



UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

**INDICTMENT FOR WIRE FRAUD  
AND NOTICE OF FORFEITURE**

UNITED STATES OF AMERICA : CRIMINAL NO. 18-146-JWD-RLB  
: :  
*versus* : 18 U.S.C. § 1343  
: 18 U.S.C. § 981(a)(1)(c)  
TIMOTHY W. BURGE : 28 U.S.C. § 2461

**THE GRAND JURY CHARGES:**

At All Relevant Times Herein:

1. **TIMOTHY W. BURGE (“BURGE”)** was a resident of Baker, Louisiana.
2. Victim A, a resident of Baton Rouge, Louisiana, was a long-time associate of **BURGE** who had previously worked with him in the financial services industry.
3. Company Z is a Delaware limited liability company controlled by Person Z that purportedly invests in high-yield, foreign investments.

Scheme to Defraud

4. The allegations of paragraphs 1 through 3 are repeated and re-alleged here as though fully set forth herein.
5. Beginning on or about March 29, 2018 and continuing through in or about May 2018, in the Middle District of Louisiana and elsewhere, **TIMOTHY W. BURGE (“BURGE”)**, defendant herein, devised and intended to devise a scheme to defraud, and to obtain money and property from Victim A by means of materially false and fraudulent pretenses, promises, and representations, and for the purpose of executing the scheme, did knowingly cause interstate wire

communications to be used between the Middle District of Louisiana and locations outside the State of Louisiana.

Purpose of the Scheme to Defraud

6. The purpose of the defendant's scheme was to unlawfully enrich himself by converting Victim A's funds to his own personal use and the use of others.

Manner and Means

7. The scheme to defraud Victim A was executed in the following manner:
- a. **BURGE** solicited Victim A for millions of dollars, falsely representing that the money was to be used for a real estate transaction in Texas.
  - b. **BURGE** falsely promised Victim A that he would get his money back within five to seven business days, plus a profit ranging from several hundred thousand dollars to over two million dollars.
  - c. **BURGE** caused Victim A to wire funds from Victim A's personal account at Capital One Bank to an account controlled by **BURGE** at JP Morgan Chase Bank, for **BURGE'S** personal enrichment.
  - d. Instead of using the money for a real estate transaction, **BURGE** transferred Victim A's funds from **BURGE's** account at JP Morgan Chase to another account at JP Morgan Chase, which was in the name of Company Z and controlled by Person Z. **BURGE** desired to make a substantial personal profit from investing with Person Z, who purportedly invested in foreign transactions.

- e. On two occasions, using computers and servers located in the Middle District of Louisiana, **BURGE** caused wire transfers that were routed to bank servers located outside the State of Louisiana.
- f. Between March 29, 2018 and May 31, 2018, **BURGE** caused Victim A to make 2 wire transfers totaling \$2,000,000 to an account **BURGE** controlled and for Burge's personal enrichment.
- g. **BURGE** concealed from Victim A that the funds were actually sent to Person Z, and in order to lull Victim A into a false sense of security about the investment, postpone inquiries regarding his misrepresentations, make his activities less suspicious, and conceal and extend the scheme, **BURGE** did the following, among other things:
  - i. **BURGE** falsely represented to Victim A that **BURGE** and another investor were each contributing \$7,500,000 of their own money to the sham real estate transaction, but the other investor needed a loan from Victim A for \$1,000,000.
  - ii. **BURGE** falsely represented to Victim A that his money would be held in escrow at First American Title Company and that Victim A's money would not be at risk.
  - iii. **BURGE** said he could not provide details about the sham real estate transaction because he had signed a non-disclosure agreement.

- iv. To explain why **BURGE** did not repay Victim A within five to seven business days of the first wire, **BURGE** falsely represented that the transaction could not close unless Victim A paid another \$1,000,000 to cover certain taxes associated with the sham real estate transaction.
- v. **BURGE** falsely represented to Victim A that **BURGE** had paid \$350,000 of his own money for taxes on the sham real estate transaction.
- vi. To explain why **BURGE** did not repay Victim A within five to seven business days of the second wire, **BURGE** falsely represented that Victim A needed to provide another \$5,000,000 for **BURGE** and the other investor to purchase an annex for the sham real estate transaction.
- vii. When asked by Victim A about the investment, **BURGE** falsely directed Victim A to speak with an unwitting individual at First American Title Company, which was not involved in **BURGE**'s scheme or the sham real estate transaction.

