to fraudulently purchase materials from Sawbell Lumber and Home Depot, totaling approximately \$348,910, for use by Crews, Miller and others. Perri disguised those fraudulent purchases as legitimate purchases for PHA, submitted those purchases to the PHA Accounts Payable Department for payment, and arranged for the fraudulently purchased materials to be delivered to private properties specified by defendant LEWIS, Crews, Miller and other purchasers of the Sawbell and PHA materials. Crews, Miller and the other purchasers paid defendant LEWIS and Perri for those fraudulently purchased materials in the amount of approximately thirty to fifty percent of the value of the materials, and defendant LEWIS and Perri split those purchase payments between themselves.

8. From on or about July 15, 2008 through on or about July 15, 2011, defendant LEWIS, Crews, Miller and others known to the grand jury made attempts to conceal the fraudulent purchases of PHA building materials by making false statements about the purchase of those materials to members of the PHA Police Department and other law enforcement officers.

## OVERT ACTS

9. In furtherance of the conspiracy, in the Eastern District of Pennsylvania, defendant RICHARD LEWIS and co-conspirator Richard Perri arranged for the purchase of building materials from Sawbell Lumber and Home Depot by PHA for building materials that were then sold to Crews, Miller and others, delivered to specified non-PHA locations, and used by Crews, Miller and the other purchasers of the PHA materials. PHA paid Sawbell Lumber and Home Depot for the following fraudulent purchases of materials requested by Crews, Miller and others, who then paid defendant LEWIS and Perri approximately thirty to fifty percent of the value of the building materials received (each set of purchase transactions constituting a separate overt act):

OVERT ACT	VENDOR	DATES OF INVOICES	AMOUNT OF FRAUDULENT PURCHASE	NON-PHA ADDRESS WHERE MATERIALS WERE DELIVERED
1	Sawbell Lumber	09/02/02 to 03/06/03	\$6,853	2974 Richmond St., Philadelphia, PA
2	Sawbell Lumber	04/08/03	\$1,894	2325 Allegheny Ave, Philadelphia, PA
3	Sawbell Lumber	04/09/03	\$1,816	7124 Woolston St., Philadelphia, PA
4	Sawbell Lumber	05/06/03	\$9,394	1360 N. American St., Philadelphia, PA
5	Sawbell Lumber	05/24/06	\$4,182	4635 Ditman St., Philadelphia, PA
6	Sawbell Lumber	05/25/06	\$4,182	1530 Sydenham St., Philadelphia, PA
7	Sawbell Lumber	05/26/06 to 07/11/06	\$8,904	1301 Foulkrod St., Philadelphia, PA
8	Sawbell Lumber	07/20/06	\$2,022	1630 Foulkrod St., Philadelphia, PA

<b>OVERT ACT</b>	<b>VENDOR</b>	<b>DATES OF INVOICES</b>	<b>AMOUNT OF FRAUDULENT PURCHASE</b>	<b>NON-PHA ADDRESS WHERE MATERIALS WERE DELIVERED</b>
9	Home Depot	05/04/07	\$1,976	4285 Orchard St., Philadelphia, PA
10	Home Depot	05/04/07	\$2,964	4692 Hawthorne St., Philadelphia, PA
11	Home Depot	05/09/07 to 05/16/07	\$30,489	3545 N. 7 <sup>th</sup> St., Philadelphia, PA
12	Home Depot	05/14/07	\$1,463	1872 Wakeling St., Philadelphia, PA
13	Home Depot	05/30/07	\$6,894	2138 N. Lambert St., Philadelphia, PA
14	Home Depot	06/04/07 to 06/19/07	\$5,968	4577 Tacony St., Philadelphia, PA
15	Home Depot	06/21/07 to 07/03/08	\$16,137	1707 Harrison St., Philadelphia, PA
16	Home Depot	06/19/07 to 06/28/07	\$5,142	6218 Gratz St., Philadelphia, PA
17	Home Depot	06/28/07	\$2,575	2131 N. 17 <sup>th</sup> St., Philadelphia, PA
18	Home Depot	07/10/07	\$1,461	5818 Ditman St., Philadelphia, PA
19	Home Depot	07/12/07 to 08/02/07	\$10,903	1805 Willington St., Philadelphia, PA
20	Home Depot	08/03/07	\$424	5821 N. 15 <sup>th</sup> St., Philadelphia, PA
21	Home Depot	08/03/07	\$1,618	1856 Huntington Ave., Philadelphia, PA
22	Home Depot	08/07/07	\$3,987	2224 Bancroft St., Philadelphia, PA
23	Home Depot	08/20/07	\$2,266	2307 Carlisle St., Philadelphia, PA

