

FILED IN CHAMBERS
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JAMES N. HATTIEM, Clerk
Evg. *[Signature]* Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA

v.

MIMS MORRIS

JOHNATHAN SILVERS
A/K/A "TURTLE"

CHARONDA EDWARDS
A/K/A "JOHN"

ADAM SMITH
A/K/A "SCRAP"
A/K/A "SCRAPPY"

TIFFANY ALLEN

MONIQUE KINNEY
A/K/A MONIQUE REED

Criminal Indictment

No. **15-CR-0351**

UNDER SEAL

THE GRAND JURY CHARGES THAT:

At all times relevant to this Indictment:

Background

1. The Georgia Department of Corrections (GDOC) is an agency of the State of Georgia and responsible for overseeing the operations of state prisons. Approximately 60,000 inmates are incarcerated in state prison facilities.

2. Increasingly, GDOC inmates obtain and use cellular telephones to further their criminal activities while incarcerated. Cellular telephones pose a significant risk to institutional safety and security as well as public safety. Inmates regularly buy and sell cellular telephones inside of prison. Many of the cellular telephones are the latest models and equipped with touch screens and Internet access. Cellular telephones are used by inmates to traffic drugs, commit fraud and organize criminal activity both inside and outside of prison. Phillips State Prison is located in Buford, Georgia and houses adult male inmates. MIMS MORRIS, JOHNATHAN SILVERS, and ADAM SMITH were inmates at Phillips State Prison and were members of the Ghostface Gang.

3. While they were inmates at Phillips State Prison, both MORRIS and SILVERS obtained cellular telephones and used them to traffic drugs. MORRIS also used cellular telephones to commit fraud.

4. MORRIS and SILVERS were even able to obtain cellular telephones while they were in administrative segregation (commonly referred to as the "hole"), charging them using the light fixtures in the cells. In telephone calls over a court-authorized wiretap, SILVERS bragged that his cellmate was watching a movie on his cellular telephone while they were in the "hole" together. In these calls, MORRIS talked about posting on Facebook and buying shoes on the Internet. MORRIS explained the guards all knew he had a cellular telephone in segregation.

5. TIFFANY ALLEN and MONIQUE KINNEY assisted MORRIS by using stolen identities to commit fraud. ALLEN and KINNEY, who were not inmates,

communicated with MORRIS by cellular telephone while he was an inmate at Phillips State Prison.

The Phillips State Prison Smuggling Scheme

6. Inmates depended on prison employees to bring cellular telephones and other contraband into Phillips State Prison. Once inmates obtained cellular telephones and contraband, they traded and sold these items, creating a prison economy that generated thousands of dollars of profit for them.

7. CHARONDA EDWARDS was employed under a contract with the GDOC and worked in the kitchen at the prison. EDWARDS obtained drugs, tobacco and other items requested by SILVERS in exchange for payment. EDWARDS smuggled the items into prison, typically hiding them inside the Phillips State Prison kitchen for inmates who would later retrieve the contraband.

8. EDWARDS also provided valuable correctional information to SILVERS, such as when the prison would be “locked down.”

9. MORRIS, SILVERS, and EDWARDS relied on prison orderlies and other inmates inside Phillips State Prison to move drugs, cellular telephones and other items throughout the prison. MORRIS, SILVERS, and ADAM SMITH sold the smuggled drugs and contraband to other inmates.

10. In one recorded call, SILVERS said that, even though they were in the “hole,” he had food, cigarettes and marijuana in his cell and even expected to get methamphetamine in the future.

11. SILVERS paid EDWARDS using reloadable prepaid credit cards.

Count 1

12. The Grand Jury re-alleges and incorporates by reference Paragraphs 1 through 11, as if fully set forth herein.

13. Beginning in or about June, 2014, the exact date being unknown to the Grand Jury, and continuing until on or about September 4, 2014, in the Northern District of Georgia, and elsewhere, defendants MIMS MORRIS, JOHNATHAN SILVERS, a/k/a "TURTLE," CHARONDA EDWARDS, a/k/a "JOHN," and ADAM SMITH, a/k/a "SCRAP," a/k/a "SCRAPPY," did knowingly combine, conspire, confederate, and agree with each other and with persons known and unknown to the Grand Jury, to violate Title 21, United States Code, Section 841(a)(1), that is, to knowingly possess with the intent to distribute controlled substances, that is, methamphetamine and marijuana, all in violation of Title 21, United States Code, Sections 846 and 841(b)(1)(C) and (D).

