

E-filing

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN JOSE
CR 14 00282

UNITED STATES OF AMERICA,
V.

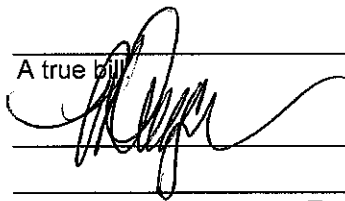
FILED
MAY 21 2014
CLERK OF U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
PSG

SHARON LYNN SHAW,

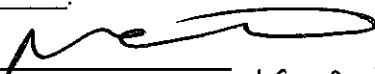
DEFENDANT(S).

INDICTMENT

VIOLATIONS: 18 U.S.C § 1344--Bank Fraud; 18 U.S.C. § 656—Bank Officer Theft;
18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c) – Forfeiture of Criminally Derived
Proceeds

A true bill

Foreman

Filed in open court this 21st day of
May, 2014


Clerk U.S. Magistrate Judge

Bail, \$ No bail arrest warrant

DOCUMENT NO. 1 e CSAB INITIALS
DISTRICT COURT
ORIGINAL CASE PROCESSING

SEALED BY ORDER
OF THE COURT

E-filing

FILED
MAY 21 2014

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

1 MELINDA HAAG (CABN 132612)
United States Attorney

2 J. DOUGLAS WILSON (DCBN 412811)
3 Chief, Criminal Division

4 PHILIP A. GUENTERT (CABN 147374)
Assistant United States Attorney

5 150 Almaden Boulevard, Suite 900
6 San Jose, CA 95113
7 Telephone: (408) 535-5079
8 Fax: (408) 535-5066
9 E-Mail: philip.guentert@usdoj.gov

10 Attorneys for Plaintiff

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA

13 SAN JOSE DIVISION

14 **CR 14 00282 BLF**

15 UNITED STATES OF AMERICA,

16 Plaintiff,

17 v.

18 SHARON LYNN SHAW,

19 Defendant.

CASE NO.

VIOLATIONS: 18 U.S.C § 1344--Bank Fraud; 18
U.S.C. § 656--Bank Officer Theft; 18 U.S.C. §
981(a)(1)(C) and 28 U.S.C. § 2461(c) - Forfeiture of
Criminally Derived Proceeds

SAN JOSE VENUE

PSG

20 INDICTMENT

21 The Grand Jury charges:

22 INTRODUCTORY ALLEGATIONS

23 At times relevant to this Indictment:

24 Defendant and Relevant Entities

25 1. Wells Fargo Bank was a financial institution, the deposits of which were insured by the
26 Federal Deposit Insurance Corporation.

27 2. Defendant SHARON LYNN SHAW was employed as a manager at Wells Fargo Bank.
28

INDICTMENT

Scheme and Artifice to Defraud

3. Beginning on a date unknown to the Grand Jury, but no later than in or about January of 2001, and continuing until in or about January 2012, the defendant,

SHARON LYNN SHAW,

did knowingly devise and intend to devise, and did knowingly participate in, a scheme and artifice to defraud Wells Fargo Bank, an insured depository institution, and to obtain moneys, funds, credits, assets, and other property owned by and under the custody and control of Wells Fargo Bank, by means of materially false and fraudulent pretenses, representations, and promises, and material omissions, which scheme is described further below.

4. It was part of the scheme that the defendant used the names, Social Security numbers, and other personal information belonging to her parents L.W. and A.W.J., without their knowledge or authorization, to create (a) false and fraudulent business loan applications, and (b) a checking account in the name of L.W. to receive the proceeds from those loans.

5. It was further part of the scheme that the defendant used her position, authority, and access to computer systems at the bank to submit the applications to Wells Fargo Bank, to approve the loans, and to conceal their fraudulent nature.

6. It was further part of the scheme that the defendant deposited the proceeds from the fraudulent loans in the checking account and/or converted the proceeds to her own use, without the knowledge or authorization of Wells Fargo Bank.

7. It was further part of the scheme that defendant applied for additional fraudulent loans at Wells Fargo Bank for the purpose of (a) paying off debt owed from earlier fraudulent loans and (b) concealing her scheme.

8. It was further part of the scheme that the defendant ultimately caused a loss of unpaid principal to Wells Fargo Bank of over \$992,000.

COUNTS ONE THROUGH FOUR: (18 U.S.C. § 1344 – Bank Fraud)

9. Paragraphs 1 through 8 are alleged and incorporated as if fully set forth here.

10. On or about the dates and by the acts set forth below, in the Northern District of

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///

1 California, the defendant,

2 SHARON LYNN SHAW,

3 did knowingly and intentionally execute and attempt to execute the scheme to defraud Wells Fargo
4 Bank, an insured depository institution, and to obtain moneys, funds, credits, assets, and other property
5 owned by and under the custody and control of Wells Fargo Bank, by means of materially false and
6 fraudulent pretenses, representations, and promises, and material omissions:
7

Count	Date	Act
1	November 24, 2008	Submission of fraudulent letter, purportedly from borrower L.W, to Wells Fargo Bank regarding his legal name
2	May 4, 2009	Lulling email in response to inquiry from bank officer about past due fraudulent loan
3	May 14, 2009	Entry in bank record falsely stating that defendant had confirmed in person an identification document belonging to borrower A.W.J.
4	August 10, 2011	Approval of fraudulent loan with purported borrowers A.W.J. and L.W.

