

INTRODUCTION

We, the members of the Forty-Second Statewide Investigating Grand Jury, having received and reviewed evidence pertaining to violations of the Pennsylvania Crimes Code occurring in and around numerous counties in Pennsylvania including, but not limited to, Berks, Bucks, Carbon, Centre, Columbia, Cumberland, Dauphin, Lancaster, Lebanon, Lehigh, Luzerne, Lycoming, Monroe, Montgomery, Montour, Mifflin, Northampton, Northumberland, Schuylkill, Snyder, Union, and York Counties pursuant to Notice of Submission of Investigation Number 10, do hereby make the following findings of fact and recommendation of charges.

FINDINGS OF FACT

The Grand Jury conducted an investigation into allegations that multiple individuals were using cloned or fraudulent credit cards to purchase Visa gift cards in supermarkets owned by Ahold USA, Inc (“Ahold”), a company headquartered in Massachusetts, with a regional office located in Carlisle, Cumberland County. Ahold is the company that owns GIANT Food, Martin Food Stores, and Stop & Shop. The Grand Jury heard testimony from David Fones (“Fones”), an investigative specialist for all GIANT and Martin Food Stores in Pennsylvania, West Virginia, and portions of Maryland and Virginia. Fones testified that from December 2016 through February 2017, there were numerous instances of suspicious activity occurring at GIANT stores located throughout Pennsylvania.

Mr. Fones stated that he was able to identify two individuals who were involved in the suspicious transactions: Jessica Walter (“Walter”) and Tammy Gibson (“Gibson”). While Walter and Gibson did not work together and apparently did not know each other, each was involved with other individuals who appeared on surveillance footage. Investigation revealed that Walter operated with a group headed by Rahsean Jackson; Gibson was part of a squad led by Jaleel Kelly.

Again, although both groups carried out the scheme in the same fashion in the same stores, they apparently worked independently and the precise connection, if any, is not yet fully ascertained.

Mr. Fones further testified that, using store records, he was able to determine that all of the fraudulent credit cards used to purchase the gift cards were Capital One credit cards associated with actual Capital One customers whose identities had been stolen. Through Fones' testimony, the Grand Jury learned that the credit cards had been fraudulently embossed with the names of the perpetrators, but the magnetic strips on the back of the cards contained information belonging to actual Capital One customers with valid accounts. While chips on the front of the card are difficult to duplicate, the magnetic strips are not. Thus, all of the transactions were conducted by swiping the credit cards through the readers using the magnetic strip, or, in some instances, manipulating the card in order to bypass the chip. The process would prompt a requirement that the magnetic strip must be swiped in order to complete the transaction. This type of circumvention would not be automatically flagged by the credit card company.

While the Grand Jury endeavored to track down the people who were responsible for creating the fictitious Capital One credit cards used by the two groups, their identities have not been ascertained to date.

Rahsean Jackson Organization

According to testimony from both Walter and Special Agent Michael Carlson ("SA Carlson"), Walter met Rahsean Jackson ("Jackson") online sometime in the fall of 2016. Walter testified that when they began corresponding there was an understanding that the two would engage in criminal conduct together. She further testified that part of her motivation in establishing a relationship with Jackson was to protect her from other individuals with whom she had engaged in similar criminal activity. Walter informed the Grand Jury that Jackson would drive her to various locations to use the fraudulent credit cards.

The Grand Jurors learned that all of the transactions relating to Walter were tracked through GIANT's internal credit card and gift card payment systems, video surveillance footage, Capital One documentation, and/or information from Blackhawk and Metabank (the Visa gift card processors). The Grand Jury viewed surveillance footage from various dates, depicting Walter in GIANT stores conducting transactions. The Grand Jury also observed footage depicting Jackson, who was further identified in the surveillance footage by Walter, inside of the stores on some of the occasions. The Grand Jury reviewed documentation from GIANT which revealed that the initial transactions consisted solely of the purchases of GIANT gift cards. Shortly after those transactions began, Jackson and Walter began to use the fraudulent credit cards to purchase Visa gift cards. Walter, who reviewed the footage and identified herself in the surveillance videos, testified that she would buy "Vanilla" Visa gift cards, in the amount of \$200.00 or \$500.00, using the fraudulent Capital One cards. She stated that the fraudulent cards would have her name on them and that she was able to use her valid Pennsylvania ID if asked to provide identification. The Grand Jury learned from SA Carlson that the Visa gift cards had a transaction fee of \$5.95; accordingly, a purchase of a \$500.00 gift card would normally appear as a credit card transaction of \$505.95. Walter testified that she would keep some of the cards, and that the remaining cards would be converted to money orders either by her or other individuals. Fones testified that, after contacting Capital One, it was determined that the same cards being used at GIANT stores by Walter were also being used at Weis Markets ("Weis"). The Grand Jury observed charts provided by Capital One, documenting the fraudulent transactions occurring at GIANT and Weis Markets. Although no surveillance footage was presented from Weis, Walter testified that she used the cards at both supermarket chains. Further, the charts provided by Capital One showed that in many instances, the same fraudulent cards were used at both Weis and GIANT supermarket stores.