Wire Transmissions

8. On or about the following dates, in the Middle District of Louisiana, **TIMOTHY W. BURGE**, defendant herein, having devised the scheme described in paragraphs 1 through 7 of this Indictment, for the purpose of executing the scheme, and attempting to do so, knowingly caused to be transmitted in interstate commerce, by means of a wire communication, certain

signs, signals, and sounds, that is, the below described electronic communications between Louisiana and Virginia, each of which constitutes a separate count:

COUNT	DATE	DESCRIPTION OF INTERSTATE WIRE TRANSMISSION CAUSED BY DEFENDANT
1	April 11, 2018	<b>BURGE</b> directed Victim A to transfer \$1,000,000 from Victim A's Capital One bank account #2606 to <b>BURGE's</b> JP Morgan Chase bank account #7220, which caused an interstate wire communication to be processed from Baton Rouge, Louisiana through a server located in Goochland, Virginia.
2	May 9, 2018	<b>BURGE</b> directed Victim A to transfer \$1,000,000 from Victim A's Capital One bank account #2606 to <b>BURGE's</b> JP Morgan Chase bank account #7220, which caused an interstate wire communication to be processed from Baton Rouge, Louisiana through a server located in Goochland, Virginia.

Each of the above is a violation of Title 18, United States Code, Section 1343.

#### NOTICE OF FORFEITURE

9. Paragraphs 1 through 8 of this Indictment are incorporated herein for purposes of this Notice of Forfeiture.

10. Pursuant to Rule 32.2(a), Fed. R. Crim. P., **TIMOTHY W. BURGE**, defendant herein is hereby notified that, upon conviction of either of the offenses contained in this Indictment, in violation of Title 18, United States Code, Section 1343, the defendant shall forfeit to the United States any property, real or personal, which constitutes or is derived from proceeds traceable to the offenses charged as Counts 1 and 2 of this Indictment, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c),



including but not limited to \$2,000,000, said amount being the proceeds obtained through the violations of Title 18, United States Code, Section 1343.

11. If any of the property described above, as a result of any act or omission of the defendant:
- a. cannot be located upon the exercise of due diligence;
  - b. has been transferred or sold to, or deposited with, a third party;
  - 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 divided without difficulty,

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c) and Title 18 United States Code, Section 982(b)(1), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described above.

UNITED STATES OF AMERICA, BY

  
\_\_\_\_\_  
BRANDON J. FREMIN  
UNITED STATES ATTORNEY  
MIDDLE DISTRICT OF LOUISIANA

  
\_\_\_\_\_  
ELIZABETH E. WHITE  
ASSISTANT UNITED STATES ATTORNEY

A TRUE BILL

**REDACTED**  
**PER PRIVACY ACT**

GRAND JURY FOREPERSON

  
\_\_\_\_\_  
DATE

**Place of Offense:**

Matter to be sealed:  No  Yes

City Baton Rouge

**Related Case Information:**

County/Parish East Baton Rouge

Superseding Indictment \_\_\_\_\_ Docket Number \_\_\_\_\_

Same Defendant \_\_\_\_\_ New Defendant X

FBI: S. Hanson

Magistrate Case Number \_\_\_\_\_

Search Warrant Case No. \_\_\_\_\_

R 20/ R 40 from District of \_\_\_\_\_

Any Other Related Cases: \_\_\_\_\_

**Defendant Information:**

Defendant Name Timothy W. Burge

**U.S. Attorney Information:**

AUSA Elizabeth White

Bar # 363295

Interpreter:  No  Yes

List language and/or dialect: \_\_\_\_\_

**Location Status:**

Arrest Date \_\_\_\_\_

\_\_\_\_\_ Already in Federal Custody as of

\_\_\_\_\_ Already in State Custody

\_\_\_\_\_ On Pretrial Release

**U.S.C. Citations:**

Total # of Counts: 2

<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count(s)</u>	<u>Petty/ Misdemeanor/ Felony</u>
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<u>18:1343</u>	<u>Wire Fraud</u>	<u>2</u>	<u>F</u>
_____	_____	_____	_____
_____	_____	_____	_____

(May be continued on second sheet)

Date: October 31, 2018

Signature of AUSA: \_\_\_\_\_



District Court Case Number (To be filled in by deputy clerk): \_\_\_\_\_

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

***GRAND JURY RETURN***

Date: October 31, 2018

UNITED STATES OF AMERICA

VERSUS

TIMOTHY W. BURGE

CRIMINAL

NO. 18-146-JWD-RLB

PRESENT: Elizabeth E. White  
Counsel for U.S.A.

Indictment filed.

\* \* \* \* \*