

KCB:EL
F. #2023R00410

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
----- X

UNITED STATES OF AMERICA

- against -

KEVAUGHN WELLINGTON and
KY-MANI STRAKER,

Defendants.

----- X

THE GRAND JURY CHARGES:

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
* JULY 8, 2024 *
BROOKLYN OFFICE

I N D I C T M E N T

Cr. No. 24-CR-275
(T. 18, U.S.C., §§ 371, 492, 510(a)(2),
641, 981(a)(1)(C), 982(a)(2), 982(b)(1),
1708, 1709, 2 and 3551 et seq.; T. 21,
U.S.C., § 853(p); T. 28, U.S.C.,
§ 2461(c))

Judge Diane Gujarati
Magistrate Judge Cheryl L. Pollak

I N T R O D U C T I O N

At all times relevant to this Indictment, unless otherwise indicated:

I. The Defendants and Relevant Entities

1. The defendant KEVAUGHN WELLINGTON was a resident of Queens, New York and a United States Postal Service ("USPS") employee who worked at the USPS Mail Facility located in John F. Kennedy International Airport (the "JFK Mail Facility") between approximately November 2013 and August 2023. As part of his USPS employment duties at the JFK Mail Facility, WELLINGTON was responsible for opening and unpacking sacks of mail that arrived at the JFK Mail Facility.

2. The defendant KY-MANI STRAKER was a resident of Queens, New York and a USPS employee who worked at the JFK Mail Facility from in or about and between November 2020 and April 2022.

3. Financial Institution-1, an entity the identity of which is known to the Grand Jury, was a bank headquartered in the United States and which maintained branches within the Eastern District of New York.

II. The Treasury Check Theft Scheme

4. United States Treasury checks (“Treasury Checks”) issued by the United States Department of the Treasury (the “U.S. Treasury”) were printed and mailed for distribution from U.S. Treasury facilities throughout the United States. Parcels containing internationally bound Treasury Checks, as well as Treasury Checks destined for delivery in the northeast United States, including to recipients in New York and New Jersey, were routed through the JFK Mail Facility, where they were sorted for distribution and mailing abroad and locally.

5. Between approximately June 2021 and August 2023, the defendants KEVAUGHN WELLINGTON and KY-MANI STRAKER agreed to engage in a Treasury Check theft scheme (the “Treasury Check Theft Scheme”). In it, WELLINGTON stole parcels containing Treasury Checks from the JFK Mail Facility; then, together with STRAKER and others, WELLINGTON sold the stolen Treasury Checks to individuals who deposited the Treasury Checks for their own monetary gain and without permission from the persons to whom the Treasury Checks had been issued. The Treasury Check Theft Scheme resulted in the theft of at least 125 Treasury Checks, valued at more than \$4,000,000, from the JFK Mail Facility.

6. In connection with the Treasury Check Theft Scheme, between approximately August 29, 2022 and September 1, 2022, the defendant KY-MANI STRAKER falsely endorsed and deposited stolen Treasury Checks in a Financial Institution-1 account and withdrew the deposited funds for his own financial gain. The stolen Treasury Checks had been issued to individuals residing outside the United States, and not to STRAKER. STRAKER did

not have permission from these individuals to obtain or deposit the U.S. Treasury Checks into the Financial Institution-1 account.

COUNT ONE
(Conspiracy to Steal Government Funds)

7. The allegations contained in paragraphs one through six are realleged and incorporated as if fully set forth in this paragraph.

8. In or about and between June 2021 and August 2023, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants KEVAUGHN WELLINGTON and KY-MANI STRAKER, together with others, did knowingly and willfully conspire to embezzle, steal, purloin and convert to their own use and the use of another, and without authority, sell, convey, or dispose of, money and things of value of the United States and of a department and agency thereof, to wit: checks issued by the United States Department of the Treasury, the aggregate value of which exceeded the sum of \$1,000, contrary to Title 18, United States Code, Section 641.

9. In furtherance of the conspiracy and to effect its objects, within the Eastern District of New York and elsewhere, the defendants KEVAUGHN WELLINGTON and KY-MANI STRAKER, together with others, did commit and cause the commission of, among other acts, the following:

OVERT ACTS

(a) On or about November 5, 2021, STRAKER sent WELLINGTON an image of a Treasury Check that was not addressed to either WELLINGTON or STRAKER.

(b) On or about November 5, 2021, WELLINGTON sent STRAKER a list of stolen Treasury Checks that WELLINGTON was willing to sell, along with the face value of each of these Treasury Checks and the price WELLINGTON was seeking for each of them.

(c) On or about August 11, 2022, WELLINGTON and STRAKER exchanged lists of stolen Treasury Checks in their possession.

(d) On or about August 16, 2022, STRAKER sent WELLINGTON an image of four stolen Treasury Checks issued to individuals other than WELLINGTON and STRAKER, indicating “[t]his from the last batch I picked up.”

(e) On or about August 17, 2022, WELLINGTON sent another individual messages about stolen Treasury Checks that WELLINGTON was selling. In the messages, among other things, WELLINGTON indicated that the price to purchase the Treasury Checks was 30 percent of their face value.

