

FILED

FEB 24 2010

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY RW
DEPUTY CLERK

SEALED

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
MIDLAND-ODESSA DIVISION

UNITED STATES OF AMERICA,

) CRIMINAL NO.

)

) INDICTMENT

)

Plaintiff,

) [Vio: 18 U.S.C. § 1344--

V.

) Bank Fraud

) 18 U.S.C. § 1028A--

KELLIE HAMPTON BICK,

) Aggravated Identity Theft]

)

Defendant.

)

MO 10CR 0065

THE GRAND JURY CHARGES:

Description of Fraudulent Scheme

1. At material times to this Indictment, KELLIE HAMPTON BICK was employed at the North Waterfront Corporation (hereinafter "NWC") in Midland, Texas.
2. North Waterfront Corporation is a real estate investment company based in Midland, Texas.
3. Beginning in February 2009, Defendant KELLIE HAMPTON BICK's employment status changed from part-time to full-time. Her primary duties included administrative work such as arranging travel for the President and owner of NWC, W.A.M.
4. Also beginning in February 2009, Defendant KELLIE HAMPTON BICK began signing W.A.M.'s name to checks belonging to W.A.M. or NWC. Typically, the checks were made payable to Defendant KELLIE HAMPTON

BICK or her husband, G.B. On two occasions, however, Defendant KELLIE HAMPTON BICK signed W.A.M.'s name to checks made payable to Defendant KELLIE HAMPTON BICK's landlord, B.D. In addition, Defendant KELLIE HAMPTON BICK signed W.A.M.'s name to checks made payable to other people with whom Defendant KELLIE HAMPTON BICK had contracted for work at her residence. At no time did Defendant KELLIE HAMPTON BICK have authority or permission to sign W.A.M.'s name to those checks.

5. On or about July 1, 2009, Defendant KELLIE HAMPTON BICK arranged for a wire transfer in the amount of \$240,299.41 from NWC's line of credit account at Metro United Bank in California to Lone Start Abstract & Title Company in Midland, Texas. The purpose of the wire transfer was to effectuate the cash purchase of Defendant KELLIE HAMPTON BICK and her husband's new residence on Driftwood in the Greentree Subdivision of Midland, Texas. At no time did Defendant KELLIE HAMPTON BICK have authority or permission to effectuate this wire transfer.
6. On or about July 24, 2009, Defendant KELLIE HAMPTON BICK arranged for another wire transfer of \$20,000 from NWC's line of credit account at Metro United Bank in California to Defendant KELLIE HAMPTON BICK's joint account with her husband at Wachovia Bank in Texas. At no time did Defendant KELLIE HAMPTON BICK have authority or permission to effectuate this wire transfer.
7. On or about July 19, 2009, Defendant KELLIE HAMPTON BICK signed

W.A.M.'s name to a cash advance check made payable to "Kellie Bick." On or about that same day, Defendant KELLIE HAMPTON BICK endorsed that check and deposited it in her Wachovia checking account ending in 3441. At no time did Defendant KELLIE HAMPTON BICK have authority or permission to sign W.A.M.'s name to a check made payable to herself.

8. On or about July 16, 2009, Defendant KELLIE HAMPTON BICK signed W.A.M.'s name to a cash advance check made payable to "Kellie Bick." On or about the same day, Defendant KELLIE HAMPTON BICK endorsed that check and deposited it in her Wachovia checking account ending in 3441. At no time did Defendant KELLIE HAMPTON BICK have authority or permission to sign W.A.M.'s name to a check made payable to herself.
9. In all, the Defendant was responsible for obtaining approximately \$300,000 in moneys by fraudulent pretenses from bank accounts not belonging to her.

COUNTS ONE THROUGH FOUR
[18 U.S.C. § 1344]

10. Paragraphs 1-7 of the "Description of Fraudulent Scheme" section of the Indictment are hereby incorporated as if set forth in full.
11. Beginning in approximately November 2008, and continuing until approximately August 2009, in the Western District of Texas and elsewhere, the Defendant,

KELLIE HAMPTON BICK,

for the purpose of executing a scheme and artifice to obtain moneys, funds, and credits, owned by, or under the custody or control of, a financial

institution, by means of materially false and fraudulent pretenses, representations, and promises.

