

FILED

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

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CLERK, US DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO, FLORIDA

UNITED STATES OF AMERICA

v.

CASE NO. 6:19-cr-244-Orl-40LRH

RICHARD BARRETT DALE WALKER

18 U.S.C. § 1343
18 U.S.C. § 1344
18 U.S.C. § 1029(a)(5)

INDICTMENT

SEALED

The Grand Jury charges:

COUNTS ONE THROUGH FIVE
(Wire Fraud)

A. Introduction

At times material to this Indictment:

1. RICHARD BARRETT DALE WALKER was employed as a part-time officer manager of a business located in the Middle District of Florida (referred to herein as the "Employer"). In his capacity as the Employer's office manager, RICHARD BARRETT DALE WALKER had access to the Employer's financial accounts, including credit cards, checks, and bank accounts.

2. RBD Distributors LLC was a Florida limited liability company operated and controlled by RICHARD BARRETT DALE WALKER.

3. Shotgun Shooting Supply, LLC was a Florida limited liability company operated and controlled by RICHARD BARRETT DALE WALKER.

4. JP Morgan Chase Bank, formerly known as Washington Mutual Bank (both of which are referred to herein as “Chase Bank”), was a financial institution as defined in 18 U.S.C. § 20, the accounts and deposits of which were federally insured by the Federal Deposit Insurance Corporation (FDIC).

B. The Scheme

5. Beginning on or about a date unknown to the Grand Jury, but not later than in or about February 2014, and continuing through and including in or about July 2018, in the Middle District of Florida, and elsewhere, the defendant,

RICHARD BARRETT DALE WALKER,

did knowingly and with intent to defraud, devise and intend to devise a scheme and artifice to defraud and for obtaining money and property by means of materially false and fraudulent pretenses, representations, and promises.

C. Manner and Means

6. The manner and means utilized to accomplish the scheme and artifice to defraud included, among others, the following:

a. It was part of the scheme and artifice to defraud that RICHARD BARRETT DALE WALKER would and did unlawfully devise and execute a scheme and artifice to defraud his Employer of money and property by means of materially false and fraudulent pretenses, representations and promises.

b. It was a further part of the scheme and artifice to defraud that RICHARD BARRETT DALE WALKER would and did use his access to the Employer's bank accounts and credit cards to embezzle and divert over \$900,000 to himself and his two businesses, RBD Distributors LLC and Shotgun Shooting Supply, LLC.

c. It was a further part of the scheme and artifice to defraud that RICHARD BARRETT DALE WALKER would and did forge the signature of the owner of his Employer on checks that RICHARD BARRETT DALE WALKER deposited into his personal account and the bank accounts of his two businesses, RBD Distributors LLC and Shotgun Shooting Supply, LLC.

d. It was a further part of the scheme and artifice to defraud that RICHARD BARRETT DALE WALKER would and did, without authorization, use the Employer's credit card accounts to charge amounts that

would be paid to an account that belonged to one of his two businesses, RBD Distributors LLC.

e. It was a further part of the scheme and artifice to defraud that RICHARD BARRETT DALE WALKER would and did conceal and cover up his thefts and embezzlements of the funds that he had obtained from the Employer through his scheme and artifice to defraud, by:

(1) Changing the address for the Employer's Bank of America credit card statements, without any authorization, from the Employer's address to an address for one of RICHARD BARRETT DALE WALKER's relatives;

(2) Adding himself, without any authorization, as the "Treasurer" of the Employer in a filing submitted to the Florida Secretary of State; and

(3) Using his email address and telephone number, without any authorization, as the contact information for the Employer's American Express account.

f. It was a further part of the scheme and artifice to defraud that RICHARD BARRETT DALE WALKER would and did perform acts and make statements to hide and conceal, and cause to be hidden and concealed, the purpose of the scheme and the acts committed in furtherance thereof.

D. Interstate Wire Transmissions

7. On or about the dates set forth below, in the Middle District of Florida, and elsewhere, the defendant,

RICHARD BARRETT DALE WALKER,

for the purpose of executing the aforesaid scheme and artifice to defraud and for obtaining money and property by means of materially false and fraudulent pretenses, representations and promises, did knowingly, and with intent to defraud, transmit and cause to be transmitted by means of wire communication in interstate commerce, the following writings, signs, signals, pictures, and sounds:

<u>Count</u>	<u>Date</u>	<u>Interstate Wire</u>	<u>To/From</u>
ONE	5/7/2018	\$25,100.00 payment	Bank of America credit card payment to RBD Distributors originating in the Middle District of Florida and processed by servers located outside of Florida
TWO	6/15/2018	\$26,140.00 payment	Bank of America credit card payment to RBD Distributors originating in the Middle District of Florida and processed by servers located outside of Florida
THREE	6/25/2018	\$11,932.07 payment	Bank of America credit card payment to RBD Distributors originating in the Middle District of Florida and processed by servers located outside of Florida

FOUR	6/28/2018	\$18,162.17 payment	American Express credit card payment to RBD Distributors originating in the Middle District of Florida and processed by servers located outside of Florida
FIVE	7/3/2018	\$9,089.72 payment	American Express credit card payment to RBD Distributors originating in the Middle District of Florida and processed by servers located outside of Florida

All in violation of 18 U.S.C. § 1343.

