

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Criminal Case No. 06-CR-00244-EWN(s)

UNITED STATES OF AMERICA,

Plaintiff,

v.

1. RONALD FONTENOT
2. TORRENCE JAMES,
3. NICOLE PULLER,
4. GLENN PULLER,
5. TALITA JAMES,
6. TAIWAN LEE, and
7. CINDY INGRAM,

Defendants.

SUPERSEDING INDICTMENT
18 U.S.C. §§ 1343 and 2
18 U.S.C. § 1956
18 U.S.C. § 1957
18 U.S.C. §1028A
18 U.S.C. § 371
18 U.S.C. §1001
18 U.S.C. § 981(a) (1) (C)
& 28, U.S.C. § 2461

The Grand Jury charges that:

GENERAL ALLEGATIONS

At all times material to this Superseding Indictment:

1. Defendant RONALD FONTENOT conducted business in the

State of Colorado as a mortgage broker in association with several companies, including First Choice Mortgage ("First Choice"), during which time he arranged for home buyers to obtain financing for the purchase of various residences. In addition to acting as a mortgage broker, defendant FONTENOT held himself out, at times, to be a real estate investor, involved in the purchase and sale of residential real estate for investment purposes, and, at times, a contractor involved in improvements to residential real estate in connection with such investments. Defendant FONTENOT purported to do business in these latter capacities under the name of PIK Properties and Investments, L.L.C. ("PIK").

2. Defendant TORRENCE JAMES conducted business in the State of Colorado as a mortgage broker in association with several companies, including First Choice, and Green River Mortgage ("Green River"), during which time he arranged for home buyers to obtain financing for the purchase of various residences. In addition to acting as a mortgage broker, defendant JAMES held himself out, at times, to be a real estate investor, involved in the purchase and sale of residential real estate for investment purposes, and, at times, a contractor involved in improvements to residential real estate in connection with such investments. Defendant JAMES purported to do business in these latter capacities under the name of Torrence James, Inc.

("TJI").

3. Defendant NICOLE PULLER held herself out to be a mortgage broker and, at times, also conducted business in the State of Colorado under the name of Rapid Contracting Services ("Rapid").

4. Home buyers, as further described below, were required to submit a "uniform residential loan application" to lenders in connection with the buyers applying for and qualifying for a loan to purchase a residence. In such loan applications, buyers provided information, among other things, about their employment, income, financial and real estates assets. The applications also made representations about buyers' intentions with respect to the purchased properties and how the requested loan funds would be used in connection with the purchases. Buyers represented to prospective lenders in these applications that the information provided in them was true and correct.

COUNTS 1 - 14
(Wire Fraud)

5. The General Allegations of this Superseding Indictment are hereby re-alleged as if set out in full and incorporated herein by reference.

6. Beginning on or about April 29, 2004, and continuing

through and including on or about August 4, 2005, the exact dates being unknown to the Grand Jury, in the State and District of Colorado, and elsewhere, the defendants,

**RONALD FONTENOT
TORRENCE JAMES,
NICOLE PULLER,
GLENN PULLER,
TALITA JAMES,
TAIWAN LEE, and
CINDY INGRAM,**

together, and through and in concert with other persons known and unknown to the Grand Jury, devised and intended to devise a scheme and artifice to defraud, and to obtain money and property by means of false and fraudulent material pretenses, representations and promises, from real estate lenders.

The Scheme

7. It was a purpose and object of the scheme and artifice to defraud and to obtain money and property by false and fraudulent material pretenses, representations and promises for the defendants FONTENOT and TORRENCE JAMES - in concert with, and through and aided and abetted by, defendants NICOLE PULLER, GLENN PULLER, TALITA JAMES, TAIWAN LEE, and CINDY INGRAM - to acquire, control and profit from residential real properties by fraudulently securing real estate financing for the purchases, typically through the use of nominee (or "straw") purchasers.

8. As part of the scheme, defendants FONTENOT and TORRENCE JAMES, acting as mortgage brokers, directly or through others acting in concert with them, typically arranged with residential real estate sellers and their brokers and representatives and, purportedly on behalf of client buyers, to buy the sellers' properties at prices both above the listed sales prices and currently prevailing market prices for similar nearby residences. In exchange, defendants FONTENOT and TORRENCE JAMES sought and secured the sellers' concession to have the funds in excess of the sellers' listed sales price disbursed on behalf of their client buyers, purportedly to fund improvements to the properties. In connection with these arrangements, defendants FONTENOT and TORRENCE JAMES typically represented to the sellers and their representatives that they would be able to have the sellers' properties appraised at values higher than the listed sales price amounts. The excess amounts would be distributed purportedly on behalf of the buyers at closing, typically out of loan funds which defendants FONTENOT and TORRENCE JAMES would arrange to secure with lenders.

