

UNITED STATES DISTRICT COURT

for the
District of New Jersey

United States of America
v.
EUGENE YOUNG

Case No.
20-mj-2093 (JS)

Defendant(s)

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 December 2017 through June 2019 in the county of Burlington in the
District of New Jersey, the defendant(s) violated:

Code Section Description of Offenses
Title 18, USC, Sections 1343; 2 Wire fraud; aiding and abetting. See Attachment A.

This criminal complaint is based on these facts:

See Attachment B

Continued on the attached sheet.

Complainant's signature
Special Agent Brittney S. Ketler, FBI
Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by

telephone (specify reliable electronic means).

Date: 06/26/2020

Judge's signature
Hon. Joel Schneider, U.S. Magistrate Judge
Printed name and title

City and state: District of New Jersey

CONTENTS APPROVED  
UNITED STATES ATTORNEY

By: 

Daniel A. Friedman  
Assistant U.S. Attorney

Date: June 26, 2020

**ATTACHMENT A**  
**COUNTS ONE AND TWO**  
**(Wire Fraud)**

On or about the dates listed below, in Burlington County, in the District of New Jersey and elsewhere, defendant

EUGENE YOUNG

knowingly and intentionally devised and intended to devise a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations and promises, and, for the purpose of executing such scheme and artifice, transmitted and caused to be transmitted by means of wire, radio, and television communications in interstate and foreign commerce, the following writings, signs, signals, pictures, and sounds, each constituting a separate count of this Complaint:

<b>Count</b>	<b>Approximate Date</b>	<b>Amount</b>	<b>Description</b>
1	December 30, 2018	\$1,758.22	Defendant EUGENE YOUNG used a debit card to make a purchase at a furniture store located in Lumberton, New Jersey, which was processed through an out-of-state server.
2	April 16, 2019	\$500.00	Defendant EUGENE YOUNG used a debit card to withdraw \$500.00 from an automated teller machine (ATM) located in Lumberton, New Jersey, which was processed through an out-of-state server.

In violation of Title 18, United States Code, Section 1343 and Title 18, United States Code, Section 2.

**ATTACHMENT B**

1. I, Brittney S. Ketler, am a Special Agent with the Federal Bureau of Investigation (“FBI”). I have been a Special Agent with the FBI since May 2018. I am presently assigned to the Newark Division, Atlantic City Resident Agency and to a squad that investigates public corruption, civil rights, and white collar violations. As a Special Agent with the FBI, I have received extensive training in investigating violations of federal statutes, including wire fraud, mail fraud and conspiracies. Prior to becoming a Special Agent for the FBI, I was a patrol officer for the City of Wilmington, Delaware from 2010 to 2014. I spent four years performing general police work and conducting criminal investigations. From 2014 until 2018, I was employed by the State of Delaware as an investigator conducting administrative, civil, and criminal investigations related to securities fraud for the Investor Protection Unit and Civil Rights and Public Trust Unit.

2. The information set forth in this Affidavit in support of a criminal complaint is based on my personal observations, my training and experience, information obtained from other agents and witnesses, and a review of records and reports. Except as otherwise indicated, the actions, conversations, and statements of others identified in this Affidavit are reported in substance and in part. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged.

3. This Affidavit is submitted for the sole purpose of establishing probable cause to support the issuance of an arrest warrant and complaint charging defendant EUGENE YOUNG with two counts of wire fraud, in violation of Title 18, United States Code, Section 1343. Because this Affidavit is submitted for the sole purpose of establishing probable cause to support the issuance of a complaint, I have not included each and every fact known by the government concerning this investigation (the “Investigation”).

4. There is probable cause to believe that, between December 2017 and June 2019, EUGENE YOUNG devised and executed a scheme to defraud a special needs trust. During this time, EUGENE YOUNG resided in Burlington County, New Jersey.

5. The object of this scheme to defraud was for defendant EUGENE YOUNG to take money belonging to the special needs trust and use it to pay for his personal expenses.

6. In or about April 2004, a special needs trust was established to provide for the supplemental care, maintenance, support, and education of Victim-1, a disabled adult male (the “Special Needs Trust”). The formation documents for the Special Needs Trust designated Victim-1’s mother and guardian as the trustee (“Trustee-1”). Two bank accounts were established at

PNC Bank in the name of the Special Needs Trust (the "Accounts"). Trustee-1 was the signatory on the Accounts.

7. In or about December 2017, when the combined balance of the Accounts was more than \$1,000,000, Trustee-1 purportedly executed a general durable power of attorney appointing defendant EUGENE YOUNG to act as her agent. Medical records obtained in the Investigation indicate that Trustee-1 was suffering from dementia at the time the power of attorney was executed. Although the power of attorney bears Trustee-1's signature and a notary's certificate of acknowledgement, I have learned that the power of attorney was not properly acknowledged. The notary has stated to me that Trustee-1 did not personally appear before the notary to sign the power of attorney and the notary did not positively identify Trustee-1.

