

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA

v.

DAVID M. GREEN

CRIMINAL NO.

1105CR00013

INFORMATION

18 U.S.C. § 2

18 U.S.C. § 371

18 U.S.C. § 1344

26 U.S.C. § 7201

HONORABLE SUSAN J. DLOTT

FILED
2003
AUG 11
10 53 AM
COURT
CLERK

MAILED
2003
AUG 11
10 53 AM
COURT
CLERK

COUNT 1
(18 U.S.C. § 371)

1. Between January 1, 2000, and August 7, 2003, in the Southern District of Ohio, the defendant, **DAVID M. GREEN**, knowingly, intentionally, and willfully, conspired with others to commit an offense against the United States, including, but not limited to, Bank Fraud, Filing a False Loan Application, Wire Fraud, and Mail Fraud, and in so doing, carried out at least one overt act in furtherance of the conspiracy.

All in violation of 18 U.S.C. § 371.

COUNT 2
(18 U.S.C. §§ 1344 and 2)

1. On or about December 11, 2002, in the Southern District of Ohio, the defendant, **DAVID M. GREEN**, knowingly and willfully devised a scheme and artifice to defraud Equifirst, a subsidiary of Regions Financial Corporation, whose deposits were then insured by the Federal Deposit Insurance Corporation, for the purpose of obtaining moneys, funds, credits, assets,

securities and other property of Equifirst by means of false or fraudulent pretenses or representations; to wit, the defendant knowingly and willfully participated in the submission of false forms, including a Form HUD-1 Settlement Statement from the Department of Housing and Urban Development, to Equifirst in connection with a Mortgage Loan Application.

2. On April 18, 2002, Mr. Green purchased the property located at 1858 Denham Street in Cincinnati, Ohio for \$19,400. Then, on December 11, 2002, Mr. Green sold the property to Patricia Jenkins-Smith for \$78,000. According to the HUD-1 Settlement Statement, Ms. Jenkins-Smith brought a down payment to the closing of \$8,457.15. In reality, Ms. Jenkins-Smith did not provide the funds used to make the down payment on the property. Mr. Green signed the HUD-1 Settlement Statement as the property seller knowing that it was false. The loan package also contained an appraisal completed by Zajac Appraisal Service that supported the inflated sales prices of \$78,000. With Mr. Green's knowledge, the loan package, containing the fraudulent HUD-1 Settlement Statement and inflated appraisal, was submitted to Equifirst, a subsidiary of Regions Financial Corporation. His actions were committed in furtherance of a scheme to defraud Equifirst.

All in violation of 18 U.S.C. §§ 1344 and 2.


COUNT 3
(26 U.S.C. § 7201)

1. On or about April 15, 2003, in the Southern District of Ohio, **DAVID M. GREEN**, a resident of Franklin, Ohio, who during the calendar year 2002 was married, did willfully attempt to evade and defeat a large part of the income tax due and owing by him and his spouse to the United States of America for the calendar year 2002, by preparing

and causing to be prepared, and by signing and causing to be signed, a false and fraudulent joint U.S. Individual Income Tax Return, Form 1040, on behalf of himself and his spouse, which was filed with the Internal Revenue Service, wherein it was stated that their joint taxable income for said calendar year was the sum of \$63,716, and that the amount of tax due and owing thereon was the sum of \$11,002, whereas, as he then and there well knew and believed, their joint taxable income for the said calendar year was the sum of \$216,594, upon which said joint taxable income there was owing to the United States of America an income tax of \$57,621.

All in violation of 26 U.S.C. § 7201.

**GREGORY G. LOCKHART
UNITED STATES ATTORNEY**


RALPH W. KOHNEN
Deputy Criminal Chief