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

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10
11 COUNTS FIVE AND SIX: (18 U.S.C. § 656—Theft by Bank Officer)

12 11. On or about the dates and in the amounts and manner set forth below, in the
13 Northern District of California, defendant,

14 SHARON LYNN SHAW,

15 being an officer, agent, and employee of Wells Fargo Bank, a financial institution the deposits of
16 which were insured by the Federal Deposit Insurance Corporation, with intent to injure and defraud
17 Wells Fargo Bank, willfully misapplied, embezzled, abstracted, and purloined moneys, funds, and
18 credits of such institution in amounts of more than \$1,000:

19 //

Count	Date	Act
5	January 11, 2010	Advance of \$12,800 drawn on A.W.J. line of credit #4484208054-42 and deposited in L.W. account
6	February 2, 2010	Advance of \$20,000 drawn on A.W.J. line of credit #4484208054-67 and deposited in L.W. account

All in violation of Title 18, United States Code, Section 656.

FORFEITURE ALLEGATION: (18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c) – Forfeiture of Proceeds of Specified Unlawful Activity)

12. The factual allegations contained in Counts One through Six of this Indictment are alleged and by this reference fully incorporated here for the purpose of alleging forfeiture pursuant to the provisions of 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c).

13. Upon a conviction of any of the offenses alleged in Counts One through Six, the defendant,

SHARON LYNN SHAW,

shall forfeit to the United States any property, real or personal, which constitutes or is derived from proceeds traceable to said offense, including but not limited to a sum of money equal to the total proceeds from the commission of said offense.

14. If, as a result of any act or omission of the defendant, any of said property

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

any and all interest defendant has in any other property up to the value of the property described in paragraph 8 above, shall be vested in and forfeited to the United States pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461.

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All in violation of Title 18, United States Code, Sections 981(a)(1)(C) and 1344; Title 28,
United States Code, Section 2461; and Rule 32.2 of the Federal Rules of Criminal Procedure.

DATE:


May 21, 2014

A TRUE BILL



FOREPERSON

MELINDA HAAG
United States Attorney



JEFF NEDROW
Chief, San Jose Branch

(Approved as to form: 

(AUSA Philip A. Guentert)

AO 257 (Rev. 6/78)

SEALED BY ORDER OF THE COURT

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

BY: [] COMPLAINT [] INFORMATION [X] INDICTMENT [] SUPERSEDING

OFFENSE CHARGED
Counts One-Four: Bank Fraud 18 U.S.C. § 1344
Counts Five and Six: Theft by Bank Officer 18 U.S.C. § 656
Forfeiture Allegation: 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c)-Forfeiture of Proceeds of Specified Unlawful Activity
PENALTY: SEE ATTACHMENT

Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

DEFENDANT - U.S.
Sharon Lynn Shaw
DISTRICT COURT NUMBER
CR 14 00282 PSG

PROCEEDING
Name of Complainant Agency, or Person (& Title, if any)
Nathan Matthews, Secret Service
[] 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. ATTORNEY [] DEFENSE SHOW DOCKET NO.
[] this prosecution relates to a pending case involving this same defendant MAGISTRATE CASE NO.
[] prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

IS NOT IN CUSTODY
Has not been arrested, pending outcome this proceeding.
1) [] If not detained give date any prior summons was served on above charges
2) [] Is a Fugitive
3) [] Is on Bail or Release from (show District)

IS IN CUSTODY
4) [] On this charge
5) [] On another conviction } [] Federal [] State
6) [] Awaiting trial on other charges
If answer to (6) is "Yes", show name of institution

Name and Office of Person Furnishing Information on this form
MELINDA HAAG
[X] U.S. Attorney [] Other U.S. Agency

Has detainer been filed? [] Yes [] No
If "Yes" give date filed
DATE OF ARREST
Month/Day/Year
Or... if Arresting Agency & Warrant were not
DATE TRANSFERRED TO U.S. CUSTODY
Month/Day/Year

Name of Assistant U.S. Attorney (if assigned)
Phillip A. Guentert

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:
[] SUMMONS [] NO PROCESS* [X] WARRANT
If Summons, complete following:
[] Arraignment [] Initial Appearance
Defendant Address:
Comments:

Bail Amount: \$50,000.00 OR
* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment
Date/Time: Before Judge:

FILED MAY 21 2014 RICHARD W. WIEGAND CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES V. SHARON LYNN SHAW

PENALTY SHEET

Penalties for Counts One through Four:

Thirty years imprisonment
\$1,000,000 fine or twice the gain or loss from the offense, whichever is greatest
5 years of supervised release
\$100 special assessment

Penalties for Counts Five and Six:

Thirty years imprisonment
\$1,000,000 fine or twice the gain or loss from the offense, whichever is greatest
5 years supervised release
\$100 special assessment

SEALED BY ORDER OF THE COURT

United States District Court Northern District of California

FILED E-filing MAY 21 2014 RICHARD W. WIEKING CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

CRIMINAL COVER SHEET

BLF

Instructions: Effective January 3, 2012, this Criminal Cover Sheet must be completed and submitted, along with the Defendant Information Form, for each new criminal case.

Case Name:

USA v. Sharon Lynn Shaw

Case Number:

CR 14 00282 PSG

Total Number of Defendants:

1 [checked] 2-7 [] 8 or more []

Is This Case Under Seal?

Yes [checked] No []

Does this case involve ONLY charges under 8 U.S.C. § 1325 and/or 1326?

Yes [] No [checked]

Venue (Per Crim. L.R. 18-1):

SF [] OAK [] SJ [checked] EUR [] MON []

Is any defendant charged with a death-penalty-eligible crime?

Yes [] No [checked]

Assigned AUSA (Lead Attorney):

Phillip A. Guentert

Is this a RICO Act gang case?

Yes [] No [checked]

Date Submitted:

May 20, 2014

Comments:

[Empty box for comments]

Save Print Clear Form