

11

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF
AMERICA,

Plaintiff,

v.

D-1 ARSHAWN KENARD
HALL,

Also Known as ARSHAUN
KENARD HALL,

Defendant.

NO. 17-cr-20331

HON. TERRENCE G. BERG

Cts. 1-20: 18 U.S.C. § 1343 – Wire
Fraud

Cts. 21-24: 18 U.S.C. § 1957 – Engaging in
Monetary Transaction from Property Derived
from Specified Unlawful Activity

Cts. 25-27: 26 U.S.C. § 7203 – Willful Failure
to File Return

FILED USDC - CLRK DET
2018 APR 26 PM3:54

SECOND SUPERSEDING INDICTMENT

THE GRAND JURY CHARGES THAT:

GENERAL ALLEGATIONS

From on or about May 18, 2012 to on or about March 14, 2013, in the Eastern District of Michigan and elsewhere, defendant ARSHAWN KENARD HALL (HALL) knowingly devised a scheme to defraud and obtain money by

means of false and fraudulent pretenses, representations and promises. This scheme is described as follows:

1. Defendant HALL operated a truck hauling business called Rama Enterprise, Inc. and stole over \$2 million worth of plastic crates and bins used for transporting automobile parts belonging to FCA LLC, commonly known as the Fiat-Chrysler Automobile company.
2. HALL picked up these crates primarily at the Linc Logistics Insight company located on Central Avenue in Detroit, Michigan and then hauled them to the General Mill Supply (GMS) company, a plastic recycling company located in Wixom, Michigan.
3. HALL sold the plastic bins and crates to GMS and received approximately \$460,000 in total proceeds.
4. When selling the crates, defendant HALL falsely represented to GMS that:
 - a. He lawfully owned the plastic crates and bins and had obtained them properly, lawfully, and with the express permission of the crates' previous owner; and
 - b. He was free to sell the bins and crates or dispose of them as scrap;when, in fact, as he very well knew, HALL did not own the crates and had not obtained them lawfully from the FCA and was not entitled to sell them.

5. Between on or about June 1, 2012 to on or about February 26, 2013, GMS issued checks payable to defendant HALL's company, Rama Enterprise, in payment for the scrap shipments of stolen plastic bins and crates drawn on its out-of-state bank account with PNC Bank.

COUNTS ONE TO TWENTY
(18 U.S.C. § 1343 – WIRE FRAUD)

D-1 ARSHAWN KENARD HALL

6. The allegations in paragraphs 1 - 5 of the General Allegations are hereby incorporated.

7. For the purpose of executing the scheme to defraud, defendant HALL caused to be transmitted by means of wire, radio, or television communication in interstate commerce, writings, signs, signals, pictures or sounds, that is, HALL deposited, or caused to be deposited, into his personal account no. xxxxxxxx9763 at Comerica bank in Detroit, Michigan, GMS checks made payable to his company, Rama Enterprise, which checks he received in payment for the stolen plastic crates he had sold to GMS. These checks were drawn on GMS's bank account with PNC Bank, a bank based outside the State of Michigan, and the deposit of the checks caused funds to be credited to defendant HALL's account with Comerica Bank by means of wire communication in interstate commerce. The numbers,

amounts, and dates of deposit of some of these checks are described as follows:

Count	Date of Deposit	Check Number	Check Amount
1	06/01/2012	11216	\$2,635.67
2	06/04/2012	11219	\$4,131.08
3	06/18/2012	11241	\$4,769.60
4	07/12/2012	11263	\$3,866.40
5	07/25/2012	11282	\$3,209.28
6	08/1/2012	11291	\$3,837.60
7	08/7/2012	11302	\$3,878.40
8	09/12/2012	11340	\$4,760.26
9	09/20/2012	11350	\$4,512.48
10	09/28/2012	11363	\$4,503.24
11	10/03/2012	11365	\$4,403.20
12	11/13/2012	11412	\$3,727.20
13	12/12/2012	11452	\$3708.00
14	12/14/2012	11456	\$4,051.20
15	12/19/2012	11463	\$4,466.40

16	01/04/2013	11476	\$6,759.36
17	01/08/2013	11479	\$5,072.40
18	01/17/2013	11496	\$4,658.70
19	01/28/2013	11508	\$5,619.60
20	01/31/2013	11511	\$2,667.60

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

COUNTS TWENTY-ONE TO TWENTY-FOUR
*(18 U.S.C. § 1957 – ENGAGING IN MONETARY TRANSACTION IN PROPERTY
 DERIVED FROM SPECIFIED UNLAWFUL ACTIVITY)*

8. The allegations in paragraphs 1 - 5 of the General Allegations are hereby incorporated.
9. On or about August 20, 2012 and December 13, 14 and 19, 2012, in the Eastern District of Michigan and elsewhere, defendant HALL knowingly engaged in a monetary transaction in criminally derived property of a value greater than \$10,000 that was derived from specified unlawful activity, that is, defendant HALL caused the sums set forth below to be withdrawn in cash from his account with Comerica Bank in Detroit on the dates listed, which sums he knew to be derived from the proceeds of the wire fraud, that is, the monies he had obtained from GMS by fraud for the stolen plastic parts crates.

Count	Date of Withdrawal	Withdrawal Amount
21	08/20/2012	\$13,160
22	12/13/2012	\$13,000
23	12/14/2012	\$26,000
24	12/19/2012	\$21,000

All in violation of Title 18, United States Code, Section 1957.

