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# United States District Court

EASTERN

DISTRICT OF

MICHIGAN

UNITED STATES OF AMERICA

**CRIMINAL COMPLAINT**

V.

D-1 SCOTT ASHLEY,

CASE NUMBER  
**05 80117**

I, Bradley Martin, Special Agent, Social Security Administration, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. In or about May 10, 2002 in Wayne County, in the Eastern District of Michigan defendant(s) did,

devise, or intended to devise a scheme or artifice to defraud, to obtain money or property by means of false or fraudulent pretenses, representations, or promises; transmitted, or caused to be transmitted by means of wire, for purposes of executing such scheme or artifice,

in violation of Title 18 United States Code, Section(s) 1343

I further state that I am a(n) Special Agent for the Social Security Administration and that this complaint is based on the following facts:

(SEE ATTACHED AFFIDAVIT)

Continued on the attached sheet and made a part hereof:

Yes  No

*Bradley Martin*

Signature of Complainant

**BRADLEY MARTIN**  
Special Agent  
Social Security Administration

Sworn to before me and subscribed in my presence,

February 7, 2005  
Date

at Detroit, Michigan  
City and State

United States Magistrate Judge

*Donald A. Scheer*

**HONORABLE DONALD A. SCHEER**

Signature of Judicial Officer

## AFFIDAVIT of BRADLEY J. MARTIN

Bradley J. Martin, Special Agent, Social Security Administration, Office of Inspector General, being first duly sworn, deposes and says that:

1. I am a Special Agent with the Social Security Administration-Office of the Inspector General and have been so employed for over five years. I have a total of approximately twelve years experience conducting federal and state criminal investigations. My responsibilities as a Special Agent include the investigation of fraud and misuse involving Social Security Administration (SSA) programs as well as the misuse of social security numbers.
2. I am investigating SCOTT E. ASHLEY for suspected mortgage fraud in which ASHLEY allegedly submitted a false social security number and income documentation to obtain a mortgage loan of almost \$3,000,000 from Wells Fargo Bank (WFB). The mortgage loan allowed ASHLEY to purchase a single family residence at 130 Brady Lane, Bloomfield Hills, Michigan (the Brady Lane residence) for the purported price of \$5,500,000. My review of relevant SSA records indicates that when the residence was purchased, in May 2002, ASHLEY was receiving from SSA, \$485 per month in disability benefits for a hearing impairment. According to SSA records, ASHLEY is assigned social security number \*\*\*-\*\*-3950.
3. In speaking with representatives of WFB, I learned that in February 2002, ASHLEY applied for a \$2,999,435 purchase money mortgage for the Brady Lane residence, which he represented to have a purchase price of \$5,500,000.00. In support of his mortgage application, ASHLEY submitted to WFB, documentation that represented that ASHLEY was making a \$1,372,000 down-payment on the Brady Lane residence to the builder, Michael Furnari. ASHLEY also provided WFB a letter on the stationary of "Laferty Company." The letter, signed by Dale Martin as vice president, stated that ASHLEY was employed at Laferty as CEO and earned a salary of \$91,833 per month. ASHLEY also provided WFB with copies of a purported federal income tax return for year 2000 with an associated W-2 form, both of which indicated ASHLEY earned over \$1,000,000 annually. ASHLEY also indicated to WFB in his mortgage loan application that his social security number was \*\*\*-\*\*-7562.
4. My review of SSA records, showed that the social security number ASHLEY gave to WFB was assigned to a deceased person, who was born in 1917. Further, the date of birth ASHLEY gave WFB was differed from that contained in SSA records. Through the United States Attorney's Office, I obtained a court order for ASHLEY's tax records for 1999 through 2001, which indicated that ASHLEY earned between \$22,986 and \$24,189 during those years. I also spoke to Dale Martin, who stated that he knew ASHLEY and admitted signing numerous documents for ASHLEY. Martin denied that he ever held a

position at Laferty Company or that he had any knowledge that ASHLEY earned \$1,000,000 per year. I also reviewed a transcript of a January 2004 deposition of Michael Furnari, filed in a civil case in Oakland County, Michigan (File #03-051024-CH). In the deposition, Furnari testified that he never received a \$1,372,000 down-payment from ASHLEY to purchase the Brady Lane residence. In his deposition, Furnari also testified that he agreed with ASHLEY to acknowledge receipt of the down-payment to assist ASHLEY to obtain a mortgage on the Brady Lane residence.

5. A WFB representative indicated to me that on or about May 5, 2002, WFB funded ASHLEY's mortgage loan for the Brady lane residence through a wire transfer of funds from Colorado to Michigan. WFB representatives also told me that after the Brady Lane mortgage loan was funded, ASHLEY made no payments and defaulted on the loan. WFB estimated that, ultimately, the default would cause it a loss of at least \$1,500,000. A WFB representative stated that, had ASHLEY disclosed that his annual income was \$24,000 rather than \$1,000,000, WFB would have declined to offer defendant the mortgage loan defendant obtained.

Based on the foregoing, I believe that probable cause exists that SCOTT E. ASHLEY has committed the offense of Wire Fraud, in violation of 18 U.S.C. § 1343, and I therefore request that this court issue a warrant for his arrest.



Bradley J. Martin  
Special Agent  
Social Security Administration  
Office of the Inspector General

Subscribed and sworn before me  
this 7<sup>TH</sup> day of February, 2005



DONALD A. SCHEER  
United States Magistrate Judge