

FILED

IN THE COURT OF COMMON PLEAS, MORROW COUNTY, OHIO

THE STATE OF OHIO

VS.

**NICHOLAS COREY GARNER**  
3682 Craig Ave.  
Louisville KY 40215  
SSN: 248-45-7782

Case No. 2012 CR 0082

PROSECUTING ATTORNEY'S  
REQUEST FOR ISSUANCE OF  
**WARRANT UPON INDICTMENT**  
(RULE 9)

TO THE CLERK:

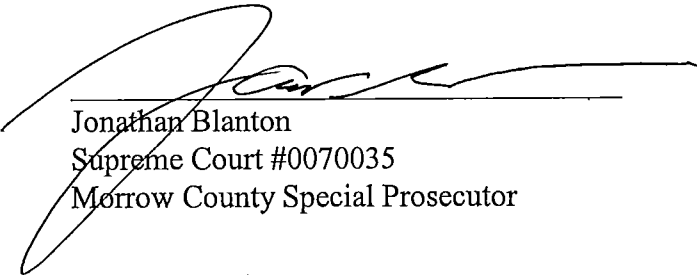
Nicholas Corey Garner has been named a Defendant in an Indictment returned by the Grand Jury.

Issue a warrant to the Morrow County Sheriff and direct him to enter said warrant into the computer and to cause such to be executed upon Nicholas Corey Garner at the address stated in the caption of this request.

Special instructions of executing officer:

NOTE: Upon the defendant's arrest, contact the Morrow County Court of Common Pleas, at 419-947-4515 to schedule an arraignment date and time.

**\*\*\*\* WARNING!!! THIS IS A SECRET INDICTMENT. DO NOT PUBLISH THIS INDICTMENT IN ANY MEDIA FORM UNTIL THE SERVICE OF THE INDICTMENT IS COMPLETED.**



Jonathan Blanton  
Supreme Court #0070035  
Morrow County Special Prosecutor

FILED

**INDICTMENT**

APR 11 49

(Criminal Rules 6, 7)

MORROW COUNTY  
COURT OF COMMON PLEAS  
COLUMBUS, OHIO

**STATE OF OHIO:**

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**SS**

\*

**COURT OF COMMON PLEAS**

**MORROW COUNTY:**

\*

**IN THE MAY TERM IN THE YEAR TWO THOUSAND AND TWELVE**

THE JURORS OF THE GRAND JURY OF MORROW COUNTY, OHIO, within and for the body of the County aforesaid, on their oaths, in the name and by the authority of the State of Ohio, do find and present:

**GENERAL ALLEGATIONS**

**A. OPERATION OF THE ENTERPRISE**

- 1) During a time period encompassing October 2011 through February 2012, in Morrow County, Ohio and elsewhere, an organized group consisting of **NICHOLIS COREY GARNER (DOB 01/05/1980, SSN XXX-XX-7782)**, whose last known address is 3682 Craig Avenue, Louisville, Kentucky 40215, and other as yet unnamed persons engaged in a pattern of organized theft and fraud that victimized persons both within and outside of the State of Ohio.
- 2) During that time, members of the Enterprise would post items such as cars, trucks, and all-terrain vehicles for sale on online advertising sites such as Craig's List and Ebay. When contacted by persons wishing to purchase the items, the members of the Enterprise would instruct the purchaser to send money via Western Union to an individual at a location other than where the seller claimed to be located. The purchaser would send the money to the individual identified in an email from a supposed third-party. Often times, the email would claim to originate from companies such as Google or Ebay customer support. The purchaser would send the money as requested, but no product would ever be delivered and the seller would disappear.
- 3) **NICHOLIS COREY GARNER** received no less than ten (10) Western Union money transfers from victims of the criminal conduct alleged in Paragraph 2 of this Indictment. Those money transfers total \$24,608.00. In an effort to disguise his identity, **NICHOLIS**

**COREY GARNER** would present fraudulent documents which identified him as another person. Two (2) of the transfers referred to above were from Ohio residents. The remaining eight (8) transactions incorporated into this Indictment were received at locations within the State of Ohio.