COUNT TWENTY-FIVE

(26 U.S.C. § 7203 – WILLFUL FAILURE TO FILE RETURN)

10. The allegations in paragraphs 1 - 5 of the General Allegations are hereby incorporated.
11. During the calendar year 2012, in the Eastern District of Michigan, defendant HALL, a resident of Farmington, Michigan, was the president of Rama Enterprise, Inc., a corporation not expressly exempt from tax, with its principal place of business in Detroit, Michigan.
12. Defendant HALL was required by law, after the close of calendar year 2012 and on or before March 15, 2013, to make an income tax return, for and on behalf of Rama Enterprise, Inc., to the Internal Revenue Service. Well knowing and believing all of the foregoing, he did willfully fail, on or about

March 15, 2013, in the Eastern District of Michigan, to make an income tax return.

13. During the calendar year 2012, Rama Enterprise, Inc. had taxable income on which there was owing to the United States a substantial income tax, which the corporation was required to pay on or before March 15, 2013 to the Internal Revenue Service. Well knowing all the foregoing, defendant HALL did willfully fail on or before March 15, 2013, in the Eastern District of Michigan and elsewhere, to pay the income tax due.

All in violation of Title 26, United States Code, Section 7203.

COUNT TWENTY-SIX
(26 U.S.C. § 7203 – *WILLFUL FAILURE TO FILE RETURN*)

14. The allegations in paragraphs 1 - 5 of the General Allegations are hereby incorporated.
15. During the calendar year 2013, in the Eastern District of Michigan, defendant HALL, a resident of Farmington, Michigan, was the president of Rama Enterprise, Inc., a corporation not expressly exempt from tax, with its principal place of business in Detroit, Michigan. He therefore was required by law, after the close of calendar year 2013 and on or before March 17, 2014, to make an income tax return, for and on behalf of the corporation, to the Internal Revenue Service. Well knowing and believing all of the

foregoing, he did willfully fail, on or about March 17, 2014, in the Eastern District of Michigan, to make an income tax return.

All in violation of Title 26, United States Code, Section 7203.

COUNT TWENTY-SEVEN
(26 U.S.C. § 7203 – *WILLFUL FAILURE TO FILE RETURN*)

16. The allegations in paragraphs 1 - 5 of the General Allegations are hereby incorporated.
17. During the calendar year 2013, in the Eastern District of Michigan, the defendant, HALL, a resident of Farmington, Michigan, had and received gross income substantially in excess of \$10,000, the minimum filing amount established by law and applicable to him for that year; that by reason of such gross income he was required by law, following the close of the calendar year 2013, and on or before April 15, 2014, to make an income tax return to the Internal Revenue Service; and that well knowing all of the foregoing, he did willfully and knowingly fail to make an income tax return.

All in violation of Title 26, United States Code, Section 7203.

CRIMINAL FORFEITURE ALLEGATIONS
(18 U.S.C. §§ 981(a)(1)(C) and 28 U.S.C. § 2461)

18. Upon conviction of the wire fraud offense in violation of Title 18, United States Code, Section 1343 as charged in Count One of this Indictment, defendant

HALL shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and 28 U.S.C. Section 2461:

- a. any property constituting, or derived from, any proceeds the person obtained, directly or indirectly, as the result of such violations including the following real property and improvements thereon consisting of a single family residence and garage and legally described as follows:

Lot 56 also West 1/2 of vacated Shady Lane Drive adjacent, Woodbine Subdivision, City of Farmington Hills, Oakland County, Michigan, as recorded in Liber 58, Page 2 of Plats, Oakland County Records.

Commonly known as: 28455 Shady Lane Dr., Farmington Hills,

Michigan Tax Parcel No: 22-23-24-376-003

- b. any of the person's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of such violation.

THIS IS A TRUE BILL.

s/Grand Jury Foreperson

GRAND JURY FOREPERSON

Date:

4/26/18

MATTHEW J. SCHNEIDER
UNITED STATES ATTORNEY

s/Kenneth Vert

KENNETH C. VERT
Trial Attorney
Department of Justice Tax Division
Northern Criminal Enforcement Section

s/Abigail Burger Chingos

ABIGAIL BURGER CHINGOS
Trial Attorney
Department of Justice Tax Division
Northern Criminal Enforcement Section

Date: April 26, 2018

ORIGINAL

United States District Court Eastern District of Michigan	Criminal Case Cover Sheet	Case Number 17-cr-20331
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NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to complete it accurately in all respects.

Companion Case Information	Companion Case Number:
This may be a companion case based upon LCrR 57.10 (b)(4) ¹ :	Judge Assigned: Hon. John Corbett O'Meara
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	AUSA's Initials: <u>KCV</u>

Case Title: USA v. Arshawn Hall

FILED USDC - CLRK DET
2018 APR 26 PM 3:53

County where offense occurred : Wayne

Check One: **Felony** **Misdemeanor** **Petty**

- ___ Indictment/ ___ Information --- no prior complaint.
- ___ Indictment/ ___ Information --- based upon prior complaint [Case number: _____]
- Indictment/ ___ Information --- based upon LCrR 57.10 (d) [Complete Superseding section below].

Superseding Case Information

Superseding to Case No: 17-cr-20331 **Judge:** Hon. John Corbett O'Meara

- Corrects errors; no additional charges or defendants.
- Involves, for plea purposes, different charges or adds counts.
- Embraces same subject matter but adds the additional defendants or charges below:

<u>Defendant name</u>	<u>Charges</u>	<u>Prior Complaint (if applicable)</u>
Arshawn Kenard Hall	18 U.S.C. § 1343, 1957 26 U.S.C. § 7203	

Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

April 26, 2018
Date

Kenneth Vert
Kenneth Vert
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Attorney Bar #:

¹ Companion cases are matters in which it appears that (1) substantially similar evidence will be offered at trial, or (2) the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.