

FILED

JUL 21 2011

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY [Signature]
DEPUTY CLERK

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8 IN THE UNITED STATES DISTRICT COURT FOR THE
9 EASTERN DISTRICT OF CALIFORNIA

10
11 UNITED STATES OF AMERICA,)
12 Plaintiff,)
13 v.)
14 STEVE ZAVEN KESSEDJIAN)
15 Defendant.)
16 _____)

CASE NO. 1:11 CR 00237 LJO [Signature]
VIOLATION: 18 U.S.C.
§ 1341- Mail Fraud; and
18 U.S.C. § 981(a)(1)(C)
and 28 U.S.C. § 2461(c)
Forfeiture Allegation

17
18 I N D I C T M E N T

19 COUNT ONE: [18 U.S.C. § 1341, Mail Fraud]

20 The Grand Jury charges:

21 STEVE ZAVEN KESSEDJIAN

22 defendant herein, as follows:

23 I. INTRODUCTION

24 1. At all relevant times herein, defendant STEVE ZAVEN
25 KESSEDJIAN was the owner of two businesses: Amerilend Incorporated
26 ("Amerilend) in Woodland Hills, California; and Targa Escrow in
27 Encino, California.
28

1 2. During the course of the scheme to defraud, defendant
2 STEVE ZAVEN KESSEDJIAN committed the acts himself and/or through his
3 businesses Amerilend and Targa Escrow. At all relevant times herein,
4 defendant KESSEDJIAN acted with the intent to defraud.

5 II. SCHEME TO DEFRAUD

6 3. Beginning at a date no later than December 2007, and
7 continuing through in or about March 2008, in the State and Eastern
8 District of California and elsewhere, defendant STEVE ZAVEN
9 KESSEDJIAN, devised and intended to devise a scheme and artifice to
10 defraud individuals of money, and obtained money from individuals by
11 means of materially false and fraudulent pretenses, representations
12 and promises.

13 III. MANNER AND MEANS OF THE SCHEME TO DEFRAUD

14 4. During the above-described time period, defendant
15 STEVE ZAVEN KESSEDJIAN executed the scheme and artifice to defraud by
16 the following manner and means:

17 5. Defendant's company Amerilend was in the business of
18 helping homeowners secure loans to refinance their homes.

19 6. When a loan was funded, Amerilend would use Targa Escrow,
20 another business owned by defendant STEVE ZAVEN KESSEDJIAN to disperse
21 the escrow funds.

22 7. In or about December, 2007, an Amerilend employee contacted
23 C.S. and F.S. regarding a loan to refinance their home. C.S. and F.S.
24 decided to apply for the loan for the purpose of paying off their
25 first mortgage and consolidating their bills. The loan was secured
26 through Wachovia Bank with the intent that a portion of the loan would
27 be used to pay off the first mortgage on their residence, a portion of
28

1 the loan would be used pay off their credit cards, and a small portion
2 of the loan would go directly to C.S. and F.S.

3 8. The loan was scheduled to close and fund on February 14,
4 2008. As directed, Wachovia paid off the first mortgage on the
5 residence in the amount of \$151,044.

6 9. On February 15, 2008, Wachovia Bank then wired the remainder
7 of the loan proceeds, \$57,343.57 to the Targa Escrow trust account.

8 10. Instead of dispersing the loan proceeds as directed via the
9 escrow instructions to the credit card companies and C.S. and F.S.,
10 upon receipt of the money, defendant took the funds for his own
11 purposes.

12 11. On February 28, 2008, the defendant personally called C.S.
13 and F.S. and told F.S. that they should receive their money on
14 February 29, 2008.

15 12. These statements, and others, were materially false and
16 fraudulent and were known by the defendant to be false and fraudulent.

17 13. The individuals were never told by defendant that their
18 money would be used by him. Defendant omitted this information with
19 the intent to defraud the victims.

20 14. As further part of his scheme to defraud, defendant caused
21 the HUD-1 settlement statement to be changed to show no money being
22 due out of escrow proceeds to pay off the credit card companies.

23 15. In an effort to lull C.S. and F.S., on or about
24 May 10, 2008, KESSEDJIAN signed checks payable to C.S. and F.S. and
25 their credit card companies, purportedly as repayment for their escrow
26 funds he had taken.

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1 16. Defendant caused the checks to be mailed via U.S. Postal
2 Service to C.S. and F.S. in Jamestown, California, in the Eastern
3 District of California.

4 17. When the checks were presented to the bank, the checks were
5 not honored as there were insufficient funds in KESSEDJIAN's account
6 to cover the checks.

7 18. To date, the victims C.S. and F.S. have not received the
8 \$57,343.57 balance due to them from the escrow and taken by defendant.
9 As a result of Defendant KESSEDJIAN's scheme to defraud, the victims
10 lost their home to foreclosure and hence, lost their home-based
11 business as they could not make payments for both the larger refinance
12 loan for money they did not receive and the creditors who were
13 supposed to have been paid off with the funds taken by defendant.

14 IV. THE MAILING

15 19. On or about May 14, 2008, in the Eastern District of
16 California, and elsewhere, for the purpose of carrying out and
17 executing, and in furtherance of the scheme and artifice to defraud,
18 the defendant STEVE ZAVEN KESSEDJIAN knowingly caused items to be
19 placed in an authorized depository for mail matter, to be sent and
20 delivered by the U.S. Postal Service or by a private or commercial
21 interstate carrier, and knowingly caused them to be delivered by the
22 United States Postal Service or a private or commercial interstate
23 carrier according to the directions thereon, to wit: five checks
24 totaling \$45,915.57 mailed to C.S. and F.S. in Jamestown, California:

25 All in violation of Title 18, United States Code, Section 1341.

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1 FORFEITURE ALLEGATION: [Criminal Forfeiture -18 U.S.C. § 981(a)(1)(C)
2 and 28 U.S.C. § 2461(c)]

3 20. The allegations set forth in paragraphs One through
4 Nineteen of this Indictment, and inclusive of Count One, are
5 incorporated by reference as though fully set forth herein for the
6 purpose of alleging forfeiture pursuant to Title 18, United States
7 Code, Section 981(a)(1)(C) and 28 U.S.C. § 2461.