12. The fraudulent pretenses, representations, and promises included Defendant KELLIE HAMPTON BICK purporting to be W.A.M. and purporting to have the authority to sign W.A.M.'s name and execute financial transactions in his name. These fraudulent actions by Defendant KELLIE HAMPTON BICK caused the financial institutions to release money in their custody and control to Defendant KELLIE HAMPTON BICK, her husband, G.B., and others.
13. On or about each of the dates listed below, Defendant KELLIE HAMPTON BICK executed the scheme to defraud the listed financial institutions, each of which were insured by the Federal Deposit Insurance Corporation:

COUNT	APPROXIMATE DATE	FINANCIAL INSTITUTION	AMOUNT
1	July 1, 2009	Metro United Bank	\$240,299.41
2	July 24, 2009	Metro United Bank	\$20,000.00
3	July 19, 2009	FIA Card Services (Bank of America)	\$10,000.00
4	July 16, 2009	FIA Card Services (Bank of America)	\$5,500.00

All in violation of Title 18, United States Code, Section 1344.

COUNT FIVE
[18 U.S.C. § 1028A]

That on or about July 1, 2009, in the Western District of Texas, the Defendant,

KELLIE HAMPTON BICK,

did knowingly use without lawful authority, a means of identification of another person, to wit: W.A.M.'s name, during and in relation to a violation of Title 18, United States Code, Section 1344, as set forth in Count One of this Indictment, which is hereby incorporated by reference.

COUNT SIX
[18 U.S.C. § 1028A]

That on or about July 24, 2009, in the Western District of Texas, the Defendant,

KELLIE HAMPTON BICK,

did knowingly use without lawful authority, a means of identification of another person, to wit: W.A.M.'s name, during and in relation to a violation of Title 18, United States Code, Section 1344, as set forth in Count Two of this Indictment, which is hereby incorporated by reference.

All in violation of Title 18, United States Code, Section 1028A.

COUNT SEVEN
[18 U.S.C. § 1028A]

That on or about July 19, 2009, in the Western District of Texas, the Defendant,

KELLIE HAMPTON BICK,

did knowingly use without lawful authority, a means of identification of another person, to

wit: W.A.M.'s name, during and in relation to a violation of Title 18, United States Code, Section 1344, as set forth in Count Three of this Indictment, which is hereby incorporated by reference.

All in violation of Title 18, United States Code, Section 1028A.

COUNT EIGHT
[18 U.S.C. § 1028A]

That on or about July 16, 2009, in the Western District of Texas, the Defendant,

KELLIE HAMPTON BICK,

did knowingly use without lawful authority, a means of identification of another person, to wit: W.A.M.'s name, during and in relation to a violation of Title 18, United States Code, Section 1344, as set forth in Count Four of this Indictment, which is hereby incorporated by reference.

All in violation of Title 18, United States Code, Section 1028A.

A TRIENILL
Original signed by the
foreperson of the Grand Jury

FOREPERSON OF THE GRAND JURY

JOHN E. MURPHY
United States Attorney



AUSTIN M. BERRY
Assistant United States Attorney

SEALED

MO10CR0065

PERSONAL DATA SHEET
 UNITED STATES DISTRICT COURT
 WESTERN DISTRICT OF TEXAS

SEALED: XX		UNSEALED:
COUNTY: Midland	DIVISION: MIDLAND/ODESSA	JUDGE: JUNELL
DATE: February 24, 2010	MAG CT #: N/A	FBI #:
CASE NO: MO-10-CR-	ASSISTANT U.S. ATTORNEY: AUSTIN M. BERRY	
DEFENDANT: KELLIE HAMPTON BICK		DOB: XXXX
ADDRESS: XXXXXXXXXXXXXXXXXXXXXXXXX		
CITIZENSHIP: USC INTERPRETER NEEDED No LANGUAGE:		
DEFENSE ATTORNEY: No attorney yet		EMPLOYED APPOINTED
DEFENDANT IS:		
DATE OF ARREST:		BENCH WARRANT: XXX
PROBATION OFFICER:		
NAME AND ADDRESS OF SURETY:		
YOUTH CORRECTIONS ACT APPLICABLE: No		
PROSECUTION BY: Indictment		
OFFENSE (Code and Description): Cts. 1-4: 18 USC 1344 - Bank fraud; Cts. 5-8: 18 USC 1028A - Aggravated Identity Theft		
OFFENSE IS: FELONY		
MAXIMUM SENTENCE: Cts. 1-4 (each): A term of imprisonment not to exceed 30 years; a term of supervised release not to exceed 3 years; a fine not to exceed \$1,000,000; and a \$100 mandatory special assessment; Cts. 5-8 (each): A mandatory term of imprisonment of 2 years to run consecutive to each related counts (1-4); a term of supervised release not to exceed 3 years; a fine not to exceed \$250,000; and a \$100 mandatory special assessment.		
PENALTY IS MANDATORY: As stated above.		
REMARKS: AGENT: Dina Morales Federal Bureau of Investigation 1004 N. Big Spring Street, Suite 600 Midland, Texas 79701 432-570-0255 ofc 432-683-4855 fax		