

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

UNITED STATES OF AMERICA	:	CRIMINAL NO. _____
v.	:	DATE FILED: _____
CHARLES MCLAURIN,	:	VIOLATIONS:
a/k/a "Robert Bussey"	:	18 U.S.C. § 371 (conspiracy - 1 count)
	:	18 U.S.C. § 1029(a)(5) (access device fraud - 3 counts)
	:	18 U.S.C. § 1028(a)(7) (identity theft- (3 counts)
	:	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. Capitol One Visa and Discover Financial Services were credit card companies that conducted business in interstate commerce.
2. From on or about December 29, 2001 through in or about June 2003, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendant

**CHARLES McLAUIN
a/k/a "Robert Bussey,"**

conspired and agreed with others known and unknown to the grand jury, to commit offenses against the United States, that is, to knowingly, and with intent to defraud, use an unauthorized access device and to knowingly use an unauthorized means of identification, in violation of Title 18, United States Code, Sections 1029(a)(2) and 1028(a)(7).

MANNER AND MEANS

3. It was part of the conspiracy that defendant CHARLES MCLAURIN, and other persons known and unknown to the grand jury, obtained personal identifying information of victims, identified here as “RH,” “TM,” and “SP” and used that information to apply for credit cards from Capital One and Discover Financial Services.

It was further part of the conspiracy that:

4. The fraudulent credit card applications listed defendant CHARLES MCLAURIN, defendant’s alias “Robert Bussey,” and others known and unknown to the grand jury, as secondary users on the credit cards obtained in the names of R.M., T.M., and S.P. The applications listed addresses which were under the control of defendant MCLAURIN or locations where defendant MCLAURIN had access to the mail delivered here.

5. After obtaining the credit cards, defendant CHARLES MCLAURIN, and others known and unknown to the grand jury, used the cards to obtain cash advances and to purchase lodging and merchandise, including used automobiles, electronic equipment and clothing.

OVERT ACTS

In furtherance of the conspiracy and to effect its object, defendant CHARLES MCLAURIN and others known and unknown to the grand jury committed the following overt acts in the Eastern District of Pennsylvania and elsewhere:

1. On or about December 29, 2001, defendant CHARLES MCLARUIN and co-conspirator Ebony Mitchell, charged elsewhere, used a fraudulently obtained Discovery Financial Services credit card in the name of T.M. to purchase an automobile from Mike’s Auto

Sales totaling approximately \$4,586.50

2. On or about December 29, 2001, defendant CHARLES McLARUIN used a fraudulently obtained Discover Financial Services credit card in the name of T.M. to purchase merchandise from Eastern Coast Trading, Inc., for approximately \$269.79

3. On or about December 30, 2001, defendant CHARLES McLAURIN used a fraudulently obtained Discover Financial Services credit card in the name of T.M. to pay for motel lodging at a Days Inn for approximately \$85.80.

4. On or about January 6, 2002, defendant CHARLES McLAURIN used a fraudulently obtained Discover Financial Services credit card in the name of T.M. to purchase merchandise from Strawbridge's department store for approximately \$267.97.

5. On or about January 6, 2002, defendant CHARLES McLAURIN used a fraudulently obtained Discover Financial Services credit card in the name of T.M. to purchase merchandise from Circuit City for approximately \$260.70

6. On or about January 7, 2002, defendant CHARLES McLARUIN used a fraudulently obtained Discover Financial Services credit card in the name of T.M. to purchase merchandise from Olympia Footware for approximately \$125.00

7. On or about May 9, 2002, defendant CHARLES MCLAURIN used a fraudulently obtained Capitol One Mastercard in the name of R.H. to obtain a cash advance of \$1,000 from Mellon Bank.

8. On or about May 9, 2002, defendant CHARLES McLAURIN used a fraudulently obtained Capital One Mastercard in the name of S.P. to purchase merchandise from Best Buy totaling approximately \$156.76.

9. On or about October 19, 2002, defendant CHARLES MCLAURIN used a fraudulently obtained a Capitol One Visa Card to obtain a cash advance of approximately \$202.00 from a Citizens Bank ATM.

10. On or about October 19, 2002, defendant CHARLES MCLAURIN used a fraudulently obtained a Capitol One Visa Card to obtain a cash advance of approximately \$62.00 from Citizens Bank ATM.

11. On or about May 16, 2003, defendant CHARLES McLARUIN and co-conspirator Ebony Mitchell used a fraudulently obtained Capital One Visa One credit card in the name of S.P. to purchase an automobile from Mike's Auto for approximately \$3,205.