Sabrina Creel (“Creel”) testified that she lived in Berwick, Columbia County, with her boyfriend, Walter and another female from approximately November 2016 through March 2017. Prior to moving in with Walter, Creel had been homeless. Creel testified that Walter approached her and told Creel that she could get a credit card for her. Creel provided her full name to Walter. Approximately two weeks later, Jackson¹ picked up Creel and Walter and brought them to several different GIANT locations in the Lehigh Valley area. Creel testified that Jackson provided Walter with two credit cards bearing Creel’s name. Walter then provided the cards to Creel. Walter instructed her to purchase several \$500.00 gift cards at GIANT. Creel testified that after she made the purchases she had to give the gift cards to Jackson, and that he remained in the vehicle while she and Walter went into the GIANT stores. She testified that she kept one of the Visa gift cards at Walter’s direction and that she later provided the card to her boyfriend. Creel was shown GIANT surveillance footage from December 18, 2016. She identified both herself and Walter in the footage.

SA Carlson testified regarding extensive text message exchanges between Jackson and Walter. The Grand Jury learned through Walter that Jackson had two telephone numbers: 347-749-0426 and 914-572-5859. SA Carlson testified that Jackson was from New York, and that both area codes for the numbers associated with Jackson were New York exchanges. Walter further testified that she often referred to Jackson as “Kev,” and that his contact numbers were saved under that name in her cellular telephone.

Testimony, telephone records and extensive documentation from GIANT, Weis, Capital One, Blackhawk and Metabank provided the following timeline:

¹ Creel identified a photo of Jackson but did not know his name. Walter testified, however, that Jackson drove Creel and Walter to the various GIANT locations on December 18, 2016.

- December 8, 2016

- Walter purchased \$1,000.00 worth of GIANT store gift cards at GIANT in Bloomsburg, Columbia County, using Capital One card 2696

- December 9, 2016

- Walter purchased \$200.00 worth of GIANT store gift cards at GIANT in Lewisburg, Union County, using Capital One card 0146
- Walter made a \$1,000.00 purchase of GIANT store gift cards at GIANT in Bloomsburg, Columbia County using card 0146
- Walter made two separate purchases totaling \$1,500.00 at GIANT in Danville, Montour County, using Capital One cards 0146 and 1978
- Walter and Jackson were captured on surveillance footage at GIANT in Berwick, Columbia County. The footage depicted Jackson attempting to use a Capital One card at the customer service desk. However, the transactions were declined.

- December 10, 2016

The Grand Jury reviewed telephone records containing text messages between Jackson and Walter. On this date, there was a discussion regarding getting someone to purchase “those things we got.” Walter advised that she asked someone at the store who informed her that they could be used to purchase gas and cigarettes as well. The two then engaged in a discussion about the price of cigarettes in Pennsylvania and selling them in New York City. The Grand Jury learned that “those things we got” were a reference to GIANT store gift cards.

- December 12, 2016

- Jackson is seen on surveillance at GIANT in Yardley, Bucks County, purchasing \$1,600.00 worth of cigarettes using GIANT gift cards

The Grand Jury reviewed transaction histories showing that the cigarettes purchased by Jackson were purchased with the same GIANT gift cards that Walter purchased on December 8 and 9, 2016.

