

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

UNITED STATES OF AMERICA)	CRIMINAL NO. <u>4:13cr4</u>
)	18 U.S.C. § 2
v.)	18 U.S.C. §1341
)	
SCOTT L. LEMONS)	
KEVIN V. ROBINSON)	<u>INDICTMENT</u>

COUNTS 1-3

THE GRAND JURY CHARGES:

BACKGROUND

At all times relevant to this Indictment:

1. **SCOTT L. LEMONS** was a real estate investor and owned Gold Coast Resorts, S&L Funding and East Coast Resorts. These companies were engaged in real estate speculation and investment in a condominium property known as "Ashley Park" located in Myrtle Beach, South Carolina;
2. **KEVIN V. ROBINSON** was a real estate investor and owned CSPR Investment, LLC. CSPR was engaged in real estate speculation and investment in a "Ashley Park" located in Myrtle Beach, South Carolina;
3. Most persons who purchased condominiums at Ashley Park required financing to enable them to make the purchase;
4. **SCOTT L. LEMONS**, d/b/a Gold Coast Resorts, S&L Funding and East Coast Resorts, assisted in securing financing for condominium buyers in the Ashley

4. **SCOTT L. LEMONS**, d/b/a Gold Coast Resorts, S&L Funding and East Coast Resorts, assisted in securing financing for condominium buyers in the Ashley Park property;
5. **KEVIN V. ROBINSON** d/b/a CSPR Investment, LLC assisted in securing financing for condominium buyers in the Ashley Park property;
6. Financing for the purchase of condominiums was obtained from various lending companies which did business in, and the activities of which affected, interstate commerce;
7. In connection with financing for the purchase of condominiums, the lenders require accurate and truthful settlement statements to determine risk involved with each borrower;

THE SCHEME AND ARTIFICE

8. Beginning in or about late 2007, and continuing through in or early 2008, **SCOTT L. LEMONS** and **KEVIN V. ROBINSON** did devise and intend to devise a scheme and artifice to defraud lenders who provided financing for the purchase of condominiums and to obtain money from such lenders by means of false and fraudulent pretenses, representations, and promises;
9. It was part of the scheme and artifice that **SCOTT L. LEMONS, KEVIN V. ROBINSON** and others known and unknown to the Grand Jury did do and cause to be done the following:

- a. **SCOTT L. LEMONS** did falsely inflate the comparable values of units in the Ashley Park Condominium complex by engaging in sham purchases with the developer of the project.
 - b. **SCOTT L. LEMONS** did secure false and fraudulent appraisal values for additional units in the Ashley Park Condominium complex.
 - c. **SCOTT L. LEMONS** and **KEVIN V. ROBINSON** did misrepresent the financial condition of potential purchasers of condominiums to the lenders by creating false records regarding employment, income, and source of assets.
 - d. **SCOTT L. LEMONS** and **KEVIN V. ROBINSON** did falsify purchase and lending documents so as to make it appear that the purchaser of condominiums had paid a full down payment as required by the lender when in fact the purchaser did not pay the full down payment.
 - e. **SCOTT L. LEMONS** and **KEVIN V. ROBINSON** did receive excess funds obtained from the fraudulently obtained financing of units in the Ashley Park Condominium complex.
 - f. **SCOTT L. LEMONS** and **KEVIN V. ROBINSON** did make payments to the purchasers outside of the settlement agreement and did not disclose this information to the lending institutions.
10. Through the above actions, **SCOTT L. LEMONS** and **KEVIN V. ROBINSON** made multiple housing transactions which involved fraudulent qualification

documents and/or involved fraudulent representations regarding down payments and income of the borrowers;

MAILING IN FURTHERANCE OF SCHEME AND ARTIFICE

11. On or about the dates set forth below, in the District of South Carolina, **SCOTT L. LEMONS** and **KEVIN V. ROBINSON**, for the purpose of executing the aforesaid scheme and artifice to defraud and attempting to do so, did cause to be delivered by commercial interstate carrier from Myrtle Beach, South Carolina, to Taylor, Bean & Whitaker Mortgage Corporation in Ocala, Florida, a settlement statement, duly recorded mortgage, attorney closing documents and lender documents:

<u>Count</u>	<u>Condominium Unit</u>	<u>Date of Mailing/Purchaser</u>
1	Unit E, Building 3	01/11/2008 (HH)
2	Unit A, Building 3	01/07/2008 (MM)
3	Unit E, Building 10	01/10/2008 (EW Jr.)

All in violation of Title 18, United States Code, Section 1341 and Section 2.

FORFEITURE

A. SPECIFIED UNLAWFUL ACTIVITY - MAIL FRAUD

1. Upon conviction for violation of Title 18, United States Code, Sections 1341 as charged in Counts 1-3 of this Indictment, the Defendants, **SCOTT L. LEMONS** and **KEVIN V. ROBINSON**, shall forfeit to the United States any property, real or personal, constituting, derived from or traceable to proceeds the Defendants obtained directly or indirectly as a result of such offenses, including, but not limited to the following:

B. The property subject to forfeiture includes, but is not limited to, the following:

1. CASH PROCEEDS/MONEY JUDGMENT:

- a. A sum of money equal to all proceeds the Defendants obtained directly or indirectly from the offenses charged in Counts 1-3 of the Indictment, that is, a minimum of approximately \$920,000 in United States currency, and all interest and proceeds traceable thereto, for which the Defendants are jointly and severally liable;

C. SUBSTITUTE ASSETS:

1. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the Defendants –


- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or 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;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by 28 U.S.C. § 2461(c), to seek forfeiture of any other property of the said Defendant up to the value of the above described forfeitable property;

Pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

A Trust BILL

FOREPERSON


WILLIAM N. NETTLES (TDP)
UNITED STATES ATTORNEY

RECORD OF GRAND JURY BALLOT

c/ 4:13cr 4

THE UNITED STATES OF AMERICA v. SCOTT L. LEMONS, KEVIN V. ROBINSON

(SEALED UNTIL FURTHER ORDER OF THE COURT)