

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA

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CRIMINAL NO: 12-038

v.

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SECTION: "N" (3)

**CYNTHIA H. ROGERS
a/k/a Cindy Rogers**

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FACTUAL BASIS

Should this matter have gone to trial, the government would have proved beyond a reasonable doubt, through the introduction of competent testimony and admissible tangible exhibits, the following to support the allegations charged by the government in the one-count Bill of Information now pending against the defendant, CYNTHIA H. ROGERS.

In May 2011, Special Agents of the United States Secret Service ("USSS") received information that CYNTHIA H. ROGERS ("ROGERS") may have embezzled money from her employer, Home Finders International, Inc., located in New Orleans, Louisiana. USSS Special Agent Christopher McDonald ("SA McDonald") interviewed the owner of Home Finders International Inc., D.J., who informed him that ROGERS was employed at Home Finders

International as an accounting clerk whose duties included receiving payments from tenants for the monthly rent and making entries into the business bank ledger. D.J. had reviewed the business bank ledger and compared it to the bank statements of the business rental trust account at Whitney National Bank for account number x6000. D.J. observed that on several occasions, ROGERS had entered a different amount in the bank ledger compared to the actual bank checks.

SA McDonald reviewed Home Finder's International, Inc.'s Whitney National Bank statements, account number x6000, as well as the business bank ledger. His investigation revealed that approximately twenty-one (21) checks were altered by ROGERS from on or about December 14, 2010 through on or about April 11, 2011. More specifically, a review of the actual checks shows that the majority of them, eighteen (18) checks, were made out to "Cindy Rogers" in the amount of \$2,500 or \$3,500, which were then negotiated by ROGERS, but the bank ledger incorrectly shows that the checks were in the amount of \$25 or \$35. Another check was made payable to "Import Auto" in the amount of \$6,400, which was used by ROGERS to pay off her vehicle, a 2007 Volkswagen Jetta. Another check in the amount of \$9,500 payable to "Shimon Atzil" was used by ROGERS to purchase a boat in Texas. The bank ledger incorrectly showed that the amount was for \$95. Another check in the amount of \$17,000 payable to "Carbine" or "Carbone" was used by ROGERS to purchase a 2007 Lexus. The bank ledger incorrectly showed that the amount was for \$170.

SA McDonald interviewed ROGERS after he advised ROGERS of her Miranda rights, which ROGERS waived both verbally and in writing. ROGERS admitted to altering company checks while she worked for Home Finders International Inc. wherein she would prepare the checks and leave space when filling out the check, which was then signed by D.J. After D.J. signed the checks, ROGERS, then, added zeros to the number and wrote "thousand" after the number. According to

ROGERS, she had altered and negotiated several Home Finders International Inc. company checks from \$25 and \$35 to \$2,500 and \$3,500. She also admitted to using the stolen funds to help purchase a boat and to pay off her vehicles.

Whitney National Bank was a financial institution located in New Orleans, Louisiana and elsewhere, the deposits of which were insured by the Federal Deposit Insurance Corporation, and was an organization that operated in or conducted activities that affect interstate commerce.

The Government would prove that the amount of restitution for the purposes of this offense is approximately \$110,498.40.

APPROVED AND ACCEPTED:

Date

CYNTHIA H. ROGERS
Defendant

Date

CYNTHIA M. CIMINO
Attorney for Defendant

Date

LOAN "MIMI" NGUYEN
Assistant United States Attorney