9. As part of the scheme, defendants FONTENOT and TORRENCE JAMES - at times acting through and in concert with defendant NICOLE PULLER - then recruited various individuals to act as

nominee or straw purchasers for these properties and to have these individuals, portraying themselves as the buyers, fraudulently obtain loans from real estate lenders to finance these above-list price purchases. Such purchasers included defendants TALITA JAMES, TAIWAN LEE, GLENN PULLER and CINDY INGRAM. At times, defendants TORRENCE JAMES and NICOLE PULLER themselves acted as purchasers as part of the scheme.

10. As part of the scheme, defendants FONENOT and TORRENCE JAMES, in their capacity as mortgage brokers, would then typically assist the recruited purchasers in fraudulently obtaining the loan funds for the purchases and would typically have the purchasers apply for loan funds to finance all or substantially all of the negotiated purchase price. In the course of obtaining loans from lenders for the purchase of the various residential properties, defendants FONTENOT and TORRENCE JAMES, through and in concert with each of the other defendants, made materially false statements, representations, and omissions to lenders or their agents in the loan application process. The materially false information to lenders concerned such things as the prospective buyer's: actual identity, date of birth, social security number, employment, monthly income, bank account information, current residence, real estate owned and/or intent

to occupy the purchased residence. Such false information was provided by the defendants to the lenders for purposes of enabling the buyer to qualify for the loan funds.

11. As part of the scheme, each of the defendants provided or assisted in providing false information to lenders typically in a "uniform residential loan application" and supporting documents for such application. The supporting documents included such things as: State of Colorado identification cards, bank statements, verifications of employment, rent or deposit, and affidavits of intent to occupy the purchased residence.

12. As part of the scheme, through such material falsehoods and omissions, the defendants obtained the requested loan funds for the purchase of these residences and, pursuant to the scheme, caused or assisted in causing significant portions of the loaned funds to be disbursed to one or more of the defendants for their benefit, either directly or through disbursements to companies associated with them. Such funds were typically disbursed through a title company at the closing for a residence. These loan disbursements and the related real estate transaction are described as follows:

Lender Funds For Benefit of Defendants or Connected Businesses	Home Buyer	Closing Date	Property Address	Lender	Total Amount Financed
\$77,150 to PIK	Glenn Puller (a.k.a. Mark Thompson)	6-29-04	14543 E. Purdue Place Aurora, CO	Countrywide Home Loans, Inc.	\$580,830
\$87,600 to PIK \$8,475 to Green River	Glenn Puller (a.k.a. Mark Thompson)	8-10-04	14870 E. Jefferson Avenue Aurora, CO	Countrywide Home Loans, Inc.	\$548,014
\$136,778 to PIK	Nicole Puller (a.k.a. Shanae Garner)	9-13-04	620 York Street Denver, CO	Countrywide Home Loans, Inc.	\$570,590
\$44,689 to PIK \$44,689 to Rapid	Nicole Puller (a.k.a. Shanae Garner)	10-21-04	4625 Milwaukee Street Denver, CO	Upland Mortgage	\$188,738
\$69,000 to PIK \$69,000 to Rapid	Taiwan Lee	10-22-04	14052 E. Chenango Drive Aurora, CO	Countrywide Home Loans, Inc.	\$601,371
\$138,592 to PIK \$9,535 to Green River	Taiwan Lee	11-15-04	14012 E. Chenango Drive Aurora, CO	Countrywide Home Loans, Inc.	\$599,816
\$138,812 to TJI	Torrence James	11-24-04	13972 E. Whitaker Dr., Aurora, CO	Equifirst Corporation	\$617,724

\$138,901 to TJI	Michael Gomez	12-14-04	13982 E. Whitaker Dr., Aurora, CO	New Century Mortgage	\$611,607
\$164,975 to PIK	Taiwan Lee	12-28-04	14043 E. Whitaker Dr. Aurora, CO	New Century Mortgage Corp.	\$668,114
\$124,606 to PIK \$8,697 to First Choice	Taiwan Lee (through Ricky Lee)	1-18-05	13941 E. Whitaker Dr. Aurora, CO	American Home Mortgage Acceptance, Inc.	\$576,704
\$124,975 to PIK	Cindy Ingram	1-21-05	14062 E. Chenango Dr. Aurora, CO	New Century Mortgage Corp.	\$572,509
\$139,975 to PIK \$5,027 to Cindy Ingram	Cindy Ingram	1-28-05	13981 E. Whitaker Dr. Aurora, CO	Fremont Investment & Loan	\$607,591
\$125,000 to Clare Louise Camack, Inc.	Ervin Camack	2-10-05	14022 E. Chenango Dr., Aurora, CO	New Century Mortgage	\$576,600
\$135,000 to PIK	Cindy Ingram	2-17-05	14034 E. Whitaker Dr. Aurora, CO	Finance America, LLC	\$602,589
\$168,139 TJI	Taiwan Lee	2-22-05	14001 E. Whitaker Dr. Aurora, CO	Finance America, LLC	\$672,710

