

FILED IN OPEN COURT
U.S.D.C. Atlanta

JUN 25 2009

ORIGINAL

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF GEORGIA

ATLANTA DIVISION

JAMES W. HATTEN, Clerk
By: *[Signature]*
Deputy Clerk

UNITED STATES OF AMERICA	:	
	:	CRIMINAL INFORMATION
v.	:	
	:	NO. 1:09-CR-307
STEVEN H. BALLARD	:	
	:	
Defendant	:	

THE UNITED STATES ATTORNEY CHARGES THAT:

COUNT ONE
Wire Fraud
18 U.S.C. §1343

1. From on or about September 2, 2002 through on or about May 1, 2006, in the Northern District of Georgia and elsewhere, defendant STEVEN H. BALLARD did knowingly and willfully devise and intend to devise a scheme and artifice to defraud others of money and property by means of materially false and fraudulent pretenses, representations and promises, as more fully described below, causing interstate wire communications to be made in furtherance of said scheme to defraud.

2. At time relevant to this Criminal Information:

(a) Defendant STEVEN H. BALLARD was an attorney licensed in the state of Georgia, and engaged in the closing of real estate transactions, among other things.

(b) As a real estate closing attorney defendant BALLARD received funds from or on behalf of the purchaser/investor to be

disbursed to the seller, or on the seller's behalf to pay off all outstanding security interest(s) in the property, in order to convey clear title to the purchaser/investor.

(c) Defendant BALLARD caused purchaser funds for such disbursements to be wire transferred in 2005 from out-of-state locations to his Northern District of Georgia law firm escrow account, and other deposits of purchaser funds to be made to his law firm account.

(d) Defendant BALLARD represented that all receipts and disbursements, including his own fees and expenses for handling the real estate closings, were listed on the HUD1 Settlement Statements prepared for each closing.

(e) Instead of keeping only the legal fees and expenses reported on the HUD1 Settlement Statements to which he was entitled, from on or about the below listed dates through at least scheme detection, defendant BALLARD kept for his personal use the following purchaser funds without paying off in full either the sellers or their lien holders, or delivering clear title to the victim purchasers/investors:

Date	Amount	Victim
9/2/02	\$150,000	LSJ
8/03	\$66,128	DB
	\$175,000	LS
	\$75,000	JW
2/8/05	\$185,000	VW/TVTE

Date	Amount	Victim
3/11/05	\$122,964; \$7,020	LG/LM
3/17/05	\$55,000	LG/LM
3/30/05	\$25,000	LG/LM
3/16/05	\$88,750	LW/BB-W
3/18/05	\$175,000	MF
3/31/05	\$19,500	MB
4/24/05	\$88,965	JH
5/2/05	\$325,000	HP/HRPFS
5/19/05	\$100,000	DC
5/20/05	\$27,500	DC
4/18/05	\$50,000	APM/BD
5/18/05	\$30,000	APM/BD
5/19/05	\$20,000	APM/BD
7/1/05	\$75,000	JBII
5/1/06	\$50,000	RS/KK

All in violation of Title 18, United States Code, Section 1343.

DAVID E. NAHMIAS
UNITED STATES ATTORNEY

Gale McKenzie

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