- 4) One victim of the criminal conduct alleged herein is a resident of Morrow County, Ohio. That victim's contact with the Enterprise occurred through the internet at a location within the territorial boundaries of Morrow County, Ohio. On October 16, 2012, **NICHOLIS COREY GARNER** presented fraudulent identifying documents to collect a Western Union money transfer in the amount of \$2,075.00 sent by that victim.
- 5) Members of the Enterprise communicated through SMS text messages. Enterprise members such as **NICHOLIS COREY GARNER** received SMS text messages from other members of the Enterprise containing instructions on where to pick up a specific money transfer, the identification to use to pick up the money transfer, and the amount the transfer would be.
- 6) **NICHOLIS COREY GARNER** received instructions from no less than 2 individual telephone numbers giving him instructions relating to money transfers he was to pick up. One such message dated February 7, 2012 instructs **NICHOLIS COREY GARNER** to pick up a money transfer from Neil Dickey of Indianapolis, Indiana. That money transfer was received by **NICHOLIS COREY GARNER** in Hamilton County, Ohio on February 8, 2012.

**B. PERSONS ASSOCIATED WITH THE ENTERPRISE**

**i. NICHOLIS COREY GARNER**

- 1) Defendant **NICHOLIS COREY GARNER** was an Enterprise member who was responsible for receiving money transfers from victims. **NICHOLIS COREY GARNER** used fraudulent documents to conceal his actual identity and to conceal the Enterprise members from scrutiny.

**ii. JOHN DOE I**

- 2) Defendant **JOHN DOE I** used telephone number 213.545.6957 to provide instructions to **NICHOLIS COREY GARNER** relating to money transfers to be picked up, senders' names, and the fraudulent name that the victim had been instructed to send the money to.

iii. **JOHN DOE II**

- 3) Defendant **JOHN DOE II** used telephone number 404.454.3881 to provide instructions to **NICHOLIS COREY GARNER** relating to money transfers to be picked up, senders' names, and the fraudulent name that the victim had been instructed to send the money to.

**COUNT ONE**  
***ENGAGING IN A PATTERN OF CORRUPT ACTIVITIES***  
***R.C. 2923.32***

**Defendants:** **NICHOLIS COREY GARNER**

**Offense Date:** **From on or about October 1, 2011 – February 9, 2012**

**Offense Level:** **First Degree Felony**

**Predicate Offenses:** -- **Grand Theft in excess of \$7,500.00 – R.C. 2913.02(A)(3); a felony of the fourth degree;**  
-- **Telecommunications Fraud in excess of \$7,500.00 – R.C. 2913.05(A); a felony of the third degree;**  
-- **Prohibited Acts, Money Laundering – R.C. 1315.55(A)(1); a felony of the third degree**

THE JURORS OF THE GRAND JURY of Morrow County, State of Ohio, on their oaths, in the name and by the authority of the State of Ohio, do find and present that:

- 1) From on or about October 1, 2011, the exact date being unknown and continuing thereafter up to and including February 9, 2012, in Morrow County, Ohio and elsewhere in a manner invoking the jurisdiction and venue of Morrow County, Ohio, in accordance with Revised Code Sections 2901.11 and 2901.12, **NICHOLIS COREY GARNER, JOHN DOE I, AND JOHN DOE II**, being associated with an enterprise, violated Section 2923.32(A)(1) and (A)(3) of the Ohio Revised Code in that they did, knowingly, conduct and participate directly and indirectly in conduct of such enterprise's affairs in a pattern of corrupt activity, as defined in Ohio Revised Code Section 2923.31(A), a felony of the first degree.
- 2) The enterprise, as defined in Ohio Revised Code Section 2923.31, consisted of persons known and unknown to the grand jury, including no less than 3 individuals, namely **NICHOLIS COREY GARNER, JOHN DOE I, AND JOHN DOE II**.