8. Bank records obtained in the Investigation show that shortly after the power of attorney was signed, EUGENE YOUNG presented the power of attorney at a PNC Bank branch in Cinnaminson, New Jersey and was accepted as Trustee-1's agent. EUGENE YOUNG began accessing the funds in the Accounts through a variety of means.

9. Records obtained in the Investigation show that from in or about December 2017 through in or about June 2019, approximately 650 purchases totaling over \$60,000 were made using a debit card associated with the Accounts. These debit card purchases were made at a variety of retail establishments, such as grocery stores, restaurants, movie theaters, hotels, car washes, and gas stations. There is probable cause to believe that EUGENE YOUNG was the individual who used the debit card to make these purchases. For example, records show that EUGENE YOUNG used the debit card to purchase a sleeper sofa and loveseat from a furniture store in Lumberton, New Jersey on or about December 30, 2018 and that the purchased pieces of furniture were delivered to EUGENE YOUNG at his residential address in Mount Holly, New Jersey. In addition, records show that EUGENE used the debit card to purchase a hotel room at the Westin Wilmington in Wilmington, Delaware on or about June 16, 2018 and that he used his residential address as the billing address for this purchase.

10. Records obtained in the Investigation show that between in or about January 2018 and in or about April 2019, approximately 27 checks in the amount of \$29,597 were drawn on the checking account, made payable to EUGENE YOUNG, and cashed. Most of these checks bear the signature "Trustee-1" but based on my training and experience, the signature is different from Trustee-1's signature as it appeared on documents from the time period before December 2017. Based on my training and experience, I believe that EUGENE YOUNG signed Trustee-1's name on these checks, which he then endorsed and cashed.

11. Records obtained in the Investigation show that on approximately 11 occasions, EUGENE YOUNG made withdrawals from the Accounts totaling more than \$94,000 in the form of either cash or cashier's checks. The withdrawal tickets for these transactions are signed by EUGENE YOUNG.

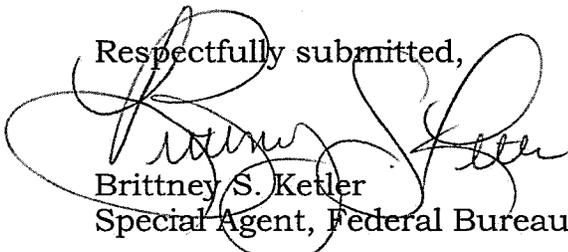
12. Records obtained in the Investigation show that from in or about October 2018 through in or about June 2019, EUGENE YOUNG used a debit card approximately 200 times to withdraw a total of approximately \$122,000 from automated teller machines ("ATMs"). One such withdrawal was made on or about April 16, 2019 at the PNC Bank in Lumberton, New Jersey. I have reviewed surveillance video of this April 16, 2019 transaction and, based on my review of that video, I believe that EUGENE YOUNG is the individual using the ATM.

13. Based on my review of records obtained in the Investigation, there is probable cause to believe that between in or about January 2018 and in or about December 2018, EUGENE YOUNG endorsed annuity checks that were made payable to the Special Needs Trust by signing Trustee-1's name, and cashed approximately \$21,400 of the annuity checks.

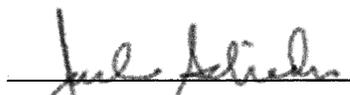
14. In sum, from in or about December 2017 through in or about June 2019, there is probable cause to believe that EUGENE YOUNG made 896 transactions and diverted approximately \$330,079 of funds belonging to the Special Needs Trust for his personal use.

15. The vast majority of the \$330,079 that was diverted from the Special Needs Trust was not used for the benefit of the Trust's beneficiary, Victim-1. During the period when the money was diverted, Victim-1 resided at a long-term care facility in Morris County, New Jersey. Most of the debit card purchases, ATM withdrawals, and other bank transactions occurred in Burlington County, New Jersey, neighboring counties, and other states. I have learned through the Investigation that during this period, EUGENE YOUNG provided only a de minimis amount of money and tangible property to Victim-1.

16. Each of the debit card purchases and ATM transactions made in New Jersey using a debit card associated with the Accounts is a wire communication in interstate commerce under the definition of the wire fraud statute because, according to representatives of PNC Bank, PNC Bank processes such transactions through servers located outside of the State of New Jersey.

Respectfully submitted,  
  
Brittney S. Ketler  
Special Agent, Federal Bureau of Investigation

Pursuant to Fed. R. Crim. P. 4.1, Special Agent Brittney S. Ketler was sworn and attested to the contents of this affidavit in support of the issuance of an arrest warrant and criminal complaint charging defendant EUGENE YOUNG with two counts of wire fraud, as set forth in Attachment A.

  
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Date: June 26, 2020  
HON. JOEL SCHNEIDER  
United States Magistrate Judge