\$98,650 PIK and TJI (funds actually received by Thomas Menting)	Talita James	2-24-05	13991 E. Whitaker Dr. Aurora, CO	Finance America, LLC	\$546,717
\$133,857 to PIK and TJI	Talita James	2-24-05	13992 E. Whitaker Dr. Aurora, CO	Long Beach Mortgage	\$602,920

TOTAL = \$2,192,122

13. As part of scheme, defendants FONTENOT and TORRENCE JAMES typically arranged to have the nominee purchasers - including each of other defendants named herein - receive funds or access to funds (also referred to as "kickbacks") as payment for such buyer's role in purchasing the residence.

14. On or about the dates enumerated as to each count below, in the State and District of Colorado, and elsewhere, for the purpose of executing the aforesaid scheme and artifice to defraud and for obtaining money and property by false and fraudulent pretenses, representations and promises, and attempting to do so, the defendants so named did knowingly cause, and aid and abet others to cause, to be transmitted in interstate

and foreign commerce, from or to the State of Colorado to or from the places described below, by means of wire communications, certain signals and sounds, representing the following communications or transactions, in connection with purchases of the indicated real properties:

Count	Date	Defendant (s)	Property Address	Wire Transmission
1	6-30-04	RONALD FONTENOT, TORRENCE JAMES, NICOLE PULLER, GLENN PULLER	14543 E. Purdue Pl., Aurora, CO	Wire transfer of \$432,035 in loan funds from New York to Colorado by Bank of New York (on behalf of Countrywide Home Loans, Inc.)
2	8-10-04	RONALD FONTENOT, TORRENCE JAMES, NICOLE PULLER, GLENN PULLER	14870 E. Jefferson Ave., Aurora, CO	Wire transfer of \$436,630 in loan funds from New York to Colorado by Bank of New York (on behalf of Countrywide Home Loans, Inc.)
3	9-14-04	RONALD FONTENOT, TORRENCE JAMES, NICOLE PULLER	620 York St., Denver, CO	Wire transfer of \$136,778, in connection with closing, from California to Colorado by Comerica Bank (on behalf of Guardian Title Agency)

4	10-22-04	RONALD FONTENOT, TORRENCE JAMES, NICOLE PULLER, TAIWAN LEE	14052 E. Chenango Dr. Aurora, CO	Wire Transfer of \$478,371 in loan funds from New York to Colorado by Bank of New York (on behalf of Countrywide Homes Loans, Inc).
5	11-15-04	RONALD FONTENOT, TORRENCE JAMES, TAIWAN LEE	14012 E. Chenango Dr., Aurora, CO	Wire transfer of \$478,316 in loan funds from New York to Colorado by Bank of New York (on behalf of Countrywide Home Loans, Inc.)
6	11-29-04	TORRENCE JAMES	13972 E. Whitaker Dr., Aurora, CO	Wire transfer of \$122,923 in Loan Funds from North Carolina to Colorado by Wachovia Bank (on behalf of Equifirst Corporation)
7	12-14-04	RONALD FONTENOT, TORRENCE JAMES	13982 E. Whitaker Dr., Aurora, CO	Wire transfer of \$489,512 in Loan Funds from New York to Colorado by Deutsche Bank Trust Co. (on behalf of New Century Mortgage)
8	12-29-04	RONALD FONTENOT, TORRENCE JAMES, TAIWAN LEE	14043 E. Whitaker Dr., Aurora, CO	Wire transfer of \$533,493 in loan funds from New York to Colorado by Deutsche Bank Trust Co. (on behalf of New Century Mortgage)