OVERT ACT	VENDOR	DATES OF INVOICES	AMOUNT OF FRAUDULENT PURCHASE	NON-PHA ADDRESS WHERE MATERIALS WERE DELIVERED
24	Home Depot	08/21/07	\$4,168	1808 Natrona St., Philadelphia, PA
25	Home Depot	09/04/07	\$4,107	1739 Fontain St., Philadelphia, PA
26	Home Depot	09/04/07 to 11/09/07	\$32,556	3529 N. 19 <sup>th</sup> St., Philadelphia, PA
27	Home Depot	09/05/07 to 11/09/07	\$25,268	3301 Westmoreland St., Philadelphia, PA
28	Home Depot	09/07/07	\$2,046	1235 Allegheny Ave., Philadelphia, PA
29	Home Depot	09/12/07	\$2,757	3115 N. 15 <sup>th</sup> St., Philadelphia, PA
30	Home Depot	09/14/07 to 10/03/07	\$21,012	3115 Westmoreland St., Philadelphia, PA
31	Home Depot	09/24/07	\$2,911	3624 Bouvier St., Philadelphia, PA
32	Home Depot	10/08/07 to 10/11/07	\$13,463	6705 Ogontz Ave., Philadelphia, PA
33	Home Depot	10/08/07	\$4,869	3039 Ridge Ave., Philadelphia, PA
34	Home Depot	10/24/07	\$3,327	4936 Carlisle St., Philadelphia, PA
35	Home Depot	10/29/07	\$2,289	2902 Diamond St., Philadelphia, PA
36	Home Depot	11/07/07	\$3,021	1900 Cecil B. Moore Ave., Philadelphia, PA
37	Home Depot	11/13/07	\$2,694	2315 N. 30 <sup>th</sup> St., Philadelphia, PA
38	Home Depot	11/13/07	\$820	251 S. Ithan Ave., Philadelphia, PA

OVERT ACT	VENDOR	DATES OF INVOICES	AMOUNT OF FRAUDULENT PURCHASE	NON-PHA ADDRESS WHERE MATERIALS WERE DELIVERED
39	Home Depot	12/18/07 to 01/28/08	\$11,184	1623 Page St., Philadelphia, PA
40	Home Depot	12/20/07	\$1,108	2224 Bancroft St., Philadelphia, PA
41	Home Depot	01/29/08 to 01/30/08	\$6,474	1719 N. 21 <sup>st</sup> St., Philadelphia, PA
42	Home Depot	01/30/08 to 02/04/08	\$1,401	1918 Erie Ave., Philadelphia, PA
43	Home Depot	02/29/08	\$982	1530 N. Sydenham St., Philadelphia, PA
44	Home Depot	03/04/08	\$2,622	1829 Fillmore St., Philadelphia, PA
45	Home Depot	03/24/08 to 04/14/08	\$7,916	2235 College St., Philadelphia, PA
46	Home Depot	04/25/08	\$7,457	3432 N. 23 <sup>rd</sup> St., Philadelphia, PA
47	Home Depot	05/02/08	\$5,694	1520 Sydenham St., Philadelphia, PA
48	Home Depot	05/19/08	\$9,084	1429 N. 30 <sup>th</sup> St., Philadelphia, PA
49	Home Depot	05/19/08 to 07/07/08	\$14,912	1727 Francis St., Philadelphia, PA
50	Home Depot	05/28/08	\$7,321	14 Shawmont St., Philadelphia, PA
51	Home Depot	05/29/08	\$2,277	516 E. Johnson St., Philadelphia, PA
52	Home Depot	07/15/08	\$5,576	1348 Rush St., Philadelphia, PA
53	Home Depot	07/15/08	\$1,304	1526 Sydenham St., Philadelphia, PA

OVERT ACT	VENDOR	DATES OF INVOICES	AMOUNT OF FRAUDULENT PURCHASE	NON-PHA ADDRESS WHERE MATERIALS WERE DELIVERED
54	Home Depot	06/04/08	\$4,776	2237 Fountain St., Philadelphia, PA

10. On or about July 15, 2008, to conceal his fraudulent purchases of PHA building materials, co-conspirator Jaquel Crews provided false information about his purchases of those building materials to members of the PHA Police Department.

11. On or about August 25, 2008, to conceal his fraudulent purchases of PHA building materials, co-conspirator Mark Miller provided false information about his purchases of those building materials to members of the PHA Police Department.

11. On or about July 15, 2011, to conceal his fraudulent sale of PHA building materials, defendant RICHARD LEWIS provided false information about his sales of those building materials to members of law enforcement.

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

**A TRUE BILL:**

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**FOREPERSON**

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**ZANE DAVID MEMEGER  
UNITED STATES ATTORNEY**