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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)

v.)

JOYCE DAVERN)
KELLY FIELDS)
SABRINA STETTER)

Criminal No.)

08-33

(18 U.S.C. § 1349)

INDICTMENT

COUNT ONE

FILED

JAN 29 2008

CLERK, U.S. DISTRICT COURT
WEST. DIST. OF PENNSYLVANIA

The Grand Jury charges:

THE CONSPIRACY AND ITS OBJECTS

1. From in or around May 2004 and continuing thereafter until in or around December 2007, in the Western District of Pennsylvania and elsewhere, the defendants, JOYCE DAVERN, KELLY FIELDS, and SABRINA STETTER, knowingly and willfully did conspire, combine, confederate and agree with other persons known to the Grand Jury, to commit an offense against the United States, that is, Wire Fraud, in violation of Title 18, United States Code, Section 1343.

MANNER AND MEANS OF THE CONSPIRACY

2. It was a part of the conspiracy that defendants JOYCE DAVERN, KELLY FIELDS, and SABRINA STETTER, assisted individuals fraudulently apply for loans to purchase properties in the Western District of Pennsylvania.

3. It was further a part of the conspiracy that defendants KELLY FIELDS and JOYCE DAVERN submitted loan applications knowing

that the loan applications contained materially false information about the borrowers' financial condition.

4. It was further a part of the conspiracy that defendants JOYCE DAVERN and KELLY FIELDS, and other members of the conspiracy, submitted false documents in connection with the fraudulent loan applications, such documents including, but not limited to, verifications of employment, verifications of deposit, appraisals, pay stubs, and W-2s.

5. It was further a part of the conspiracy that members of the conspiracy caused wire transfers from the accounts of the lending institutions, located outside the Commonwealth of Pennsylvania, to the accounts of the closing agents located in the Commonwealth of Pennsylvania, in furtherance of the Wire Fraud scheme.

All in violation of Title 18, United States Code, Section 1349.

FORFEITURE ALLEGATIONS

6. The allegations set forth in paragraphs one through five of this Indictment are incorporated herein as if set forth in full for the purpose of alleging criminal forfeitures pursuant to 28 U.S.C. Section 2461(c), which incorporates Title 18, United States Code, Section 981(a)(1)(C) and Title 21, United States Code, Section 853(p).

7. As a result of the commission of the violation charged in paragraphs one through five of this Indictment, the defendants, JOYCE DAVERN and KELLY FIELDS, did acquire the following property that constitutes, and is derived from, the proceeds obtained, directly and indirectly, from such violation, thereby subjecting said property to forfeiture to the United States of America pursuant to 28 U.S.C. Section 2461(c), which incorporates Title 18, United States Code, Section 981(a)(1)(C):

(a) United States currency, cash equivalents, and bank account balances, constituting the gross proceeds of such violations; and

(b) All assets of the Gerald N. Spear Trust, including but not limited to the property described as Lot No. 20 of the Carl E. Myers Plan of Lots in North Shenango Township, recorded in the office of the Recorder of Deeds of Crawford County, Pennsylvania, in Deed Book 403, Page 551.


8. If through any act or omission by the defendants, JOYCE DAVERN and KELLY FIELDS, any or all of the property described in paragraph 7 above (hereinafter the "Subject Properties")

- a. Cannot be located upon the exercise of due diligence;
- b. Has been transferred, sold to, or deposited with a third person;
- 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 subdivided without difficulty,

the United States intends to seek forfeiture of any other property of the defendants, JOYCE DAVERN and KELLY FIELDS, up to the value of the Subject Properties forfeitable above pursuant to 28 U.S.C. Section 2461(c), which incorporates Title 21, United States Code, Section 853(p).

A True Bill,


FOREPERSON


MARY BETH BUCHANAN
United States Attorney
PA ID No. 50254