- December 13, 2016

- Walter made two separate purchases totaling \$1,133.96 at GIANT in Danville, Montour County, using Capital One card 0108
- Walter made a \$1,011.90 purchase at Weis in Danville, Montour County using card 0108²

- December 15, 2016

- Walter used Capital One card 6602 to conduct four transactions of \$505.95, totaling \$2,023.80 at Weis in Sunbury, Northumberland County
- Walter used Capital One card 6602 at Weis (store #113) in Selinsgrove, Snyder County to conduct four transactions of \$505.95, totaling \$2,023.80
- Walter used Capital One card 6602 at Weis (store #226) in Selinsgrove, Snyder County to conduct four transactions of \$505.95, totaling \$2,023.80
- Walter used Capital One card 3708 to purchase two Visa Gift cards for \$505.95, totaling \$1,011.90, at GIANT in Bloomsburg, Columbia County
- Walter used a fraudulent Capital One card (number unknown) to purchase two Visa Gift cards for \$505.95, totaling \$1,011.90, at Weis in Bloomsburg, Columbia County
- Walter used Capital One card 6602 to make four separate transactions in the amount of \$505.95, totaling \$2,023.80, at GIANT in Danville, Montour County
- Walter used Capital One card 0232 to make four separate transactions in the amount of \$505.95, totaling \$2,023.80, at GIANT in Burnham, Mifflin County. Card 6624 was also used to make a purchase of \$204.19
- Walter used Capital One cards 6624 and 6448 to make two purchases in the amount of \$505.95, totaling \$1,011.90, at the GIANT in Lewistown, Mifflin County

- December 17, 2016

The Grand Jury reviewed text messages between Jackson and Walter wherein they discussed bringing Creel with them. On this date, Jackson texted Walter and asked if she (Creel)

² Walter also made several purchases at GIANT in Selinsgrove, Snyder County on December 9, 13, and 15, 2016 using fraudulent Capital One cards. She was charged in a separate case by the PSP.

would be ready to go tomorrow. Walter responded, confirming that Creel would go. Jackson later asked if Walter had shown her “the ropes n how to do it.” Walter responded that she would have Creel go in with her first so that she could see how it was done. Jackson remarked that he was going to have Walter go with his “other driver” since she knows how to do “it” and that Creel could go with Jackson. Walter responded that they should stay together the first time.

- December 18, 2016

- Walter used Capital One card 3705 to make six separate purchases of \$205.95 at GIANT in Danville, Montour County, totaling \$1,235.70
- Walter used Capital One card 3795 to make two purchases totaling \$1,020.06 at GIANT in Lehigh, Carbon County. Creel appeared on surveillance footage inside the store with Walter.
- Walter used Capital One card 3795 to make three separate transactions of \$505.95, totaling \$1,517.85 at GIANT in Coplay, Lehigh County. Creel used Capital One card 3508 to make two transactions of \$505.95, totaling \$1,011.90.
- Walter used Capital One card 3795 to make four separate transactions of \$505.95 at Weis in Schnecksville, Lehigh County, totaling \$2,023.80
- Walter used Capital One card 7558 to make one purchase of \$205.95 at GIANT in Allentown, Lehigh County
- Walter used Capital One card 2827 to make two purchases of \$505.95, totaling \$1,011.90, at Weis in Allentown, Lehigh County

- December 19, 2016

The Grand Jury reviewed text messages between Walter and Jackson on this date wherein Walter stated that she could “instant deposit” \$500.00 gift cards into her bank account and obtain \$477.00 instantly.

- December 20, 2016

- Walter used Capital One card 5120 to make two purchases of \$205.95, totaling \$411.90, at Weis in Sunbury, Northumberland County

- Walter used Capital One card 5120 to make three purchases of \$505.95, totaling \$1,517.85, at Weis (store #113) in Selinsgrove, Snyder County
- Walter used Capital One card 5120 to make three purchases of \$505.95, totaling \$1,517.85, at Weis (store #226) in Selinsgrove, Snyder County
- Walter used Capital One card 5120 to make two purchases of \$505.95, totaling \$1,011.90, at GIANT in Lewisburg, Union County
- Walter used Capital One card 5120 to make two purchases of \$505.95, totaling \$1,011.90, at Weis in Lewisburg, Union County
- Walter used Capital One card 5120 to make two purchases of \$205.95, totaling \$411.90, at Weis in Milton, Northumberland County
- Walter used Capital One card 7573 to make three purchases of \$505.95, totaling \$1,517.85, at Weis in Montgomery, Lycoming County
- Walter used Capital One card 7573 to make three purchases of \$505.95, totaling \$1,517.85, at GIANT in Williamsport, Lycoming County
- Walter used Capital One card 7573 to make three purchases of \$505.95, totaling \$1,517.85, at Weis (store #009) in Williamsport, Lycoming County
- Walter used Capital One card 7573 to make three purchases of \$505.95, totaling \$1,517.85, at Weis (store #52) in Williamsport, Lycoming County
- Walter used Capital One card 7573 to make two purchases of \$505.95, totaling \$1,011.90, at Weis in Jersey Shore, Lycoming County
- Walter used Capital One card 7573 to make two purchases totaling \$1,240.04 at Weis in Lock Haven, Clinton County
- Walter used Capital One card 7573 to make two purchases totaling \$1,243.49 at Weis in Mill Hall, Clinton County
- January 6, 2017
 - Walter used Capital One card 0698 to make two transactions totaling \$1,023.43 at Weis in Hazleton, Luzerne County
 - Walter used Capital One card 0698 to make four transactions totaling \$2,040.71 at GIANT in Hazleton, Luzerne County. Jackson was captured on surveillance video inside of the store and used cards 3086 and 6680 to make purchases in the amount of \$627.37