9	1-18-05	RONALD FONTENOT, TORRENCE JAMES, TAIWAN LEE	13941 E. Whitaker Dr. Aurora, CO	Wire transfer of \$115,032 in loan funds from New York to Colorado by Bank of New York (on behalf of American Home Mortgage Acceptance, Inc.)
10	1-21-05	RONALD FONTENOT, TORRENCE JAMES, CINDY INGRAM	14062 E. Chenango Dr., Aurora, CO	Wire transfer of \$457,605 in loan funds from New York to Colorado by Deutsche Bank Trust Co. (on behalf of New Century Mortgage)
11	1-28-05	RONALD FONTENOT, TORRENCE JAMES, CINDY INGRAM	13981 E. Whitaker Dr., Aurora, CO	Wire transfer of \$486,717 in loan funds from California to Colorado by Fremont Investment And Loan
12	2-10-05	RONALD FONTENOT, TORRENCE JAMES	14022 E. Chenango Dr. Aurora, CO	Wire transfer of \$461,532 in loan funds from New York to Colorado by Deutsche Bank Trust Co. (on behalf of New Century Mortgage)
13	2-24-05	RONALD FONTENOT, TORRENCE JAMES, TALITA JAMES	13992 E. Whitaker Dr., Aurora, CO	Wire transfer of \$482,386 in loan funds from Washington to Colorado by Washington Mutual Bank (on behalf of Long Beach Mortgage)

14	2-24-05	RONALD FONTENOT, TORRENCE JAMES, TALITA JAMES	13991 E. Whitaker Dr., Aurora, CO	Wire transfer of \$546,717 in loan funds from New York to Colorado by Deutsche Bank Trust (on behalf of Finance America, LLC)
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In violation of Title 18, United States Code, Sections 1343 and 2.

COUNT 15
(Aggravated Identity Theft)

15. The allegations contained in paragraphs 1 through 4 and 6 through 14 of this Superseding Indictment are hereby re-alleged as if set out in full and incorporated herein by reference.

16. From on or about July 21, 2004 and continuing through at least on or about August 10, 2004, the exact dates being unknown to the Grand Jury, in the State and District of Colorado, the defendants,

RONALD FONTENOT
TORRENCE JAMES,
NICOLE PULLER, and
GLENN PULLER,

did knowingly possess and use, without lawful authority, a means of identification of another person, to wit, the name, social security account number, and date of birth of Mark B. Thompson,

during and in relation to a felony violation enumerated in Title 18, United States Code, Section 1028A(c), to wit, wire fraud, in violation of Title 18, United States Code, Section 1343, as set forth and alleged in this Superseding Indictment.

In violation of Title 18, United States Code, Section 1028A(a) (1), (c) (5).

COUNT 16
(Aggravated Identity Theft)

17. The allegations contained in paragraphs 1 through 4 and 6 through 14 of this Superseding Indictment are hereby re-alleged as if set out in full and incorporated herein by reference.

18. From on or about September 9, 2004 and continuing through at least on or about October 21, 2004, the exact dates being unknown to the Grand Jury, in the State and District of Colorado, the defendants,

RONALD FONTENOT
TORRENCE JAMES,
NICOLE PULLER, and
GLENN PULLER,

did knowingly possess and use, without lawful authority, a means of identification of another person, to wit, the name, social security account number, and date of birth of Shanae Garner, during and in relation to a felony violation enumerated in Title 18, United States Code, Section 1028A(c), to wit, wire fraud, in

violation of Title 18, United States Code, Section 1343, as set forth and alleged in this Superseding Indictment.

In violation of Title 18, United States Code, Section 1028A(a) (1), (c) (5).

COUNTS 17 - 21
(Money Laundering)
(Defendant Fontenot)

19. The allegations contained in paragraphs 1 through 4 and 6 through 14 of this Superseding Indictment are hereby re-alleged as if set out in full and incorporated herein by reference.

20. On or about the dates alleged below as to each Count, in the State and District of Colorado, and elsewhere, the defendant,

RONALD FONTENOT,

did knowingly conduct and attempt to conduct the following financial transactions affecting interstate and foreign commerce, which involved the proceeds of a specified unlawful activity, that is, wire fraud, in violation of Title 18, United States Code, Section 1343, as set forth and alleged in this Superseding Indictment, with intent to promote the carrying on of said specified unlawful activity and knowing that the property involved in the financial transaction represented the proceeds of

some form of unlawful activity:

Count	Date	Financial Transaction
17	8-11-06	Withdrawal of \$40,000 from Bank Account No. Ending In -0720, in the name of PIK Properties And Investments, LLC., to purchase Official Check payable to Nicole Puller
18	9-14-04	Purchase of Official Check in the amount of \$78,350, payable to Nicole Puller, from funds debited from Bank Account No. Ending In - 0720, in the name of PIK Properties And Investments, LLC.
19	9-17-04	Purchase of Official Check in the amount of \$10,000, payable to Ervin Camack, from funds debited from Bank Account No. Ending In - 0720, in the name of PIK Properties And Investments, LLC.
20	12-29-04	Provision and payment of US Bank Check No. 202 in the amount of \$20,000, payable to Taiwan Lee, drawn on US Bank Account No. Ending In -0720, in the name of PIK Properties And Investments, LLC.
21	1-31-05	Provision and payment of US Bank Check No. 229 in the amount of \$120,000, payable to Nicole Puller, drawn on US Bank Account No. Ending In -0720, in the name of PIK Properties And Investments, LLC.

