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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA	:	Hon. <i>Esther Salas</i>
	:	
v.	:	Criminal No. 18-155
	:	
LESSIE DICKERSON III,	:	18 U.S.C. § 1349
a/k/a "Leon Terrell McKinney," and	:	18 U.S.C. § 1343
	:	18 U.S.C. § 2
JOHN MUYEKA,	:	18 U.S.C. § 1028(a)(1)
a/k/a "John Murunga,"	:	
a/k/a "Daniel Okwiri"	:	

INDICTMENT

The Grand Jury in and for the District of New Jersey, sitting at Newark, charges:

**COUNT ONE
(Wire Fraud Conspiracy)**

BACKGROUND

1. At all times relevant to this Indictment:
 - a. Defendant LESSIE DICKERSON III a/k/a "Leon Terrell McKinney" ("DICKERSON") resided in or near Union, New Jersey.
 - b. Defendant JOHN MUYEKA a/k/a "John Murunga," a/k/a "Daniel Okwiri" ("MUYEKA") resided in or near Sayreville, New Jersey.
 - c. Reginald Phillips, a co-conspirator not named as a defendant in this Indictment, resided in or near Union, New Jersey.
 - d. Shadeed Phillips, a co-conspirator not named as a defendant in this Indictment, resided in or near Hillside, New Jersey.

e. Koreen Higgs, a co-conspirator not named as a defendant in this Indictment, resided in or near Irvington, New Jersey.

f. “Merchant 1” and “Merchant 2” were retail companies that sold home improvement merchandise in locations throughout the United States, including New Jersey.

g. “Merchant 3” and “Merchant 4” were check-acceptance companies, which processed checks to assess whether they were valid before a contracted merchant or financial institution accepted a particular check for payment for merchandise, operating out of Texas and Florida, respectively.

h. “Merchant 5” was a financial-services company, which provided banking and hosting services for store-credit accounts for Merchant 1, operating out of Dallas, Texas.

THE CONSPIRACY

2. From in or about December 2013 through in or about February 2017, in the District of New Jersey, and elsewhere, defendants

LESSIE DICKERSON III
a/k/a “Leon Terrell McKinney”

and

JOHN MUYEKA
a/k/a “John Murunga,”
a/k/a “Daniel Okwiri,”

did knowingly and intentionally conspire and agree with Reginald Phillips, Shadeed Phillips, Koreen Higgs, and others, to devise a scheme and artifice to defraud Merchant 1 and Merchant 2, and others, and to obtain money and property by means of materially false and fraudulent pretenses,

representations, and promises, and, for the purpose of executing such scheme and artifice to defraud, did transmit and cause to be transmitted by means of wire communications in interstate and foreign commerce, certain writings, signs, signals, pictures, and sounds, contrary to Title 18, United States Code, Section 1343.

OBJECT OF THE CONSPIRACY

3. It was the object of the conspiracy for defendants LESSIE DICKERSON III and JOHN MUYEKA, and co-conspirators Reginald Phillips, Shadeed Phillips, and Koreen Higgs, to fraudulently obtain merchandise or store credit from Merchant 1, Merchant 2, and others by purchasing such items with fraudulent checks and matching fake identifications created by defendant JOHN MUYEKA and then reselling that merchandise for a profit.

MANNER AND MEANS OF THE CONSPIRACY

4. It was part of the conspiracy that defendant JOHN MUYEKA produced false New Jersey driver's licenses, and false driver's licenses from other states, using photographs of his co-conspirators but fictitious names, addresses, and dates of birth, and provided the fraudulent identification documents to his co-conspirators.

5. It was further part of the conspiracy that, carrying the fake driver's licenses produced by defendant JOHN MUYEKA, defendant LESSIE DICKERSON III and certain of his co-conspirators entered Merchant 1, Merchant 2, or other retail locations in New Jersey, and elsewhere, and gathered several high-value items like air conditioners or hardwood flooring.

6. It was further part of the conspiracy that defendant LESSIE DICKERSON III and his co-conspirators, having collected the merchandise, approached a cashier to “purchase” the items by either (i) handing the cashier a fraudulent check that consisted of a phony name but authentic account and routing numbers; or (ii) pretending to be an authorized signatory on an account for store credit that LESSIE DICKERSON III or his co-conspirators had opened previously at the store using a fraudulent check.

7. It was further part of the conspiracy that, during certain of the transactions, defendant LESSIE DICKERSON III and his co-conspirators displayed fake driver’s licenses created by defendant JOHN MUYEKA that either duplicated the phony name imprinted on the fraudulent check they presented for payment or matched the name of an authorized signatory on the account for store credit that they had previously opened.

8. It was further part of the conspiracy that, when defendant LESSIE DICKERSON III and his co-conspirators presented a fraudulent check for direct payment, the cashier scanned the check and transmitted the check information via interstate wire to a third-party check-acceptance vendor (either Merchant 3 or Merchant 4), in accordance with Merchant 1’s and Merchant 2’s security procedures.

9. It was further part of the conspiracy that, once the third-party check-acceptance vendor approved the check, the cashier completed the transaction, and defendant LESSIE DICKERSON III and his co-conspirators departed the retail location with the merchandise.

10. It was further part of the conspiracy that, when defendant LESSIE DICKERSON III and his co-conspirators opened an account for store credit, LESSIE DICKERSON III and his co-conspirators provided the following phony account information: name, business name, address, date of birth, phone number, and authorized signatories. When LESSIE DICKERSON III and his co-conspirators opened an account for store credit at, for example, Merchant 1, Merchant 1 transmitted the phony account information, via interstate wire, to host servers of Merchant 5 in Dallas, Texas, where the information would then become available at any Merchant 1 retail location around the country.