- Walter used Capital One card 0698 to make four purchases totaling \$2,062.97 at Weis in Pottsville, Schuylkill County
 - Walter used Capital One card 0698 to make four purchases totaling \$4,089.03 at GIANT in Pottsville, Schuylkill County
 - Walter used Capital One cards 6680 and 3936 to make two purchases totaling \$1,534.23 at GIANT in Kutztown, Berks County
 - Walter used Capital One card 6680 to make one transaction of \$211.17 at Weis in Hamburg, Berks County
 - Walter used Capital One card 7012 to make three purchases totaling \$2,028 at GIANT in Trexlertown, Lehigh County. Jackson was captured on surveillance video at this location.
- January 10, 2017
 - Walter used Capital One cards 0071 and 7042 to conduct four transactions totaling \$2,446.14 at Weis in Easton, Northampton County
 - Walter used Capital One card 0071 to make three purchases of \$505.95, totaling \$1,517.85, at GIANT in Wind Gap, Northampton County
 - Walter used Capital One cards 1366 and 3448 to conduct two transactions of \$505.95, totaling \$1,011.90 at GIANT in Bartonsville, Monroe County

- January 13, 2017

Walter attempted to make three transactions at GIANT in Nazareth, Northampton County on this date. All of the transactions were declined. Surveillance footage depicted Walter exiting from a vehicle bearing Massachusetts license plate number 4VM-713. SA Carlson obtained a subpoena for Hertz, which listed a known associate of Jackson as the individual who rented the vehicle. The Grand Jury's review of Jackson's bank records showed numerous Square Cash

transactions³ in which Jackson sent money to the associate. Beginning in September 2016, there were 18 transfers from Jackson to the associate, for a total of \$2,605.00.

- January 18, 2017⁴
- February 11, 2017
 - Walter used Capital One cards 1332 and 3827 to make two purchases totaling \$420.06 at GIANT in Easton, Northampton County

The Grand Jury learned that from December 8, 2016 through February 11, 2017, Walter made unauthorized purchases in the amount of **\$31,899.91** at GIANT and **\$29,794.99** at Weis, for a total of **\$61,694.90**. This amount includes the two GIANT transactions conducted by Creel, totaling \$1,011.90 and the three GIANT transactions for Jackson, totaling \$627.37.

The Grand Jury reviewed documentation from Capital One, listing the owners of the credit card information used by Walter and Jackson. Throughout the time period in question, the Grand Jury learned that Walter and Jackson used at least 28 different Capital One cards, all bearing the card information of Capital One customers, in order to carry out their scheme. The card owners were from Pennsylvania, Connecticut, Ohio, Oklahoma, Illinois, North Carolina, New Jersey, Virginia, Maryland, Colorado, Kansas, Washington DC, Texas, Iowa, Massachusetts, and California. SA Carlson testified that in every instance, the accounts had been flagged as fraudulent based upon the suspicious activity by either Capital One or by a report from the card owner. SA Carlson testified that he spoke with R.C., of Philadelphia, regarding card 3795, used by Walter on December 18, 2016. R.C.'s card was used by Walter to make \$4,567.71 in purchases. R.C., who is 74 years of age, informed SA Carlson that he/she had not shared his/her Capital One credit card

³ SA Carlson testified that Square Cash is an application that allows a direct transfer from one bank account to another, similar to PayPal or Venmo.