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

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraph 1 of Count One of this indictment is incorporated here.
2. On or about December 29, 2001 through on or about January 7, 2002, in

the Eastern District of Pennsylvania, defendant

**CHARLES MCLAURIN
a/k/a “Robert Bussey”**

knowingly and with intent to defraud used, and aided and abetted the use of, an unauthorized access device, that is, a Discover Financial Services credit card in the name of an individual identified as T.M. to obtain things of value aggregating \$1,000 or more during a one year period, for a total of approximately \$6,215.25, thereby affecting interstate commerce.

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

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraph 1 Count One of this indictment is incorporated here.
2. On or about April 27, 2002 to in or about June 2003, in the Eastern

District of Pennsylvania, defendant

**CHARLES MCLAURIN
aka "Robert Bussey"**

knowingly and with intent to defraud used, and aided and abetted the use of, an unauthorized access device, that is, a Discovery Financial Services Credit Card in the name of an individual identified as R.H to obtain things of value aggregating \$1,000 or more during a one year period, for a total of approximately \$1,355.02 thereby affecting interstate commerce.

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

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraph 1 Count One of this indictment is incorporated here.
2. On or about April 27, 2002 to in or about June 2003, in the Eastern

District of Pennsylvania, defendant

**CHARLES MCLAURIN,
a/k/a “Robert Bussey,”**

knowingly and without lawful authority used, and aided and abetted the use of, an unauthorized access device, that is, a Capital One Visa credit card in the name of an individual identified as S.P. to obtain things o value aggregating \$1,000 or more during a one year period, for a total of approximately \$3,205, thereby affecting interstate commerce.

In violation of Title 18, United States Code, Section 1029(a)(5) and 2.

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraph 1 Count One of this indictment is incorporated here.
2. On or about December 29, 2001 to on or about January 7, 2002, in the

Eastern District of Pennsylvania, defendant

**CHARLES MCLAURIN,
a/k/a “Robert Bussey,”**

knowingly and without lawful authority used, and aided and abetted and willfully caused the use of, a means of identification of another person with the intent to commit a violation of federal law, that is, access device fraud, in violation of Title 18, United States Code, Section 1029(a)(2), by fraudulently opening a credit card account in the name of T.M. with Discovery Financial Services to obtain and attempt to obtain, merchandise and other things of value totaling at least \$6,215.25 in a one-year period and thereby affecting interstate commerce.

In violation of Title 18, United States Code, Sections 1028(a)(7), (b)(1)(d), and (c)(3)(A) and 2.

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraph 1 Count One of this indictment is incorporated here.
2. On or about April 27, 2002 to in or about June 2003 in the Eastern District

of Pennsylvania, defendant

**CHARLES MCLAURIN,
a/k/a “Robert Bussey,”**

knowingly and without lawful authority used, and aided and abetted and willfully caused the use of, a means of identification of another person with the intent to commit a violation of federal law, that is, access device fraud, in violation of Title 18, United States Code, Section 1029(a)(2), by fraudulently opening a credit card account in the name of T.M. with Discovery Financial Services to obtain and attempt to obtain, merchandise and other things of value totaling at least \$1,355.02 in a one-year period and thereby affecting interstate commerce.

In violation of Title 18, United States Code, Sections 1028(a)(7), (b)(1)(d), and (c)(3)(A) and 2.

COUNT SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraph 1 Count One of this indictment is incorporated here.
2. On or about April 27, 2002 to in or about June 2003 in the Eastern District

of Pennsylvania, defendant

**CHARLES MCLAURIN,
a/k/a “Robert Bussey,”**

knowingly and without lawful authority used, and aided and abetted the use of, a means of identification of another person with the intent to commit a violation of federal law, that is, access device fraud, in violation of Title 18, United States Code, Section 1029(a)(2), by fraudulently opening a credit card account in the name of T.M. with Discovery Financial Services to obtain and attempt to obtain, merchandise and other things of value totaling at least \$3,205 in a one-year period and thereby affecting interstate commerce.

In violation of Title 18, United States Code, Sections 1028(a)(7), (b)(1)(d), and (c)(3)(A) and 2.

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violation of Title 18, United States Code, Sections 1028(a)(7) and 1029(a)(2), as charged in this indictment, defendant

**CHARLES MCLAURIN,
A/k/a “Robert Bussey”**

shall forfeit to the United States any property that constitutes, or is derived from, proceeds obtained directly or indirectly from the commission of such offenses, including, but not limited to the sum of \$7,834.27.

2. If any of the property subject to forfeiture as a result of any act or omissions of the defendant:

- 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 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 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property described above.

In violation of Title 18, United States Code, Section 982(a)(2).

A TRUE BILL:

GRAND JURY FOREPERSON

**PATRICK L. MEEHAN
UNITED STATES ATTORNEY**

