

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
CRIMINAL NO. 08-182 (DWF/JJG)

UNITED STATES OF AMERICA,)
)
) Plaintiff,)
)
) v.)
)
) INYANG AMOS INYANG,)
) a/k/a Ian Ian,)
) a/k/a Ian Amadi,)
) a/k/a Prince Inyang Inyang II,)
)
) Defendant.)

) **SUPERSEDING INDICTMENT**
)
) (18 U.S.C. § 1028A)
) (18 U.S.C. § 1343)
) (18 U.S.C. § 1957)
) (18 U.S.C. § 981(a)(1)(C))
) (28 U.S.C. § 2461(c))

THE UNITED STATES GRAND JURY CHARGES THAT:

1. At all times relevant to this Superseding Indictment, defendant Inyang Amos Inyang was an individual resident of the State of Minnesota.

2. At all times relevant to this Superseding Indictment, Cytronica Corporation ("Cytronica") was a Minnesota corporation wholly owned by defendant Inyang which neither owned assets nor conducted any business operations.

3. From in or about 2003 through at least November of 2006, in the State and District of Minnesota, the defendant,

INYANG AMOS INYANG,
a/k/a Ian Ian,
a/k/a Ian Amadi,
a/k/a Prince Inyang Inyang II,

knowingly and intentionally devised and executed a scheme and artifice to defraud mortgage lenders located throughout the United States and to obtain money from mortgage lenders located throughout

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U.S. DISTRICT COURT MPLS

FILED APR 21 2009
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the United States by means of false and fraudulent pretenses and representations.

4. It was part of the scheme and artifice to defraud that defendant Inyang recruited other persons to borrow money from various mortgage lenders by representing to these persons that he was in the "real estate business" and could purchase single family homes in the recruited persons' names on financial terms that would benefit them.

5. It was further part of the scheme and artifice to defraud that defendant Inyang represented to the recruited persons that defendant Inyang or Cytronica would make the monthly payments on the loans taken out in the names of the recruited individuals, even though he never made, and never intended to make, any mortgage payments on any of the loans.

6. It was further part of the scheme and artifice to defraud that defendant Inyang obtained various means of identification from the recruited persons (including their full names; dates of birth; social security numbers and driver's license information) as well as a signed power of attorney form which he then used to obtain mortgage loans in their names utilizing various mortgage brokers.

7. It was further part of the scheme and artifice to defraud that defendant Inyang completed and submitted loan applications in

the names of the recruited persons to various mortgage lenders which contained numerous material misrepresentations.

8. It was further part of the scheme and artifice to defraud that, in completing the loan applications in the names of the recruited persons, defendant Inyang represented that they were highly-compensated employees of Cytronica when, in fact, Cytronica conducted no business and did not employ any of the recruited persons.

9. It was further part of the scheme and artifice to defraud that defendant Inyang would append false and fraudulent W-2 forms and corresponding false and fraudulent pay stubs to the loan applications in the names of the recruited persons falsely evidencing their purported employment with, and income from, Cytronica.

10. It was further part of the scheme and artifice to defraud that, in some cases, defendant Inyang represented in the loan applications that the recruited persons would reside in the single family homes to be purchased with the proceeds of the loans when, in fact, none of the recruited persons ever lived at any of the single family homes purchased pursuant to the scheme.

11. It was further part of the scheme and artifice to defraud that, in some cases, defendant Inyang would reside in the residences he purchased in the name of the recruited persons,

contrary to representations to the lenders that the recruited person (i.e., the borrowers) would reside at the residences.

12. It was further part of the scheme and artifice to defraud that defendant Inyang closed many of the real estate transactions in the names of the recruited persons without the knowledge or consent of the recruited persons.

13. It was further part of the scheme and artifice to defraud that defendant Inyang personally attended the closings of the real estate transactions as attorney-in-fact for the recruited persons and caused the closing company to pay him or Cytronica substantial fraudulent "commissions" or "fees" which were not earned by defendant Inyang or Cytronica.