8 21. Upon a conviction of the offense alleged in
9 Count One, the defendant STEVE ZAVEN KESSEDJIAN shall forfeit to the
10 United States, pursuant to Title 18, United States Code, Section
11 981(a)(1)(C) and Title 28, United States Code, Section 2461, any
12 property, real or personal, which constitutes or derived from proceeds
13 traceable to such violations, including but not limited to the
14 following:

15 A sum of money equal to the total amount of money involved
16 in the scheme, for which defendant is convicted, in an
amount not less than \$57,343.57.

17 22. If any property subject to forfeiture, as a result of
18 the offense alleged in Count One of this Indictment:

- 19 a. cannot be located upon the exercise of due diligence;
20 b. has been transferred or sold to, or deposited with, a third
21 party;
22 c. has been placed beyond the jurisdiction of the court;
23 d. has been substantially diminished in value; or
24 e. has been commingled with other property which cannot be
25 divided without difficulty,

26 the United States of America shall be entitled to forfeiture of
27 substitute property pursuant to Title 21, United States Code, Section
28 853(p), as incorporated by Title 28, United States Code, Section

1 2461(c), all pursuant to Title 18, United States Code, Section
2 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

3
4 A TRUE BILL.

5 /s/ Signature on file w/AUSA

6 FOREPERSON

7
8 BENJAMIN B. WAGNER
9 United States Attorney

10 Mark E. Cullers

11 By MARK CULLERS,
12 Assistant U.S. Attorney
Chief, Fresno Office

UNITED STATES DISTRICT COURT

Eastern District of California

Criminal Division

FILED

JUL 21 2011



CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

THE UNITED STATES OF AMERICA

BY  DEPUTY CLERK

vs.

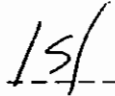
STEVE ZAVEN KESSEDIAN

1:11 CR 00237 LJO  

INDICTMENT

VIOLATION(S): 18 U.S.C. § 1341 - MAIL FRAUD; 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c) - FORFEITURE ALLEGATION

A true bill,



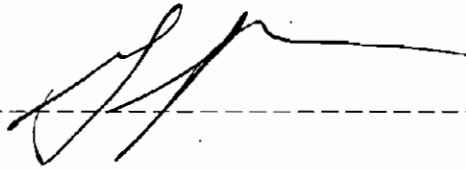
Foreman.

Filed in open court this _____ day

of _____, A.D. 20 _____

Clerk.

Bail, \$ NO BAIL WARRANT



DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION -- IN U.S. DISTRICT COURT

By COMPLAINT INFORMATION INDICTMENT

Name of District Court, and/or Judge Magistrate Location (city)
**EASTERN DISTRICT OF CALIFORNIA
 FRESNO, CALIFORNIA**

OFFENSE CHARGED
 PLEASE SEE INDICTMENT

Petty
 Minor
 Misdemeanor
 Felony

Place of Offense **U.S.C. Citation**
 Tuolumne County Please see Indictment

DEFENDANT -- U.S. vs.
 Steve Zaben Kessedjian

Address {
 Birth Date Male Alien
 Female (if applicable)

(Optional unless a juvenile)

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)
 SA Stahowski/Secret Service

this person is awaiting trial in another Federal or State Court, give name of court.

this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21, or 40. Show District

this is a reprosecution of charges previously dismissed which were dismissed on motion of:
 U.S. Att'y Defense } SHOW DOCKET NO.

this prosecution relates to a pending case involving this same defendant

prior proceeding or appearance(s) before U.S. Magistrate regarding this defendant were recorded under **MAGISTRATE CASE NO.**

DEFENDANT

IS NOT IN CUSTODY

- Has not been arrested, pending outcome this proceeding if not detained give date any prior summons was served on above charges
- Is a Fugitive
- Is on Bail or Release from (show District)

IS IN CUSTODY

- On this charge
- On another conviction Fed'l State
- Awaiting trial on other charges
 If answer to (6) is "Yes", show name of institution

Has detainer been filed? Yes No

If "Yes" give date

DATE OF ARREST ▶ Mo. Day Year

Or ... if arresting Agency & Warrant were not Federal

DATE TRANSFERRED TO U.S. CUSTODY ▶ Mo. Day Year

This report amends AO 257 previously submitted

Name and Office of Person Furnishing information on THIS FORM: **MARIA G. ROBLES**

U.S. Att'y Other U.S. Agency

Name of Asst. U.S. Att'y: **MICHELE THIELHORN**

ADDITIONAL INFORMATION OR COMMENTS

PENALTIES:

DEFN. BAIL STATUS: PLEASE ISSUE NO BAIL WARRANT

PENALTY SLIP

DEFENDANT: STEVE ZAVEN KESSEDJIAN

VIOLATION: 18 U.S.C. § 1341 - Mail Fraud

PENALTY: 20 years imprisonment
Not more than \$250,000 fine
Not more than 3 years supervised release

VIOLATION: 18 U.S.C. § 981(a)(1)(C) and
28 U.S.C. § 2461(c) -
Forfeiture Allegation

PENALTY: As indicated in the Indictment