

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF FLORIDA  
PANAMA CITY DIVISION

UNITED STATES OF AMERICA

v.

CASE NO. 5:16cr29/RH

KEVIN R. GRIFFIN

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**FACTUAL BASIS FOR GUILTY PLEA**

This statement of facts is submitted on behalf of the undersigned parties. All parties agree that if the above-captioned case were to go to trial, the government could produce competent, substantial evidence of the following facts to prove The defendant is guilty of Count One of the Information, to which the defendant is pleading guilty. The parties further agree that not all of the facts known from or related to this investigation are contained in this brief summary and that all of the following facts are true and correct.

**STATEMENT OF FACTS**

The Bank of Bonifay ("BOB") was a financial institution, the deposits of which were insured by the Federal Deposit Insurance Corporation ("FDIC"). On or about May 7, 2010, BOB became a division of First Federal Bank of Florida ("FFBF"), a financial institution, the deposits of which were insured by FDIC. Defendant Kevin R. Griffin was employed by BOB in Marianna, Florida, as a loan officer.

Between on or about January 26, 2010, and on or about January 4, 2012, the defendant used his position as a BOB loan officer to engage in a scheme to fraudulently embezzle, obtain, and transfer credits and funds held by BOB. The defendant gave BOB customers bank loans that were not properly documented with BOB and that were funded by embezzling money from the accounts of other BOB customers. The defendant did not advise customers he was funding their loans or refunds with money embezzled from other customers, nor did he obtain authorization or consent to remove embezzled funds from customers' bank accounts. The defendant fraudulently obtained loans for BOB customers by falsely representing that assets belonging to other BOB customers were securing the loans as collateral without those customers' consent. The defendant also embezzled money from the bank accounts of BOB customers for his own personal benefit and to replace funds the defendant had embezzled from other BOB customers.

As part of the defendant's scheme, the defendant knowingly and willfully caused a cashier's check in the amount of \$23,761.50 to be drawn on a BOB bank account in the name of H.D. and deposited into the defendant's personal line of credit at SunTrust Bank on or about June 17, 2011.


ELEMENTS

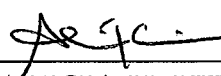
The Defendant can be found guilty of bank fraud, in violation of 18 U.S.C.

§ 1344(2), as charged in Count One of the Information, only if all the following facts are proved beyond a reasonable doubt:

- (1) the Defendant carried out or attempted to carry out a scheme to get money, assets, or other property from a financial institution by using false or fraudulent pretenses, representations, or promises about a material fact;
- (2) the false or fraudulent pretenses, representations, or promises were material; and
- (3) the financial institution was federally insured.

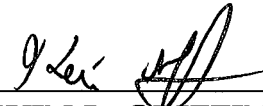
CHRISTOPHER P. CANOVA  
United States Attorney

  
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HARRY L. HARPER  
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ALICIA H. KIM  
Assistant United States Attorney

12/15/16  
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KEVIN R. GRIFFIN  
Defendant

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Date