Count 2

14. The Grand Jury re-alleges and incorporates by reference Paragraphs 1 through 11, as if fully set forth herein.

15. Beginning in or about August, 2014, the exact date being unknown to the Grand Jury, and continuing until on or about September 4, 2014, in the Northern District of Georgia, and elsewhere, defendant CHARONDA EDWARDS, a/k/a "JOHN," did knowingly and unlawfully affect and attempt to affect, in any way and degree, commerce and the movement of any article and commodity in commerce by extortion, as those terms are defined in Title 18, United States

Code, Section 1951(b), in violation of Title 18, United States Code, Section 1951(a).

The Credit Card Scheme

16. MORRIS used his cellular telephone while in Phillips State Prison to perpetuate various fraud schemes.

17. On or about August 26, 2014, MORRIS called victim K.A., pretending to be from Discover Card Services. MORRIS asked for K.A.'s Discover card number in order to supposedly verify that he was speaking to the card holder. K.A. refused to give over the number and ended the call.

18. In another call on the same day, MORRIS called victim B.T., pretending to be a Discover Card representative, working in the "Fraudulent Specialist Department." He informed B.T. there were fraudulent charges on her credit card and he needed her credit card number to verify her identity. At his urging, B.T. provided her credit card number to MORRIS. B.T. was unaware that MORRIS was an inmate in a GDOC prison.

19. While pretending to be B.T., MORRIS called a Discover Card representative and accessed B.T.'s Discover card account. During the call, MORRIS used B.T.'s social security number and credit card number to authorize a \$2,200 transfer to another credit card MORRIS controlled.

20. In a second call to Discover Card later that day, MORRIS pretended that he was B.T. and asked the representative to change the telephone number on the account because he was going to be out of town for several weeks. Although MORRIS was unable to answer basic security questions, the Discover

representative changed the telephone number on the account from B.T.'s telephone number to MORRIS' cellular telephone number.

21. Over the next couple of days, MORRIS contacted Discover Card representatives repeatedly to ask about the \$2,200 transfer. During the calls, MORRIS provided B.T.'s personal information, such as her social security number and credit card number, to attempt to access B.T.'s Discover card account information. Using this information, MORRIS ordered a new Discover credit card so that a relative could steal it out of B.T.'s mailbox and use it.

22. On or about September 3, 2014, MORRIS used B.T.'s information to apply for additional credit cards. With the help of MONIQUE KINNEY, MORRIS was approved over the Internet for a Capital One Platinum Card relying on B.T.'s personal information.

Count 3

23. The Grand Jury re-alleges and incorporates by reference Paragraphs 1 through 5 and Paragraphs 16 through 22, as if fully set forth herein.

24. Beginning in or about August 2014, the exact date being unknown to the Grand Jury, and continuing until on or about September 4, 2014, in the Northern District of Georgia and elsewhere, defendants MIMS MORRIS, TIFFANY ALLEN, and MONIQUE KINNEY, a/k/a MONIQUE REED, conspired, agreed, and had a tacit understanding with each other and others known and unknown to the Grand Jury, to knowingly devise and intend to devise, and to willfully participate in, a scheme and artifice to defraud, to obtain money by means of false and fraudulent pretenses, representations, and promises, and by omissions

of material facts, and in the execution of the scheme and artifice to defraud, did knowingly cause the transmission in interstate commerce, by means of a wire communication, certain signs, signals, and sounds, in violation of Title 18, United States Code, Section 1343 and 1349.

Count 4

25. The Grand Jury re-alleges and incorporates by reference Paragraphs 1 through 5 and Paragraphs 16 through 22, as if fully set forth herein.

26. On or about August 26, 2014, in the Northern District of Georgia and elsewhere, defendant MIMS MORRIS, for the purpose of executing the scheme described above, did knowingly transmit and cause the transmission in interstate commerce, by means of a wire communication, certain signs, signals, and sounds, that is, personal information relating to victim J.C., in violation of Title 18, United States Code, Section 1343.

Count 5

27. The Grand Jury re-alleges and incorporates by reference Paragraphs 1 through 5 and Paragraphs 16 through 22, as if fully set forth herein.

28. On or about August 27, 2014, in the Northern District of Georgia and elsewhere, defendant MIMS MORRIS, for the purpose of executing the scheme described above, did knowingly transmit and cause the transmission in interstate commerce, by means of a wire communication, certain signs, signals, and sounds, that is, personal information relating to victim B.T., in violation of Title 18, United States Code, Section 1343.

Count 6

29. Between on or about August 27, 2014, and on or about September 4, 2014, in the Northern District of Georgia, defendants MIMS MORRIS and MONIQUE KINNEY, a/k/a MONIQUE REED, did knowingly possess and use, without lawful authority, means of identification of another person, that person being B.T., during and in relation to the commission of a felony offense enumerated in Title 18, United States Code, Section 1028A(c)(5), that is, a wire fraud conspiracy as alleged in Count 3, in violation of Title 18, United States Code, Section 1028A(a)(1).