14. It was further part of the scheme and artifice to defraud that defendant Inyang purchased and attempted to purchase approximately 15 residences in the names of recruited persons in the manner described above causing a loss exceeding \$400,000 to mortgage lenders located throughout the United States.

15. It was further part of the scheme and artifice to defraud that defendant Inyang assiduously avoided the persons he recruited after using their means of identification to purchase a house.

COUNTS 1-10

(18 U.S.C. § 1343: Mortgage Fraud Through Interstate Wire)

16. The grand jury realleges and incorporates by reference the allegations made in paragraphs 1 through 15 above.

17. On or about the dates set forth below, in the State and District of Minnesota and elsewhere, the defendant,

INYANG AMOS INYANG,
a/k/a Ian Ian,
a/k/a Ian Amadi,
a/k/a Prince Inyang Inyang II,

for the purpose of executing the aforementioned scheme to defraud, did knowingly transmit and cause to be transmitted in interstate commerce, by means of wire communications, certain signals and sounds, as further described below:

COUNT	DATE	DESCRIPTION OF INTERSTATE WIRE	RESIDENTIAL TRANSACTION INVOLVED
1	9/30/2004	Electronic Transfer of \$177,004.29 from HSBC Bank USA, N.A. in New York to City County Federal Credit Union located in Brooklyn Center, Minnesota	Purchase by Victim BK of XXXX Oregon Avenue North, New Hope, Minnesota
2	12/7/2004	Electronic Transfer of \$211,921.28 from Horizon Bank in Indiana to Associated Bank MN located in Wisconsin	Purchase by Victim BK of XXXX Emerson Avenue North, Brooklyn Park, Minnesota

COUNT	DATE	DESCRIPTION OF INTERSTATE WIRE	RESIDENTIAL TRANSACTION INVOLVED
3	7/20/2005	Electronic Transfer of \$356,000.00 from Wells Fargo Bank, N.A. in California to Bremer Bank located in Lake Elmo, Minnesota	Purchase by Victim MA of XXXXX Bluebird Street Northwest, Andover, Minnesota
4	8/28/2006	Electronic Transfer of \$268,798.38 from SurePoint Lending originating in California to M & I Bank located in Minneapolis, Minnesota	Purchase by Victim ES of XXXXX 68th Street Northeast, Albertville, Minnesota
5	9/6/2006	Fax from Inyang from Minnesota to SurePoint Lending in Louisville, Kentucky of False 2005 W-2 of Victim JB	Attempted Purchase by Victim JB of XXXX Xenium Court North, Plymouth, Minnesota
6	9/18/2006	Electronic Transfer of \$294,489.57 from SurePoint Lending originating in California to M & I Bank located in Minneapolis, Minnesota	Purchase by Victim JB of XXXX Lakewood Drive, Albertville, Minnesota
7	10/16/2006	Fax by defendant Inyang from Minnesota to SurePoint Lending in Louisville, Kentucky of False 2005 W-2 of Victim RI	Attempted Purchase by Victim RI of XXXX Xenium Court North, Plymouth, Minnesota
8	10/23/2006	Fax from Inyang from Minnesota to SurePoint Lending in Louisville, Kentucky of False 2005 W-2 of Victim JL	Attempted Purchase by Victim JL of XXXX 238th Avenue Northeast, Stacy, Minnesota

COUNT	DATE	DESCRIPTION OF INTERSTATE WIRE	RESIDENTIAL TRANSACTION INVOLVED
9	10/24/2006	Fax from Inyang from Minnesota to SurePoint Lending in Louisville, Kentucky of False 2005 W-2 of Victim BF	Attempted Purchase by Victim BF of XXXXX Erkium Street Northwest, Ramsey, Minnesota
10	11/17/2006	Electronic Transfer of \$325,780.59 from Bear Stearns Residential Mortgage in New York to M & I Bank located in Minneapolis, Minnesota	Purchase by Victim JB of XXXXX Bluebird Street, Andover, Minnesota

All in violation of Title 18, United States Code, Section 1343.