In violation of Title 18, United States Code, Sections 1956(a)(1)(A)(I) and 2.

COUNTS 22 - 24
(Money Laundering)
(Defendant Torrence James)

21. The allegations contained in paragraphs 1 through 4 and 6 through 14 of this Superseding Indictment are hereby re-alleged

as if set out in full and incorporated herein by reference.

22. On or about the dates alleged below as to each Count, in the State and District of Colorado, and elsewhere, the defendant,

TORRENCE JAMES,

did knowingly conduct and attempt to conduct the following financial transactions affecting interstate and foreign commerce, which involved the proceeds of a specified unlawful activity, that is, wire fraud, in violation of Title 18, United States Code, Section 1343, as set forth and alleged in this Superseding Indictment, with intent to promote the carrying on of said specified unlawful activity and knowing that the property involved in the financial transaction represented the proceeds of some form of unlawful activity:

Count	Date	Financial Transaction
22	12-15-04	Provision and payment of TCF Bank Check No. 2019 in the amount of \$18,000, payable to Michael Gomez, drawn on TCF Bank Account No. Ending In -0871, in the name of Torrence James, Inc.
23	1-11-05	Wire Transfer of \$40,000 from TCF Bank Account No. Ending In -0871, in the name of Torrence James, Inc., to US Bank Account Ending In -2820, in the name of Taiwan Lee
24	3-9-05	Purchase and payment of TCF Bank Official Check No. 727384513, in the amount of \$5,000, payable to Talita James, from funds debited from TCF Bank Account No. Ending In -0871, in the name of Torrence James, Inc.

In violation of Title 18, United States Code, Sections

1956(a)(1)(A)(I) and 2.

COUNTS 25 - 26
(Monetary Transactions in Property
Derived From Specified Unlawful Activity)
(Defendant Nicole Puller)

23. The allegations contained in paragraphs 1 through 4 and 6 through 14 of this Superseding Indictment are hereby re-alleged as if set out in full and incorporated herein by reference.

24. On or about the dates alleged below as to each Count, in the State and District of Colorado, and elsewhere, the defendant,

NICOLE PULLER,

did knowingly engage and attempt to engage in a monetary transaction affecting interstate or foreign commerce, in criminally derived property of a value greater than \$10,000, which property was derived from a specified unlawful activity, namely, wire fraud, in violation of Title 18, United States Code, Sections 1343, as set forth and alleged in this Superseding Indictment, as described below:

Count	Date	Transaction
25	9-14-04	Wire Transfer of \$30,000 from an account for Nicole Puller at Colorado State Employees Credit Union to an account for Nicole Puller at Public Services Credit Union

26	9-29-04	Wire Transfer of \$30,000 from an account for Nicole Puller at Colorado State Employees Credit Union to an account for Nicole Puller at Public Services Credit Union
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In violation of Title 18 of the United States Code, Sections 1957 and 2.

COUNTS 27 - 30

**(Monetary Transactions in Property
Derived From Specified Unlawful Activity)
(Defendant Ronald Fontenot)**

25. The allegations contained in paragraphs 1 through 4 and 6 through 14 of this Superseding Indictment are hereby re-alleged as if set out in full and incorporated herein by reference.

26. On or about the dates alleged below as to each Count, in the State and District of Colorado, and elsewhere, the defendant,

RONALD FONTENOT,

did knowingly engage and attempt to engage in a monetary transaction affecting interstate or foreign commerce, in criminally derived property of a value greater than \$10,000, which property was derived from a specified unlawful activity, namely, wire fraud, in violation of Title 18, United States Code, Sections 1343, as set forth and alleged in this Superseding Indictment, as described below:

<u>Count</u>	<u>Date</u>	<u>Transaction</u>
27	7-6-04	Provision and payment of US Bank Check No. 173 in the amount of \$22,000, payable to Donny Steelz, drawn on US Bank Account No. Ending In -0720, in the name of PIK Properties And Investments, LLC.
28	1-31-05	Provision and payment of US Bank Check No. 229 in the amount of \$120,000, payable to Nicole Puller, drawn on US Bank Account No. Ending In -0720, in the name of PIK Properties And Investments, LLC.
29	6-2-05	Purchase of Official Check in the amount of \$20,050.15, payable to Quantum Title, from funds debited from Bank Account No. Ending In -0720, in the name of PIK Properties And Investments, LLC.
30	6-3-05	Wire Transfer of \$124,606.32 from Bank Account No. Ending In -0720, in the name of PIK Properties And Investments, LLC. to a bank account for Vision, LLC, at TCF Bank

In violation of Title 18 of the United States Code, Sections 1957 and 2.

