

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Western District of Pennsylvania

United States of America
v.

BRANDON LEE PRICE

Defendant(s)

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)
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)
)

Case No.

12-152M
(UNDER SEAL)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 9 - 14, 2012 in the county of Allegheny in the Western District of Pennsylvania, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. §§ 1343 and 1344

Wire Fraud and Bank Fraud

This criminal complaint is based on these facts:

See attached Affidavit incorporated herein by reference thereto.

Continued on the attached sheet.

Complainant's signature

JOSEPH J. ONDERCIN, SPECIAL AGENT, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 2/29/12

Judge's signature

City and state: Pittsburgh, Pennsylvania

LISA PUPO LENIHAN, U.S. MAGISTRATE JUDGE

Printed name and title

fraud and schemes to obtain any of the moneys, funds, etc. of a financial institution by fraudulent means. Your affiant has gained experience in conducting such investigations through training and through everyday work assisting experienced investigators with the investigation of the aforementioned offenses.

3. The statements in this Affidavit are based in part on information provided by other Special Agents of the Federal Bureau of Investigation (FBI) and on my investigation of this matter. Since this Affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that PRICE violated Title 18, United States Code, Section 1344.

STATUTORY VIOLATION

4. Title 18 §1344 Bank Fraud states:

Whoever knowingly executes, or attempts to execute, a scheme or artifice-

- (1) to defraud a financial institution; or
- (2) to obtain any of the moneys, funds, credits, assets, securities, or other property owned by, or under the custody or control of, a financial institution, by means of false or fraudulent pretenses, representations, or promises;

shall be fined not more than \$1,000,000 or imprisoned not more than 30 years, or both.

SPECIFIC PROBABLE CAUSE

5. On January 9, 2012, an individual called the customer service department of Citibank. The individual was able to successfully change the address on the account of Paul Allen from Seattle, Washington to 6211 Station Street, Pittsburgh, Pennsylvania, 15206. Your affiant notes that the Paul Allen in question is the co-founder of Microsoft Corporation and resides in Washington State. The caller additionally added the phone number (412)956-3723 to the account.

6. On January 12, 2012, an individual identifying himself as Paul Allen called the customer service department of Citibank. The caller stated that he had misplaced his debit card at his residence, but did not want to report it stolen. The individual then successfully ordered a new debit card on the account of Paul Allen and had it sent via UPS to 6211 Station Street, Pittsburgh, Pennsylvania, 15206.

7. On January 13, 2012, a debit card ending in x23, bearing the name of Paul G. Allen was delivered to 6211 Station Street, Pittsburgh, Pennsylvania, 15206 via UPS. The name obtained by UPS in connection with the delivery read, "Price."

8. On January 13, 2012, the Allen debit card ending in x23 was activated by phone.

9. On January 13, 2012, a successful debit card payment was made by phone to an Armed Forces Bank loan account in Fort Leavenworth, Kansas. The source of the payment was Allen debit

card ending in x23. The payment, in the amount of \$658.81, was made to a delinquent account belonging to Brandon PRICE, date of birth 09/22/1983, 6211 Station Street, Pittsburgh, Pennsylvania.

10. A review of a loan application in the name of Brandon PRICE at Armed Forces Bank listed his mother's maiden name as Burke. The same application noted that PRICE was an E-1 in the United States Army as of January 10, 2010. The phone number listed on the application was (412)956-3723 (see paragraph 5 above relative to the same telephone number).

11. On January 13, 2012, an individual using the Paul Allen debit card ending in x23 attempted to conduct a transaction via telephone in the amount of \$15,000 through Western Union. The address provided by the individual attempting to execute the transaction was 6211 Station Street, Pittsburgh, Pennsylvania. The telephone number provided by the caller to Western Union, as recorded by Western Union, was 412-556-3723. Note that the telephone number of Brandon Price, as employed relative to the Paul Allen debit card, 412-956-3723 is one digit off this number. The 556 number is not a working number in the 412 area code.

12. On January 14, 2012, a purchase in the amount of \$278.18, using the Paul Allen debit card ending in x23, was attempted at the Gamestop store #3958 in East Liberty, Pittsburgh, Pennsylvania. Store video surveillance footage shows an African American male attempting the purchase wearing a black and gray windbreaker style jacket with the word "Army" on the

front and a gray knit cap. The individual was also wearing a black backpack with narrow drawstring type straps.

13. On January 15, 2012, a purchase of \$1.00 was attempted with Allen's debit card number ending in x23 at the Family Dollar store #5943 (next to a Domino's Pizza), in East Liberty, Pittsburgh, Pennsylvania. Store video surveillance footage shows an African American male attempting the purchase wearing a black and gray windbreaker style jacket bearing the name "Army" and a gray knit cap (colors described herein are as they appear on the video footage). The individual was also wearing a black backpack with narrow drawstring type straps. Your affiant has viewed the video surveillance footage from both the Gamestop and the Family Dollar store and the individual wearing the black and gray Army windbreaker appears to be the same person in each instance.

14. Your affiant notes that the Gamestop and Family Dollar stores are within easy walking distance from 6211 Station Street, Pittsburgh, Pennsylvania.

15. On February 9, 2012, physical surveillance by your affiant and other FBI personnel noted an African American male exiting 6211 Station Street wearing the black and gray windbreaker style jacket bearing the name "Army" and a gray knit cap. The individual was also wearing the same black backpack with narrow drawstring type straps. Based on personal observation your affiant believes that this individual was the same person as depicted in the surveillance footage from the

Gamestop and the Family Dollar stores. The individual walked several blocks to a pay phone.

16. Public records indicate that Brandon PRICE (B. PRICE), Matthew PRICE (M. PRICE) and Frances BURKE reside at 6211 Station Street, Pittsburgh, Pennsylvania.

17. On February 7, 2012, Detective Botello, Directorate of Emergency Services, Civil Liaison, AWOL Apprehension Division, Fort Polk, Louisiana notified your affiant that BRANDON LEE PRICE was currently absent without leave (AWOL) from the United States Army. PRICE went AWOL as of June 27, 2010. PRICE's permanent address was listed with the Army as 6211 Station Street, Pittsburgh, Pennsylvania, 15206. PRICE is currently wanted by the United States Army as a deserter.

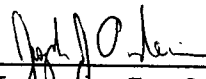
CONCLUSION

18. Your affiant asserts that there is probable cause to believe that BRANDON LEE PRICE did contact Citibank customer service on January 9 and 12, 2012. PRICE did portray himself as Paul G. Allen of Washington and did obtain via the telephone and UPS delivery a debit card in the name and account of Allen. PRICE did attempt over \$15,000 in transactions utilizing the Allen debit card without the owner's authorization between January 13 and 15, 2012. .

19. Based on the above information, there is probable cause to conclude that BRANDON LEE PRICE has violated Title 18, United States Code, Section 1344, which criminalizes bank fraud, or more

specifically, knowingly executing, or attempts to execute, a scheme or artifice to obtain any of the moneys or other property owned by, or under the custody or control of, a financial institution, by means of false or fraudulent pretenses, representations, or promises.

The above information is true and correct to the best of my knowledge, information and belief.



Joseph J. Ondercin
Special Agent
Federal Bureau of Investigation

Sworn and subscribed to before me
this 29th day of February, 2012.



LISA PUPO LENIHAN
UNITED STATES MAGISTRATE JUDGE