

FILED

AUG 13 2021

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF WEST VIRGINIA

U.S. DISTRICT COURT-WVND  
WHEELING, WV 26003

UNITED STATES OF AMERICA,

v.

JACQUE PHILLIPS, a/k/a JACQUE  
PHILLIPS-BROWN,

Defendant.

Criminal No. *5:21-cr-22*

Violations: 18 U.S.C. § 669  
18 U.S.C. § 1343  
18 U.S.C. § 1956(a)(1)(B)(i)

INDICTMENT

The Grand Jury charges:

COUNTS ONE THROUGH THREE

(Wire Fraud)

1. At all times relevant to this Indictment, defendant **JACQUE PHILLIPS a/k/a JACQUE PHILLIPS-BROWN** was employed as a billing manager at a medical company in Steubenville, Ohio.

2. At all times relevant to this Indictment, defendant **JACQUE PHILLIPS a/k/a JACQUE PHILLIPS-BROWN** resided in Weirton, West Virginia.

3. At all times relevant to this Indictment, Square, Inc., was a financial services company based in San Francisco, California, that processes debit and credit card payments. Funds from a transaction processed by Square, Inc., are electronically deposited into the bank account of the individual or entity linked to the Square, Inc., account.

4. Beginning at least in or around January 2018, and continuing until on or about March 21, 2019, defendant **JACQUE PHILLIPS a/k/a JACQUE PHILLIPS-BROWN** devised

a scheme and artifice to defraud her employer by obtaining money by means of false and fraudulent pretenses, representations, and promises.

5. It was a part of the scheme and artifice that the defendant would steal funds from her employer, her employer's patients, and insurance companies, by opening Square, Inc., accounts in her employer's name.

6. It was a further part of the scheme and artifice that the defendant would link her personal bank accounts to the Square, Inc., accounts she registered in her employer's name.

7. It was a further part of the scheme and artifice that the defendant would steal funds by processing unauthorized payments from her employer's financial accounts, her employer's patient's financial accounts, and insurance company financial accounts to the Square, Inc., accounts she registered in her employer's name.

8. It was a further part of the scheme and artifice that the defendant would misrepresent and conceal material facts regarding the theft by using Square, Inc., accounts registered in her employer's name.

9. It was a further part of the scheme and artifice that the defendant would transfer stolen funds from the Square, Inc., accounts registered in the name of her employer to the defendant's personal banking accounts.

10. It was a further part of the scheme and artifice that the defendant would misrepresent and conceal material facts regarding the theft by creating a false billing account spreadsheet on her work computer disguised to make the fraudulent transactions appear legitimate.

11. On or about the dates set forth in the chart below, each such date constituting a separate count of this Indictment, in Hancock County, in the Northern District of West Virginia, and elsewhere, for the purpose of executing such scheme and artifice, defendant **JACQUE**

**PHILLIPS a/k/a JACQUE PHILLIPS-BROWN**, did knowingly cause to be transmitted by means of a wire communication in interstate commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, that is, the defendant stole the following funds by transferring the funds from patient and insurance company accounts to a Square, Inc., account registered in the name of her employer, but created and controlled by the defendant; in violation of Title 18, United States Code, Section 1343.

| Count | Date          | Financial Transaction   |
|-------|---------------|---|
| 1     | June 13, 2018 | Wire transfer of \$76.78 initiated in Weirton, West Virginia, from the financial account of Aetna Health and Life Insurance Company to a Square, Inc., account controlled by the defendant and located in California  |
| 2     | June 28, 2018 | Wire transfer of \$294.84 initiated in Weirton, West Virginia, from the financial account of Aetna Health and Life Insurance Company to a Square, Inc., account controlled by the defendant and located in California |
| 3     | July 1, 2018  | Wire transfer of \$105.88 initiated in Weirton, West Virginia, from the financial account of patient E.B. to a Square, Inc., account controlled by the defendant and located in California                            |