COUNTS SIX THROUGH ELEVEN
(Bank Fraud)

A. Introduction

8. The allegations contained in paragraphs one through four of this Indictment are hereby realleged and incorporated herein by reference.

B. The Scheme

9. Beginning on or about a date unknown to the Grand Jury, but not later than in or about February 2014, and continuing through and including in or about July 2018, in the Middle District of Florida, and elsewhere, the defendant,

RICHARD BARRETT DALE WALKER,

did knowingly and with intent to defraud execute and attempt to execute a scheme and artifice to defraud an FDIC-insured financial institution and to obtain moneys, funds, credits, assets, and other property owned by and under

the custody and control of an FDIC-insured financial institution by means of materially false and fraudulent pretenses, representations, and promises.

C. Manner and Means

10. The substance of the scheme and artifice and its manner and means are described in paragraph six of this Indictment, the allegations of which are repeated and realleged as if fully set forth herein.

D. Executions of the Scheme

11. On or about the dates set forth below, in the Middle District of Florida, and elsewhere, the defendant,

RICHARD BARRETT DALE WALKER,

knowingly and with intent to defraud executed and attempted to execute the scheme and artifice to defraud a financial institution whose deposits was insured by the FDIC, as described above, and knowingly and with intent to defraud executed and attempted to execute the scheme and artifice to obtain moneys, funds, credits, assets, securities, and other property owned by and under the custody and control of a financial institution whose deposits were insured by the FDIC, by means of materially false and fraudulent pretenses, representations, and promises, as described above, that is, the defendant deposited and caused to be deposited checks, as described below, with the

forged signature of the owner of the Employer, into accounts controlled by the defendant:

<u>Count</u>	<u>Date</u>	<u>Deposited Check</u>	<u>Amount Deposited</u>
SIX	4/15/2015	Check 60870 payable to Shotgun Shooting Supply	\$16,981.03
SEVEN	10/16/2015	Check 61141 payable to Shotgun Shooting Supply	\$6,092.57
EIGHT	5/20/2016	Check 61370 payable to Dale Walker	\$6,010.79
NINE	12/16/2016	Check 61640 payable to RBD Distributors	\$4,451.17
TEN	2/20/2018	Check 63719 payable to Dale Walker	\$3,919.90
ELEVEN	4/3/2018	Check 63825 payable to RBD	\$9,042.38

All in violation of 18 U.S.C. § 1344.

COUNT TWELVE
(Access Device Fraud)

A. Introduction

12. The allegations contained in paragraphs one through four of this Indictment are hereby realleged and incorporated herein by reference.

13. The term “access device” means any card, plate, code, account number, electronic serial number, mobile identification number, personal identification number, or other telecommunications service, equipment, or instrument identifier, or other means of account access that can be used alone or in conjunction with another access device to obtain money, goods, services,

or any other thing of value, or that can be used to initiate a transfer of funds (other than a transfer originated solely by paper instrument).

B. Access Device Fraud

14. Between on or about March 19, 2018, and July 3, 2018, in the Middle District of Florida, and elsewhere, the defendant,

RICHARD DALE BARRETT WALKER,

did knowingly and with intent to defraud effect transactions, and attempt to effect transactions, with one or more access devices issued to another person, to receive payment and any other thing of value during any one-year period the aggregate value of which is equal to or greater than \$1,000, said conduct affecting interstate commerce.

All in violation of 18 U.S.C. § 1029(a)(5), (b), (c)(1)(A)(ii).

FORFEITURES

1. The allegations contained in Counts One through Twelve of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to the provisions of 18 U.S.C. §§ 981(a)(1)(C), 982(a)(2)(B), 1029(c)(1)(C), and 28 U.S.C. § 2461(c).

2. Upon conviction of a violation of 18 U.S.C. §§ 1343 and 1344, the defendant shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C)

and 28 U.S.C. § 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the violation.

3. Upon conviction of a violation of 18 U.S.C. § 1029, the defendant shall forfeit to the United States of America, pursuant to 18 U.S.C. § 982(a)(2)(B), any property constituting, or derived from, proceeds the person obtained directly or indirectly, as a result of such violation, and pursuant to 18 U.S.C. § 1029(c)(1)(C), any personal property used or intended to be used to commit the offense.

4. If any of the property described above, as a result of any act or omission of the defendant:

- 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 shall be entitled to forfeiture of substitute property under the provisions of 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. §§ 982(b)(1), 1029(c)(2), and 28 U.S.C. § 2461(c).

A TRUE BILL,




Foreperson

MARIA CHAPA LOPEZ
United States Attorney

By: 

Roger B. Handberg
Assistant United States Attorney
Chief, Orlando Division

By: 

Josephine W. Thomas
Assistant United States Attorney
Chief, Criminal Division

No.

UNITED STATES DISTRICT COURT
Middle District of Florida
Orlando Division

THE UNITED STATES OF AMERICA

vs.

RICHARD BARRETT DALE WALKER

INDICTMENT

Violations:

- 18 U.S.C. § 1343
- 18 U.S.C. § 1344
- 18 U.S.C. § 1029(a)(5)

A true bill,



Foreperson

Filed in open court this 13th day of November, 2019.



Clerk

Bail \$ _____