COUNTS 31 - 33

**(Monetary Transactions in Property
Derived From Specified Unlawful Activity)
(Defendant Torrence James)**

27. The allegations contained in paragraphs 1 through 4 and 6 through 14 of this Superseding Indictment are hereby re-alleged as if set out in full and incorporated herein by reference.

28. On or about the dates alleged below as to each Count, in the State and District of Colorado, and elsewhere, the defendant,

TORRENCE JAMES,

did knowingly engage and attempt to engage in a monetary transaction affecting interstate or foreign commerce, in criminally derived property of a value greater than \$10,000, which property was derived from a specified unlawful activity, namely, wire fraud, in violation of Title 18, United States Code, Sections 1343, as set forth and alleged in this Superseding Indictment, as described below:

Count	Date	Transaction
31	12-2-04	Provision and payment of TCF Bank Check No. 2052 in the amount of \$19,582.04, payable to Saturn of Union, drawn on TCF Bank Account No. Ending In -0871, in the name of Torrence James, Inc.
32	12-3-04	Provision and payment of TCF Bank Check No. 2053 in the amount of \$11,425, payable to Tourneau, Inc., drawn on TCF Bank Account No. Ending In -0871, in the name of Torrence James, Inc.
33	3-9-05	Debit/Withdrawal of \$300,000.32 from TCF Bank Account No. Ending In -0871, in the name of Torrence James, Inc., to purchase nine or more official bank checks issued by TCF Bank

In violation of Title 18 of the United States Code, Sections 1957 and 2.

COUNT 34
**(Conspiracy to Commit Wire Fraud
and Aggravated Identity Theft)**

29. The allegations contained in paragraphs 1 through 4 and 6 through 22 of this Superseding Indictment are hereby re-alleged

as if set out in full and incorporated herein by reference.

30. Beginning on or about April 29, 2004, and continuing through and including on or about August 4, 2005, the exact dates being unknown to the Grand Jury, in the State and District of Colorado, and elsewhere, the defendants,

**RONALD FONTENOT
TORRENCE JAMES,
NICOLE PULLER,
GLENN PULLER,
TALITA JAMES,
TAIWAN LEE, and
CINDY INGRAM,**

did knowingly and willfully combine, conspire, confederate, and agree with each other, and with persons known and unknown to the Grand Jury, to commit the following offenses against the United States:

(i) wire fraud, in violation of Title 18, United States Code, Section 1343; and

(ii) aggravated identity theft, in violation of Title 18, United States Code, Section 1028A.

Overt Acts

31. In furtherance of the conspiracy and to achieve the objects thereof, the defendants and their co-conspirators, known and unknown to the grand jury, committed and caused to be committed at least one of the following overt acts in the

District of Colorado and elsewhere:

A. The wire transmissions set forth in Counts 1 through 14 are incorporated herein and realleged as though restated as individual overt acts done in furtherance of the conspiracy.

B. The financial transactions set forth in Counts 17 through 24 are incorporated herein and realleged as though restated as individual overt acts done in furtherance of the conspiracy.

C. On or about June 29, 2004, defendant GLENN PULLER produced and provided, as identification of the buyer, a counterfeit State of Colorado Driver's License in the name of "Mark Thompson," in connection with a closing of the purchase of the real property located at 14543 E. Purdue Place, Aurora, Colorado.

D. On or about August 10, 2004, defendant GLENN PULLER produced and provided, as identification of the buyer, a counterfeit State of Colorado Driver's License in the name of "Mark Thomson," in connection with a closing of the purchase of the real property located at 14870 E. Jefferson Avenue, Aurora, Colorado.

E. On or about September 13, 2004, defendant NICOLE PULLER produced and provided, as identification of the buyer, a

counterfeit State of Colorado Driver's License in the name of "Shanae Nicole Garner," in connection with a closing of the purchase of the real property located at 620 York Street, Denver, Colorado.

F. On or about July 21, 2004, defendant TORRENCE JAMES signed a Uniform Residential Loan Application for a \$440,000 loan for Mark B. Thompson to purchase the residential property located at 14870 E. Jefferson Avenue, Aurora, Colorado, signifying that defendant JAMES was the interviewer on the application.