- 3) The enterprise engaged in illicit enterprises in Morrow County, Ohio and elsewhere, associated in fact with a common purpose to obtain control over property of another with purpose to deprive the owner thereof by deception; to devise a scheme to defraud and knowingly disseminate or transmit by means of telecommunication any writing, data, or image with purpose to execute the scheme to defraud; and to conduct transactions knowing that property involved was the proceeds of unlawful activity for the purpose of committing and furthering corrupt activity; to act as a telephone solicitor and misrepresent a material aspect of the nature or characteristics of services that are the subject of a telephone solicitation, and did commit these acts in violation of Ohio Revised Code Sections 2913.02, 2913.05, and 1315.55, all being felony offenses in the State of Ohio.
- 4) **NICHOLIS COREY GARNER, JOHN DOE I, JOHN DOE II**, and other as-yet unnamed individuals, conducted and participated directly and indirectly in the conduct of such enterprise's affairs through a pattern of corrupt activity consisting of grand theft of \$7,500.00 or more, telecommunications fraud, and money laundering, and/or complicit in act constituting those offenses thereof which are punishable under the laws of the State of Ohio through Ohio Revised Code Sections 2913.02, 2913.05, and 1315.55, all being felony offenses.
- 5) The pattern of corrupt activity referred to in Paragraphs 1-4 above committed by said offenders includes, but is not limited to, two or more incidents of the following corrupt activities, whether or not there has been a prior conviction, that are related to the affairs of the same enterprise, are not isolated and are not so closely related to each other and connected in time and place that they constitute a single event by engaging in, attempting to engage in, conspiring to engage in, soliciting, coercing, or intimidating another to engage in any of the following:
  - A. **NICHOLIS COREY GARNER, JOHN DOE I, AND JOHN DOE II**, did knowingly, from on or about October 1, 2011, through February 9, 2012, in Morrow County, Ohio, and elsewhere, through a continuing course of conduct involving two or more occasions, not isolated and not so closely related to each other and connected in time and place that they constitute a single event, obtain control over property, namely \$7,500.00 or more in currency, of another with purpose to deprive the owners thereof by deception, in violation of Ohio Revised Code Section 2913.02(A)(3), being a felony of the fourth degree.
  - B. **NICHOLIS COREY GARNER, JOHN DOE I, AND JOHN DOE II**, did knowingly, from on or about October 1, 2011, through February 9, 2012, in Morrow County, Ohio, and elsewhere, through a continuing course of conduct involving two or more occasions, not isolated and not so closely related to each other and connected in time and place that they constitute a single event, having devised a scheme to defraud, knowingly disseminated or transmitted by means of

telecommunication any writing, data, or image with purpose to execute the scheme to defraud, in violation of Ohio Revised Code Section 2913.05(A), being a felony of the third degree.

- C. NICHOLIS COREY GARNER, JOHN DOE I, AND JOHN DOE II, did knowingly, from on or about October 1, 2011, through February 9, 2012, did knowingly on two or more occasions, not isolated and not so closely related to each other and connected in time and place that they constitute a single event, conduct transactions knowing that property was the proceeds of unlawful activity for the purpose of committing and furthering corrupt activity, each in violation of Ohio Revised Code Section 1315.55(A)(1), each being a felony of the third degree.

In violation of Ohio Revised Code Section 2923.32(A)(1), all against the Peace and Dignity of the State of Ohio.

**COUNT TWO**  
***GRAND THEFT OF \$7,500.00 OR MORE***  
***R.C. 2913.02***

**Defendants:** NICHOLIS COREY GARNER

**Offense Date:** From on or about October 1, 2011 – February 9, 2012

**Offense Level:** Fourth Degree Felony

**THE JURORS OF THE GRAND JURY of Morrow County, State of Ohio, on their oaths, in the name and by the authority of the State of Ohio, do find and present that:**

- 1) From on or about October 1, 2011, through February 9, 2012, in Morrow County, Ohio, and elsewhere, through a continuing course of conduct involving two or more occasions, not isolated and not so closely related to each other and connected in time and place that they constitute a single event, **NICHOLIS COREY GARNER** and other members of the a Criminal Enterprise of which **NICHOLIS COREY GARNER** was a member, did knowingly obtain control over property, namely \$7,500.00 or more in currency, of another with purpose to deprive the owners thereof by deception, in violation of Ohio Revised Code Section 2913.02(A)(3), being a felony of the fourth degree.

In violation of Ohio Revised Code Section 2913.02, against the Peace and Dignity of the State of Ohio.

**COUNT THREE**  
***TELECOMMUNICATIONS FRAUD***  
***R.C. 2913.05***

**Defendants:**           **NICHOLIS COREY GARNER**

**Offense Date:**       **From on or about October 1, 2011, through February 9, 2012**

**Offense Level:**      **Third Degree Felony**

THE JURORS OF THE GRAND JURY of Morrow County, State of Ohio, on their oaths, in the name and by the authority of the State of Ohio, do find and present that:

- 1) From on or about October 1, 2011, through February 9, 2012, in Morrow County, Ohio, and elsewhere, through a continuing course of conduct involving two or more occasions, not isolated and not so closely related to each other and connected in time and place that they constitute a single event, **NICHOLIS COREY GARNER** and other members of the a Criminal Enterprise of which **NICHOLIS COREY GARNER** was a member, having devised a scheme to defraud, knowingly disseminated or transmitted by means of telecommunication any writing, data, or image with purpose to execute the scheme to defraud, in violation of Ohio Revised Code Section 2913.05(A), being a felony of the third degree.