**COUNT FOUR**

(Theft from a Health Care Benefit Program)

1. Paragraphs 1 through 10 of Counts One through Three are re-alleged and incorporated as though fully set forth herein.

2. On or about June 28, 2018, in Hancock County, in the Northern District of West Virginia, and elsewhere, the defendant, **JACQUE PHILLIPS a/k/a JACQUE PHILLIPS-BROWN**, knowingly and willfully stole and converted without authority \$294.84 from the financial account of Aetna Health and Life Insurance Company, a health care benefit program as defined in Title 18, United States Code, Section 24(b), by transferring the funds to a Square, Inc., account registered in the name of her employer, but created and controlled by the defendant; in violation of Title 18, United States Code, Section 669.

**COUNTS FIVE THROUGH SEVEN**

## (Money Laundering)

1. Paragraphs 1 through 10 of Counts One through Three are re-alleged and incorporated as though fully set forth herein.

2. On or about the dates set forth in the chart below, each such date constituting a separate count of this Indictment, in Hancock County, in the Northern District of West Virginia, and elsewhere, the defendant, **JACQUE PHILLIPS a/k/a JACQUE PHILLIPS-BROWN**, did knowingly conduct a financial transaction affecting interstate commerce, that is the defendant stole funds from patient and insurance company accounts by transferring the funds to a Square, Inc., account registered in the name of her employer, but created and controlled by the defendant, which transaction involved the proceeds of a specified unlawful activity, that is the wire fraud activity constituting the offenses charged in Counts One through Three, knowing that the transaction was designed in whole and in part to conceal and disguise, the nature, location, ownership, and control of proceeds of said specified unlawful activity, and that while conducting such financial transaction, the defendant knew that the property involved in the financial transaction represented proceeds of some form of unlawful activity; all in violation of Title 18 United States Code Sections 1956(a)(1)(B)(i).

| Count | Date          | Financial Transaction  |
|-------|---------------|--|
| 5     | June 13, 2018 | Wire transfer of \$76.78 initiated in Weirton, West Virginia, from the financial account of Aetna Health and Life Insurance Company to a Square Inc., account controlled by the defendant and located in California  |
| 6     | June 28, 2018 | Wire transfer of \$294.84 initiated in Weirton, West Virginia, from the financial account of Aetna Health and Life Insurance Company to a Square Inc., account controlled by the defendant and located in California |
| 7     | July 1, 2018  | Wire transfer of \$105.88 initiated in Weirton, West Virginia, from the financial account of patient E.B. to a Square Inc., account controlled by the defendant and located in California                            |

**FORFEITURE ALLEGATION**

*Wire Fraud  
Money Laundering*

1. Pursuant to Title 28, United States Code, Section 2461(c), Title 18, United States Code, Sections 981(a)(1)(C), 1956(c)(7)(A), 1961(1), and Title 21, United States Code, Section 853, the government will seek the forfeiture of property as part of the sentence imposed in this case; that is, the forfeiture of any property, real or personal, which constitutes or is derived from proceeds traceable to a violation of Title 18, United States Code, Section 1343, or a conspiracy to violate such offense.

2. Pursuant to Title 18, United States Code, Section 982(a)(1) and Title 18, United States Code, Section 1956, the government will seek the forfeiture of property as part of the sentence imposed in this case; that is, the forfeiture of any property, real or personal, involved in such offense, and any property traceable to such property.

3. Pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 982(b)(1), the government will seek forfeiture of substitute property up to the value of property subject to direct forfeiture that is not available for forfeiture on account of any act or omission contemplated by Title 21, United States Code, Section 853(p)(1).

A true bill,

/s/ \_\_\_\_\_  
Grand Jury Foreperson

/s/ \_\_\_\_\_  
RANDOLPH J. BERNARD  
Acting United States Attorney

Danaë DeMasi-Lemon  
Assistant United States Attorney