G. On or about July 21, 2004, defendant GLENN PULLER signed a Uniform Residential Loan Application in the name of Mark B. Thompson for a \$440,000 loan for Mark B. Thompson to purchase the residential property located at 14870 E. Jefferson Avenue, Aurora, Colorado.

H. On or about July 26, 2004, defendant RONALD FONTENOT transmitted a facsimile of a Uniform Residential Loan Application for a \$440,000 loan for Mark B. Thompson to purchase the residential property located at 14870 E. Jefferson Avenue, Aurora, Colorado.

I. On or about September 13, 2004, defendant NICOLE PULLER signed a Uniform Residential Loan Application in the name of Shanae N. Garner for a \$459,200 loan for Shanae N. Garner to

purchase the residential property located at 620 York Street, Denver, Colorado.

J. On or about November 3, 2004, defendant RONALD FONTENOT transmitted a facsimile of a Request for Verification of Rent or Mortgage for Tawiwan John Lee, a Key Bank bank account statement for an account purportedly in the name of Taiwan J. Lee and a letter dated October 14, 2004, purportedly from John M. Gonzales, CPA, "To whom it may concern," regarding the self-employment status of Taiwan J. Lee.

K. On or about November 15, 2004, defendant TORRENCE JAMES signed a Uniform Residential Loan Application for a \$120,000 loan for Taiwan John Lee, in connection with the purchase the residential property located at 14012 E. Chenango Drive, Aurora, Colorado, signifying that defendant JAMES was the interviewer on the application.

L. On or about November 15, 2004, defendant TAIWAN LEE signed a Uniform Residential Loan Application for a \$120,000 loan for Taiwan John Lee, in connection with the purchase the residential property located at 14012 E. Chenango Drive, Aurora, Colorado.

M. On or about January 21, 2005, defendant CINDY INGRAM signed a Uniform Residential Loan Application for a \$464,000 loan

for Cindy M. Ingram, in connection with the purchase the residential property located at 14062 E. Chenango Drive, Aurora, Colorado.

N. On or about February 17, 2005, a facsimile was transmitted from Green River Mortgage of a Request for Verification of Employment for Talita James, purportedly executed by Ron Williams as owner of A-Z Real Estate.

O. On or about February 24, 2005, defendant TALITA JAMES signed a Uniform Residential Loan Application for a \$548,000 loan for Talita D. James, in connection with the purchase the residential property located at 13991 E. Whitaker Dr., Aurora, Colorado.

P. On or about November 24, 2004, defendant RONALD FONTENOT caused a US Bank Official Check in the amount of \$15,428.63 to be issued and delivered to Security Title, in connection with a closing of the purchase of the residential property located at 13972 E. Whitaker Drive, Aurora, CO.

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

COUNT 35
(False Statements to U.S. Probation)
(Defendant Ronald Fontenot)

32. On or about October 5, 2004, in the State and District of Colorado, in a matter within the jurisdiction of the United States Probation Office for the District of Colorado, an agency of the judicial branch of the Government of the United States, the defendant,

RONALD FONTENOT,

in connection with being supervised by the United States Probation Office in Criminal Case No. 93-CR-7-N, did knowingly and willfully make and cause to be made materially false and fraudulent statements and representations , in that the defendant stated and represented in a monthly supervision report for the month of September 2004 that (1) he had total monthly cash inflows of only \$309.04; (2) he had no cash on hand; and (3) he had no bank accounts; when, in truth and fact, and as the defendant well knew, during said month, he had received at least \$136,778 in proceeds from real estate closings; he had at least approximately \$9,000 in a bank account in the name of PIK; and he maintained a checking account in the name of PIK at US Bank.

In violation of Title 18, United States Code, Section 1001.

COUNT 36

**(False Statements to U.S. Probation)
(Defendant Ronald Fontenot)**

33. On or about December 6, 2004, in the State and District of Colorado, in a matter within the jurisdiction of the United States Probation Office for the District of Colorado, an agency of the judicial branch of the Government of the United States, the defendant,

RONALD FONTENOT,

in connection with being supervised by the United States Probation Office in Criminal Case No. 93-CR-7-N, did knowingly and willfully make and cause to be made materially false and fraudulent statements and representations, in that the defendant stated and represented in a monthly supervision report for the month of September 2004 that (1) he had no monthly cash inflows; (2) he had only \$65 cash on hand; and (3) he had no bank accounts; when, in truth and fact, and as the defendant well knew, during said month, he had received in excess of \$138,000 in proceeds from real estate closings; he had approximately \$97,462 in a bank account in the name of PIK; and he maintained a checking account in the name of PIK at US Bank.