In violation of Ohio Revised Code Section 2913.05, against the Peace and Dignity of the State of Ohio.

**COUNT FOUR**  
***Prohibited Acts – Money Laundering***  
***R.C. 1315.55(A)(2)***

**Defendants:**           **NICHOLIS COREY GARNER**

**Offense Date:**       **From on or about October 1, 2011 through February 9, 2012**

**Offense Level:**      **Third Degree Felony**

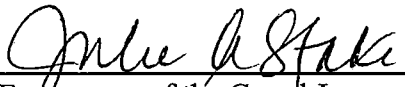
THE JURORS OF THE GRAND JURY of Morrow County, State of Ohio, on their oaths, in the name and by the authority of the State of Ohio, do find and present that

- 1) From on or about October 1, 2011, through February 9, 2012, in Morrow County, Ohio, and elsewhere, through a continuing course of conduct involving two or more occasions, not isolated and not so closely related to each other and connected in time and place that they constitute a single event, **NICHOLIS COREY GARNER** and other members of a Criminal Enterprise of which **NICHOLIS COREY GARNER** was a member did conduct

transactions knowing that the property involved in the transactions was the proceeds of some form of unlawful activity with the intent to conceal or disguise the nature, location, source, ownership, or control of the property, in violation of Ohio Revised Code Section 1315.55(A)(1), each being a felony of the third degree.

In violation of Ohio Revised Code Section 1315.55, against the Peace and Dignity of the State of Ohio.

This Bill of Indictment found upon testimony sworn and sent before the Grand Jury at the Request of the Prosecuting Attorney.

  
Foreperson of the Grand Jury

**CHARLES S. HOWLAND**  
Morrow County Prosecuting Attorney



**Jonathan D. Blanton (0070035)**  
**Kate E. Christobek (0088746)**  
Special Assistant Prosecuting Attorneys  
Office of the Ohio Attorney General  
30 E. Broad Street, 14<sup>th</sup> Floor  
Telephone – 614-466-7828  
Facsimile – 866-771-4241  
**[Jonathan.Blanton@ohioattorneygeneral.gov](mailto:Jonathan.Blanton@ohioattorneygeneral.gov)**



THE STATE OF OHIO, MORROW COUNTY

I, the undersigned, Clerk of the Court of Common Pleas in and for said County, do hereby certify that the foregoing is a full, true and correct copy of the original Indictment, with the endorsements thereon, now on file in my office.

WITNESS my hand and the seal of said Court at Mt. Gilead, Ohio, this \_\_\_\_ day of \_\_\_\_\_, 2012.

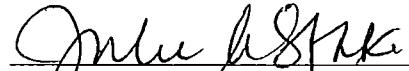
Vanessa K. Mills, Clerk

by \_\_\_\_\_, Deputy

No. \_\_\_\_\_  
May 2012 Term  
**COMMON PLEAS COURT**  
Morrow County, Ohio

**THE STATE OF OHIO**  
vs.

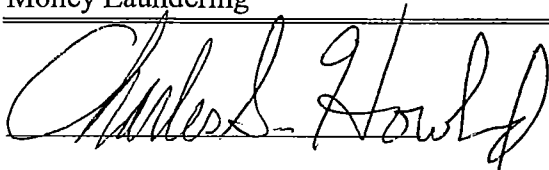
This Bill of Indictment found upon testimony sworn and sent before the Grand Jury at the request of the --- Prosecuting Attorney.

  
Foreperson Grand Jury

Filed \_\_\_\_\_, 2012

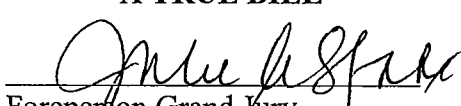
Indictment for:  
Engaging in a Pattern of Corrupt Activity  
Grand Theft  
Telecommunications Fraud  
Money Laundering

By Clerk Deputy Clerk

  
Morrow County Prosecutor

On this \_\_\_\_ day of \_\_\_\_\_, 2012, the within named

Defendant, arraigned and pleads \_\_\_\_ guilty to this Indictment

**A TRUE BILL**  
  
Foreperson Grand Jury

By \_\_\_\_\_  
Deputy