(f) On or about January 17, 2023, WELLINGTON sent another individual a message that a stolen Treasury Check was available for purchase for \$2,000.

(g) On or about February 16, 2023, WELLINGTON sent STRAKER images of stolen Treasury Checks issued to individuals other than WELLINGTON and STRAKER, along with images of verifications confirming that the stolen Treasury Checks were valid for deposit.

(h) On or about March 8, 2023, WELLINGTON sent another individual an image of a stolen Treasury Check issued to an individual residing abroad, indicating in a message that WELLINGTON could verify whether the Treasury Check was valid for deposit.

(Title 18, United States Code, Sections 371 and 3551 et seq.)

COUNT TWO
(Theft of Government Funds)

10. The allegations contained in paragraphs one through six are realleged and incorporated as if fully set forth in this paragraph.

11. In or about and between June 2021 and August 2023, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants KEVAUGHN WELLINGTON and KY-MANI STRAKER, together with others, did knowingly and intentionally embezzle, steal, purloin and convert to their own use and the use of another and, without authority, sell, convey, or dispose of, money and things of value of the United States and of a department and agency thereof, to wit: checks issued by the United States Department of the Treasury, the aggregate value of which exceeded the sum of \$1,000.

(Title 18, United States Code, Sections 641, 2 and 3551 et seq.)

COUNT THREE
(Possession of Stolen Mail)

12. The allegations contained in paragraphs one through six are realleged and incorporated as if fully set forth in this paragraph.

13. In or about and between June 2021 and August 2023, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants KEVAUGHN WELLINGTON and KY-MANI STRAKER, together with others, did knowingly and intentionally receive, conceal and unlawfully have in their possession one or more letters and items of mail, and one or more articles and things contained therein, which had been stolen, taken and abstracted from and out of one or more items of mail, post offices and stations thereof, letter boxes, mail receptacles and mail routes, and other authorized depositories for mail matter, and from one or more letter and mail carriers, and which had been left for collection upon and adjacent to one or more collections boxes and other authorized depositories of mail matter, knowing the same to have been stolen, taken and abstracted.

(Title 18, United States Code, Sections 1708, 2 and 3551 et seq.)

COUNT FOUR

(Theft of Mail by Postal Service Employee)

14. The allegations contained in paragraphs one through six are realleged and incorporated as if fully set forth in this paragraph.

15. In or about and between June 2021 and August 2023, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant KEVAUGHN WELLINGTON, being a USPS employee, did knowingly and intentionally embezzle letters, packages and mail, and articles and things contained therein entrusted to him and which came into his possession intended to be conveyed by mail, and steal, abstract and remove from such letters, packages and mail one or more articles and things contained therein.

(Title 18, United States Code, Sections 1709 and 3551 et seq.)

COUNT FIVE

(Passing Treasury Checks Bearing Forged Endorsements)

16. The allegations contained in paragraphs one through six are realleged and incorporated as if fully set forth in this paragraph.

17. In or about and between June 2021 and August 2023, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant KY-MANI STRAKER, together with others, did knowingly and with intent to defraud pass, utter and publish United States Treasury checks bearing falsely made and forged endorsements and signatures, the aggregate face value of which exceeded \$1,000.

(Title 18, United States Code, Sections 510(a)(2), 2 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION
AS TO COUNTS ONE, TWO AND THREE

18. The United States hereby gives notice to the defendants that, upon their conviction of any of the offenses charged in Counts One, Two, and Three, the government will

seek forfeiture in accordance with Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), which require any person convicted of such offenses to forfeit any property, real or personal, constituting, or derived from, proceeds obtained directly or indirectly as a result of such offenses, including but not limited to: approximately \$4,950.00 in United States currency seized by law enforcement on or about July 19, 2023, from KEVAUGHN WELLINGTON's residence in Queens, New York.

19. If any of the above-described forfeitable property, 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 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), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Section 981(a)(1)(C); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c))

CRIMINAL FORFEITURE ALLEGATION
AS TO COUNT FIVE

20. The United States hereby gives notice to the defendant charged in Count Five that, upon his conviction of such offense, the government will seek forfeiture in accordance with: (a) Title 18, United States Code, Section 982(a)(2), which requires any person convicted of

such offense, to forfeit any property constituting, or derived from, proceeds obtained directly or indirectly as a result of such offense; and (b) Title 18, United States Code, Section 492 and Title 28, United States Code, Section 2461(c), which require the forfeiture of: (i) all counterfeits of any coins or obligations or other securities of the United States or of any foreign government; (ii) any articles, devices, and other things made, possessed, or used in violation of Title 18, United States Code, Section 510; or (iii) any material or apparatus used or fitted or intended to be used, in the making of such counterfeits, articles, devices or things.

21. If any of the above-described forfeitable property, 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 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 in this forfeiture allegation.

(Title 18, United States Code, Sections 492, 982(a)(2) and 982(b)(1); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c))

A TRUE BILL



/s/

FOREPERSON

By Aliyandra Smith, Assistant U.S. Attorney

BREON PEACE
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK