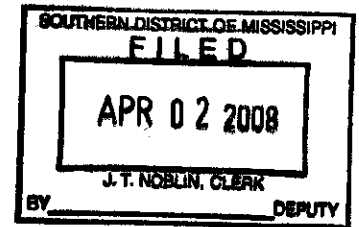


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION



UNITED STATES OF AMERICA

v.

CRIMINAL NO. *3:080651TSG-JOS*

JAMES TODD PHILLIPS

18 U.S.C. § 371

The United States Attorney charges:

At all times relevant to this information:

1. Defendant **JAMES TODD PHILLIPS** owned and operated Statewide Realty Holdings, LLC, (hereafter "Statewide Realty") as a real estate enterprise in Pike County, Mississippi, and elsewhere, from December 31, 2003 through December 2007.

2. Defendant **JAMES TODD PHILLIPS** was president and director of a domestic corporation known as Todd Phillips Investments, Inc., (hereafter "TPI"), which operated as a real estate enterprise in Pike County, Mississippi, and elsewhere, from July 1998 through December 2007.

3. Statewide Realty and TPI owned real properties throughout the State of Mississippi for investment or development purposes.

4. Beginning in or about March 2003 and continuing through in or about January 2006, in Pike County in the Jackson Division of the Southern District of Mississippi and elsewhere, the defendant **JAMES TODD PHILLIPS** did knowingly and willfully conspire with others known and unknown to the United States Attorney to commit the offense of Bank Fraud in violation of Section 1344, Title 18, United States Code.

5. It was a part of the conspiracy that Defendant **JAMES TODD PHILLIPS** and others

would repeatedly pledge the same parcels of encumbered real property as collateral for commercial loans in the names of Statewide Realty and TPI, fraudulently representing to the lender financial institutions and to title insurance companies associated with the loan transactions that TPI held unencumbered title to the real property and that the lender consequently would receive a priority security interest in said property as collateral for the respective loan.

6. These misrepresentations were material to the funding decisions of the financial institutions and to the issuance of related title commitments and policies by title insurance companies. In support of these misrepresentations, Defendant **JAMES TODD PHILLIPS** and others provided fraudulent title opinions and other documentation, including but not limited to fabricated cancellations of deeds of trust.

In furtherance of the conspiracy and to carry out its objectives, the following overt acts were committed:


1. In or about August 2004, to obtain a commercial loan for TPI from BancorpSouth Bank, Defendant **JAMES TODD PHILLIPS** and others known and unknown to the United States Attorney, provided to BancorpSouth Bank fraudulent title opinion documents and other information concealing State Bank & Trust's secured interest in a parcel of real property commonly known as the Regional Health Department building in McComb, MS, which was tendered as collateral for the BancorpSouth Bank loan under the guise of conveying to BancorpSouth Bank a priority secured interest in said collateral .

2. In or about September 2004, to obtain a commercial loan for TPI from Concordia Bank & Trust, Defendant **JAMES TODD PHILLIPS** and others known and unknown to the United States Attorney, presented fraudulent title opinion documents and a deed of trust in favor of Concordia Bank & Trust fraudulently representing clear title to parcels of real property located at

110 Northgate and 110 ½ Northgate in Natchez, MS, under the guise of providing Concordia Bank & Trust a priority secured interest in said property as collateral for its loan, when in fact the aforesaid parcels remained encumbered by BancorpSouth Bank as collateral for loans to Statewide Realty.

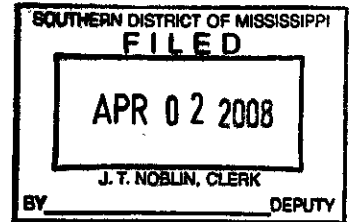
3. In or about November 2005, for the purpose of renewing a commercial loan for TPI from Concordia Bank & Trust, Defendant **JAMES TODD PHILLIPS** and others, known and unknown to the United States Attorney, filed and presented to Concordia Bank & Trust a fabricated cancellation of a Deed of Trust purportedly cancelling the secured interest of BancorpSouth Bank in parcels of property located at 110 Northgate and 110 ½ Northgate in Natchez, MS.

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


for **DUNN LAMPTON**
United States Attorney

CRIMINAL CASE COVER SHEET

U.S. District Court
PLACE OF OFFENSE:



3:080651 TSL-JCS

RELATED CASE INFORMATION:

CITY: McCOMB

SUPERSEDING INDICTMENT _____ DOCKET # _____

COUNTY: PIKE

SAME DEFENDANT _____ NEW DEFENDANT _____

MAGISTRATE JUDGE CASE NUMBER _____

SEARCH WARRANT CASE NUMBER _____

R 20/ R 40 FROM DISTRICT OF _____

DEFENDANT INFORMATION:

JUVENILE: _____ YES X NO

MATTER TO BE SEALED: _____ YES X NO

NAME/ALIAS: JAMES TODD PHILLIPS

SEX M RACE _____ NATIONALITY: USA

U.S. ATTORNEY INFORMATION:

AUSA CARLA J. CLARK BAR # 9490

INTERPRETER: X NO _____ YES LIST LANGUAGE AND/OR DIALECT: N/A

LOCATION STATUS: ARREST DATE _____

_____ ALREADY IN FEDERAL CUSTODY AS OF _____

_____ ALREADY IN STATE CUSTODY

_____ ON PRETRIAL RELEASE

U.S.C. CITATIONS

TOTAL # OF COUNTS: 1 _____ PETTY _____ MISDEMEANOR X FELONY

(CLERK'S OFFICE USE ONLY) INDEX KEY/CODE DESCRIPTION OF OFFENSE CHARGED COUNT(S)

Set 1 18:371.F 18 U.S.C. 371 Conspiracy to commit bank fraud 1

Set 2 _____ _____ _____ _____

Set 3 _____ _____ _____ _____

Set 4 _____ _____ _____ _____

Date: 3/31/2008

SIGNATURE OF AUSA: *Carla J. Clark*