In violation of Title 18, United States Code, Section 1001.

COUNT 37

**(False Statements to U.S. Probation)
(Defendant Ronald Fontenot)**

34. On or about May 5, 2005, in the State and District of

Colorado, in a matter within the jurisdiction of the United States Probation Office for the District of Colorado, an agency of the judicial branch of the Government of the United States, the defendant,

RONALD FONTENOT,

in connection with being supervised by the United States Probation Office in Criminal Case No. 93-CR-7-N, did knowingly and willfully make and cause to be made materially false and fraudulent statements and representations, in that the defendant stated and represented in a monthly supervision report for the month of September 2004 that (1) he had total monthly cash inflows of \$0; (2) he had only \$300 cash on hand; and (3) he had no bank accounts; when, in truth and fact, and as the defendant well knew, during said month, he had received at least \$130,000 in proceeds from real estate closings; he had at least approximately \$139,429 in a bank account in the name of PIK; and he maintained a checking account in the name of PIK at US Bank.

In violation of Title 18, United States Code, Section 1001.

COUNT 38

**(False Statements to U.S. Probation)
(Defendant Talita James)**

35. On or about April 5, 2005, in the State and District of Colorado, in a matter within the jurisdiction of the United

States Probation Office for the District of Colorado, an agency of the judicial branch of the Government of the United States, the defendant,

TALITA JAMES,

in connection with being supervised by the United States Probation Office in a federal criminal case, did knowingly and willfully make and cause to be made materially false and fraudulent statements and representations , in that the defendant stated and represented in a monthly supervision report for the month of March 2005 that she had total monthly cash inflows of only \$1,196 for the month of March 2005, corresponding to her reported net earnings from employment for the month; when, in truth and fact, and as the defendant well knew, during said month, she had received at least \$6,000 in payments from defendant TORRENCE JAMES.

In violation of Title 18, United States Code, Section 1001.

COUNT 39

(Criminal Forfeiture Allegation - Wire Fraud)

36. Upon conviction of one or more of the offenses alleged in Counts 1- 14 of this indictment, the defendants,

**RONALD FONTENOT
TORRENCE JAMES,
NICOLE PULLER,
GLENN PULLER,**

**TALITA JAMES,
TAIWAN LEE, and
CINDY INGRAM,**

shall forfeit to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461, all property constituting or derived from proceeds obtained directly or indirectly, from the commission of the offenses, including but not limited to a sum of money equal to \$2,192,122 in United States currency. If more than one defendant is convicted of an offense, the defendants so convicted will be jointly and severally liable for the amount subject to forfeiture.

All in accordance with Title 18, United States Code, Section 981(a)(1)(C), Title 28, United States Code, Section 2461 and Rule 32.2, Federal Rules of Criminal Procedure.

If any of the property described above, as a result of any act or commission of the defendants:

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

it is the intent of the United States, pursuant to Title 18, United

States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461, incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of the forfeitable property described above.

COUNT 40

**(Criminal Forfeiture Allegation - Wire Fraud)
(Defendant Nicole Puller)**

37. Upon conviction of one or more of the offenses alleged in Counts 1-10 of this indictment, the defendant, **NICOLE PULLER**, shall forfeit to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461 any property constituting or derived from proceeds obtained directly or indirectly as a result of said violations, including but not limited to the following described property:

a. 2005 GMC Yukon Denali XL, VIN 1GKFK66U65J168877;

and

b. \$3,200 in United States currency.

All in accordance with Title 18, United States Code, Section 981(a)(1)(C), Title 28, United States Code, Section 2461 and Rule 32.2, Federal Rules of Criminal Procedure.

COUNT 41

**(Criminal Forfeiture Allegation - Wire Fraud)
(Defendant Ronald Fontenot)**

38. Upon conviction of one or more of the offenses alleged

in Counts 1-14 of this indictment, the defendant, **RONALD FONTENOT**, shall forfeit to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461 any property constituting or derived from proceeds obtained directly or indirectly as a result of said violations, including but not limited to the following described property:

- a. 2003 Hummer H2, VIN 5GRGN23UV3H101349
- b. 2005 Chrysler 300, VIN 2C3AA63H15H540857

All in accordance with Title 18, United States Code, Section 981(a)(1)(C), Title 28, United States Code, Section 2461 and Rule 32.2, Federal Rules of Criminal Procedure.

A TRUE BILL:

s/Foreperson
FOREPERSON

TROY EID
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