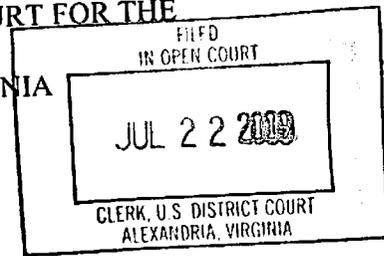


IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division



UNITED STATES OF AMERICA)

v.)

CLYDE AUSTIN GRAY, JR.,)
a/k/a Poochie,)

Defendant.)

CRIMINAL NO. 1:09-CR-326

Judge Gerald Bruce Lee

Count 1: 18 U.S.C. § 1349

CRIMINAL INFORMATION

THE UNITED STATES ATTORNEY CHARGES THAT:

COUNT ONE

(Conspiracy to Commit Bank Fraud)

I. **Introduction**

1. At all times relevant to this information, the defendant, CLYDE AUSTIN GRAY, JR., hereinafter "GRAY" or "the defendant," was a resident of Waldorf, Maryland.

2. SunTrust Bank was a financial institution whose principal place of business was Atlanta, Georgia, and whose assets were insured by the Federal Deposit Insurance Corporation.

II. **The Conspiracy**

3. From in or about January 2007 through in or about May 2009, in the Eastern District of Virginia, and elsewhere, the defendant GRAY and others both known and unknown to the United States Attorney, did unlawfully and knowingly combine, conspire, confederate, and agree together and with each other to commit offenses against the United States, that is, to commit the offense of bank fraud, in violation of Title 18, United States Code, Section 1344,

knowingly executing, and attempting to execute, a scheme and artifice to defraud financial institutions, including SunTrust Bank, and to obtain money owned by and under the custody and control of those financial institutions by means of false and fraudulent pretenses, representations, and promises.

III. The Scheme to Defraud

4. The conspirators devised a scheme to defraud individuals and financial institutions. The basis of the scheme was to use stolen personal identifying information, bank and bank record information, personal checks, and other access devices belonging to individual victims, to impersonate those victims at various bank branches throughout the country and thereby to obtain funds from the banks.

5. The co-conspirators employed various techniques to obtain victims' bank account information, personal checks, credit cards, driver's licenses and other identifying documents, including pick pocket theft, mail theft, theft from businesses, and the use of corrupt employees at professional offices.

6. Using the compromised information, the co-conspirators made or obtained counterfeit driver's licenses and military identification cards. The counterfeit licenses and identification cards contained the name of a victim and the photograph of a co-conspirator.

7. The co-conspirators entered financial institutions and, using counterfeit driver's licenses or military identification cards along with stolen debit or credit cards as forms of identification, conducted split deposit transactions. In a split deposit transaction, the co-conspirator first deposits into one victim's account a personal check drawn on the bank account of another identity theft victim. The purpose of this deposit is falsely to inflate the victim's

account balance and/or identify the specific account number. Funds are then siphoned out of the account by means of counter withdrawals, checks drawn on the account, or electronic withdrawals.

8. As part of the conspiracy, co-conspirators obtained the personal identification and bank account information of multiple victims by pick pocketing victims within the Eastern District of Virginia, including victim "A.H.," who was pick pocketed in Fairfax, Virginia on or about February 26, 2008.

9. GRAY acted as a ringleader of the conspiracy. GRAY paid other co-conspirators to pickpocket, steal, and compromise the personal identification and bank account information of individual victims. GRAY then made or obtained counterfeit driver's licenses and military identification cards that included the names, addresses, and other personal identifiers of victims and the photographs of co-conspirators. GRAY then distributed the fraudulent identification documents, along with counterfeit checks drawn on the victims' accounts and other identifying documents and bank account information, to other co-conspirators for use in conducting fraudulent split-deposit transactions. The co-conspirators who conducted the split deposit transactions returned a percentage of the proceeds to GRAY. GRAY, in turn, distributed some of the proceeds to other co-conspirators.

(All in violation of Title 18, United States Code, Section 1349).

Respectfully submitted,

Dana J. Boente
United States Attorney

By:



Timothy D. Belevetz
Assistant U.S. Attorney
United States Attorney's Office
2100 Jamieson Avenue
Alexandria, VA 22314
Tel: (703) 299-3700
Fax: (703) 299-3981
timothy.d.belevetz@usdoj.gov

Karen Servidea
Special Assistant U.S. Attorney
United States Attorney's Office
2100 Jamieson Avenue
Alexandria, VA 22314
Tel: (703) 299-3700
Fax: (703) 299-3981
karen.servidea@usdoj.gov