11. It was further part of the conspiracy that defendant LESSIE DICKERSON III, JOHN MUYEKA, and their co-conspirators repeated this scheme at various retail locations, including Merchant 1 and Merchant 2.

All in violation of Title 18, United States Code, Section 1349.

**COUNTS TWO AND THREE
(Wire Fraud)**

12. The allegations contained in paragraphs 1 and 3 through 11 of this Indictment are hereby repeated, realleged, and incorporated as if fully set forth herein.

13. From at least as early as in or around December 2013 through in or around February 2017, in the District of New Jersey, and elsewhere, defendant

**LESSIE DICKERSON III
a/k/a "Leon Terrell McKinney,"**

did knowingly and intentionally devise and intend to devise a scheme and artifice to defraud Merchant 1, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and, for the purpose of executing and attempting to execute such scheme and artifice to defraud, defendants did knowingly transmit or cause to be transmitted by means of wire communications in interstate and foreign commerce, certain writings, signs, signals, and sounds, namely the wire transfers described below, each constituting a separate count of this Indictment:

Count	Approximate Date	Description of Wire Transmission
Two	January 12, 2016	Causing Merchant 1 to send an interstate wire from a Merchant 1 retail location in Flanders, New Jersey to Merchant 5's servers in Dallas, Texas containing fraudulent account information
Three	June 16, 2016	Causing Merchant 1 to send an interstate wire from a Merchant 1 retail location in Marlboro, New Jersey to Merchant 5's servers in Dallas, Texas containing fraudulent account information

All in violation of Title 18, United States Code, Sections 1343 and 2.

**COUNTS FOUR AND FIVE
(Wire Fraud)**

14. The allegations contained in paragraphs 1 and 3 through 11 of this Indictment are hereby repeated, realleged, and incorporated as if fully set forth herein.

15. From at least as early as in or around December 2013 through in or around February 2017, in the District of New Jersey, and elsewhere, defendant

JOHN MUYEKA
a/k/a “John Murunga,”
a/k/a “Daniel Okwiri,”

did knowingly and intentionally devise and intend to devise a scheme and artifice to defraud Merchant 1, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and, for the purpose of executing and attempting to execute such scheme and artifice to defraud, defendants did knowingly transmit or cause to be transmitted by means of wire communications in interstate and foreign commerce, certain writings, signs, signals, and sounds, namely the wire transfers described below, each constituting a separate count of this Indictment:

Count	Approximate Date	Description of Wire Transmission
Four	March 20, 2016	Causing Merchant 1 to send an interstate wire from a Merchant 1 retail location in Phillipsburg, New Jersey to Merchant 5's servers in Dallas, Texas containing fraudulent account information
Five	January 13, 2017	Causing Merchant 1 to send an interstate wire from a Merchant 1 retail location in Brick Township, New Jersey to Merchant 3's servers in Chicago, Illinois containing fraudulent account information

All in violation of Title 18, United States Code, Sections 1343 and 2.

COUNT SIX
(Producing False Identification Documents)

16. The allegations contained in paragraph 1 of this Indictment are hereby repeated, realleged, and incorporated as if fully set forth herein.

17. From at least as early as in or around December 2013 through February 2017, in the District of New Jersey, and elsewhere, defendant

JOHN MUYEKA

did knowingly and without lawful authority produce, in or affecting interstate commerce, false identification documents, namely more than five false New Jersey driver's licenses.

In violation of Title 18, United States Code, Sections 1028(a)(1), 1028(b)(1)(A)(ii), and 1028(b)(1)(B).

FORFEITURE ALLEGATION AS TO COUNTS ONE THROUGH FIVE

1. As the result of committing the offenses constituting specified unlawful activity as defined in 18 U.S.C. § 1956(c)(7), as alleged in Counts One through Five of this Indictment, defendants LESSIE DICKERSON III and JOHN MUYEKA shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the said wire fraud and wire fraud conspiracy offenses, and all property traceable thereto.

FORFEITURE ALLEGATION AS TO COUNT SIX

2. As a result of committing the offenses in violation of 18 U.S.C. § 1028 alleged in Count Six of this Indictment, defendant JOHN MUYEKA shall forfeit to the United States:

- a. pursuant to 18 U.S.C. § 982(a)(2)(B), any property constituting, or derived from, proceeds obtained directly or indirectly, as a result of such offenses; and
- b. pursuant to 18 U.S.C. § 1028(h), any and all illicit authentication features, identification documents, document-making implements and means of identification.

SUBSTITUTE ASSETS PROVISION
(Applicable to All Forfeiture Allegations)

3. 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;

the United States shall be entitled, pursuant to 21 U.S.C. § 853(p) (as incorporated by 28 U.S.C. § 2461(c), and 18 U.S.C. § 982(b)), to forfeiture of any other property of the defendant up to the value of the above-described forfeitable property.

A TRUE BILL



FOREPERSON


CRAIG CARPENITO
United States Attorney

**United States District Court
District of New Jersey**

UNITED STATES OF AMERICA

v.

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**JOHN MUYEKA,
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INDICTMENT FOR

18 U.S.C. § 1349

18 U.S.C. § 1343

18 U.S.C. § 1028(a)(1)

Affiant

Foreperson

CRAIG CARPENITO

U.S. ATTORNEY

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