Count 7

30. On or August 24, 2014, in the Northern District of Georgia, defendants MIMS MORRIS and TIFFANY ALLEN did knowingly possess and use, without lawful authority, means of identification of another person, that person being A.D., during and in relation to the commission of a felony offense enumerated in Title 18, United States Code, Section 1028A(a)(5), that is, a wire fraud conspiracy as alleged in Count 3, in violation of Title 18, United States Code, Section 1028A(a)(1).

The Fake Employment Scheme

31. On or about August 31, 2014, MIMS MORRIS texted TIFFANY ALLEN, telling her that he intended to act as though he was hiring people. MORRIS explained that he would fraudulently obtain personal information from people seeking work and then would order debit cards in their names, using their

personal information. MORRIS explained to ALLEN that it was “easy as pie” to get someone’s personal information.

32. MORRIS directed ALLEN to post a fraudulent advertisement on Craigslist for job applicants for non-existent construction and roofing jobs.

33. MORRIS provided a fake company name and an address in Sacramento, California. MORRIS provided his cellular telephone in prison as the telephone number for the fake company so that the victims would call him directly in prison and provide their personal information. ALLEN attempted to post this information on Craigslist for MORRIS, knowing the details of the scheme.

Count 8

34. The Grand Jury re-alleges and incorporates by reference Paragraphs 1 through 5 and Paragraphs 31 through 33, as if fully set forth herein.

35. Beginning in or about August 2014, the exact date being unknown to the Grand Jury, and continuing until on or about September 4, 2014, in the Northern District of Georgia and elsewhere, defendants MIMS MORRIS and TIFFANY ALLEN conspired, agreed, and had a tacit understanding with each other and others known and unknown to the Grand Jury, to knowingly devise and intend to devise, and to willfully participate in, a scheme and artifice to defraud, to obtain money by means of false and fraudulent pretenses and representations, and by omissions of material facts, and in the execution of the scheme and artifice to defraud, did knowingly cause the transmission in interstate commerce, by means of a wire communication, certain signs, signals, and sounds, in violation of Title 18, United States Code, Sections 1343 and 1349.

Count 9

36. The Grand Jury re-alleges and incorporates by reference Paragraphs 1 through 5 and Paragraphs 31 through 33, as if fully set forth herein.

37. On or about August 31, 2014, in the Northern District of Georgia and elsewhere, defendants MIMS MORRIS and TIFFANY ALLEN, for the purpose of executing the scheme described above, did knowingly transmit and cause the transmission and did attempt to transmit and cause the transmission in interstate commerce, by means of a wire communication, certain signs, signals, and sounds, namely by way of cellular telephones and the Internet, in violation of Title 18, United States Code, Sections 1343 and 1349.

Forfeiture

38. The allegations contained in Paragraphs 1-28 and 31-37 of this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 21, United States Code, Section 853, Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461.

39. Pursuant to Title 21, United States Code, Section 853, upon conviction of an offense in violation of Title 21, United States Code, Section 841 or 846, defendants MIMS MORRIS, JOHNATHAN SILVERS, a/k/a "TURTLE," CHARONDA EDWARDS, a/k/a "JOHN," and ADAM SMITH, a/k/a "SCRAP," a/k/a "SCRAPPY," shall forfeit to the United States of America any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offenses and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the

offenses. The property to be forfeited includes, but is not limited to, a sum of money representing the amount of proceeds obtained as a result of the drug offenses.

40. In addition, upon conviction of an offense in violation of Title 18, United States Code, Section 1951(a), defendant CHARONDA EDWARDS, a/k/a "JOHN," shall forfeit to the United States any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offense pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461, including, but not limited to, a sum of money representing the amount of proceeds obtained as a result of the offense.

41. In addition, upon conviction of an offense in violation of Title 18, United States Code, Section 1343, defendants MIMS MORRIS, TIFFANY ALLEN, and MONIQUE KINNEY, a/k/a MONIQUE REED, shall forfeit to the United States any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offense pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461, including, but not limited to, a sum of money representing the amount of proceeds obtained as a result of the wire fraud offense.

42. If any of the property described above, as a result of any act or omission of the defendant[s]:

- 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 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,

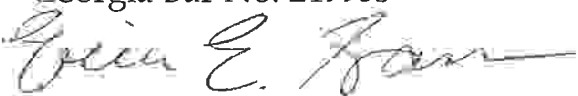
the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)

A TRUE BILL

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