COUNT 11

(18 U.S.C. § 1957: Engaging in a Monetary Transaction in Criminally Derived Property)

18. The grand jury realleges and incorporates paragraphs 1 through 15 above as though fully stated herein.

19. On or about September 5, 2006, in the State and District of Minnesota, the defendant,

INYANG AMOS INYANG,
a/k/a Ian Ian,
a/k/a Ian Amadi,
a/k/a Prince Inyang Inyang II,

knowingly engaged in a monetary transaction by and through a financial institution affecting interstate and foreign commerce in

criminally derived property that was of a value greater than \$10,000.00 and which was derived from specified unlawful activity, namely, the proceeds of the wire fraud crime charged in count 4 above, namely, defendant Inyang used those proceeds to purchase TCF National Bank cashier's check number 885791756 in the amount of \$21,899.35, which check was made payable to Inyang Inyang.

All in violation of Title 18, United States Code, Section 1957.

COUNT 12

(18 U.S.C. § 1028A: Aggravated Identity Theft)

20. The grand jury realleges and incorporates by reference paragraphs 1 through 15 above as though fully stated herein.

21. On or about December 7, 2004, in the State and District of Minnesota, the defendant,

INYANG AMOS INYANG,
a/k/a Ian Ian,
a/k/a Ian Amadi,
a/k/a Prince Inyang Inyang II,

did, during and in relation to a felony violation enumerated in Subsection (c) of Section 1028A of Title 18 of the United States Code, knowingly use, without lawful authority, a means of identification of another person, namely, defendant Inyang utilized the name and social security number of Victim BK, a known person, during and in relation to the wire fraud crime charged in count 2 above.

All in violation of Title 18, United States Code, Section 1028A(a)(1).

COUNT 13

(18 U.S.C. § 1028A: Aggravated Identity Theft)

22. The grand jury realleges and incorporates by reference paragraphs 1-15 above as though fully stated herein.

23. On or about August 28, 2006, in the State and District of Minnesota, the defendant,

INYANG AMOS INYANG,
a/k/a Ian Ian,
a/k/a Ian Amadi,
a/k/a Prince Inyang Inyang II,

did, during and in relation to a felony violation enumerated in Subsection (c) of Section 1028A of Title 18 of the United States Code, knowingly use, without lawful authority, a means of identification of another person, namely, defendant Inyang utilized the name and social security number of Victim ES, a known person, during and in relation to the wire fraud crime charged in count 4 above.

All in violation of Title 18, United States Code, Section 1028A(a)(1).

FORFEITURE ALLEGATION

Counts 1 through 11 of this Superseding Indictment are hereby realleged and incorporated as if fully set forth herein by reference, for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and 982(a)(1), and Title 28, United States Code, Section 2461(c).

As the result of the offenses alleged in Counts 1 through 10 of this Superseding Indictment, the defendant shall forfeit to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the violations of Title 18, United States Code, Section 1343.

As the result of the offense alleged in Count 11 of this Superseding Indictment, the defendant shall forfeit to the United States pursuant to Title 18, United States Code, Section 982(a)(1) any property, real or personal, involved in such offense, or any property traceable to such property, including the sum of money involved in such offense.

If any of the above-described forfeitable property is unavailable for forfeiture, the United States intends to seek the forfeiture of substitute property as provided for in Title 21, United States Code, Section 853(p), as incorporated by Title 18,

United States Code, Section 982(b)(1) and by Title 28, United States Code, Section 2461(c).

All in violation of Title 18, United States Code, Sections 981(a)(1)(C), 982(a)(1), 1343 and 1957, and Title 28, United States Code, Section 2461(c).

A TRUE BILL

UNITED STATES ATTORNEY

FOREPERSON