⁴ Numerous fraudulent transactions occurred in Bucks County on this date. Walter was arrested and charged by Falls Township Police Department in connection with these incidents.

information with anyone and that he/she had not given anyone permission to use his/her Capital One credit card. SA Carlson further testified that he had contacted other individuals who made statements similar to R.C.

The Grand Jury heard testimony from Chief Audie Mertz (“Chief Mertz”) of the Mahoning Township Police Department in Carbon County. Chief Mertz testified that on March 2, 2017, he arrested Jackson and Walter for attempting to purchase multiple iPhones using fraudulent Capital One credit cards. The Grand Jury learned that Chief Mertz arrived to find Walter inside the store while Jackson was waiting in the passenger side of a vehicle in the parking lot. At the time of his arrest, Jackson was in possession of a wallet containing five fraudulent Capital One credit cards embossed with Walter’s name. The wallet also contained three Visa gift cards. In the passenger side door of the vehicle, Chief Mertz discovered an empty cigarette pack containing two additional Capital One cards bearing Walter’s name. In the rear of the vehicle, there was a jacket belonging to Jackson. The jacket contained two money orders for \$498.00, along with receipts indicating the money orders had been purchased at Walmart in Lehighton, Carbon County, just prior to the arrest. Finally, the Grand Jury heard that a Hallmark bag with three Visa gift cards and documents belonging to Jackson were also found near the front passenger seat.⁵

The Grand Jury reviewed documentation from Blackhawk and Metabank in order to determine the origination of the Visa gift cards. Regarding the Visa gift cards found on Jackson’s side of the vehicle, the Grand Jury learned that Visa gift cards 7156, 8868, and 5588 were purchased by Walter using fraudulent Capital One credit cards on December 15, 2016 at GIANT in Danville, GIANT in Selinsgrove, and Weis in Bloomsburg, respectively.

⁵ Both Walter and Jackson were charged in connection with this incident. They pled guilty to reduced charges and have been sentenced.

In reference to the three Visa gift cards found in Jackson's wallet, the Grand Jury once again reviewed GIANT transaction documents in conjunction with the Metabank and Blackhawk documents. Based upon this review, the Grand Jury learned that card 4773 was purchased on December 29, 2016 at GIANT in Halifax, Dauphin County, using fraudulent Capital One card 6974. While there is no video surveillance for this particular transaction at the Halifax GIANT, the same Capital One card used to make the purchase was also used by Walter for nearly \$18,000.00 in purchases at GIANT and Weis in the surrounding areas on the same day. The Grand Jury also learned that Visa gift cards 3308 and 6689 were purchased at Weis in Bloomsburg on December 15, 2016 using fraudulent Capital One credit card ending in 3708. While this transaction occurred at Weis and thus has no corresponding video evidence, the same credit card, 3708, was then used at GIANT in Bloomsburg on December 15, 2016. There was video surveillance that captured Walter conducting the transaction. Next, the Grand Jury's review of surveillance footage from Walmart in Lehighton, Carbon County, as well as the Blackhawk and Metabank documents, showed Jackson purchasing the two \$498.00 Moneygram money orders ending in 956 and 957, using Visa gift cards 3308 and 6689 to make the purchases.

Finally, the Grand Jury reviewed Jackson's bank records, which showed numerous deposits in the amount of \$498.00 into his personal bank account in April 2017.

Jaleel Kelly Organization

Fones testified that in December 2016 he became aware that Gibson had been purchasing a large amount of Visa gift cards at GIANT stores in Mechanicsburg, Cumberland County and Harrisburg, Dauphin County. Fones testified that he began monitoring suspicious credit card activity and discovered that the video surveillance footage depicted Gibson conducting the transactions. Fones also testified that two individuals would frequently appear in the stores with Gibson. SA Carlson and PSP Trooper Thomas Luscan ("Trooper Luscan") informed the Grand

Jury that after an extensive review of rental car records, law enforcement databases, telephone records, bank records, and surveillance video, the men were identified as Jaleel Kelly (a/k/a Jaleel Geddes-Kelly) ("Kelly") and Joselito Joseph ("Joseph").

Gibson testified that she was introduced to Kelly by Houdini Saunders ("Saunders"). Saunders knew that Gibson was a "swiper," and introduced Gibson so that she could assist Kelly and Joseph.⁶ In Saunder's testimony, he also used the term "swiper" to refer to individuals involved in credit card scams. Gibson stated that she did not know their names, and that she only had Kelly's number programmed in her phone as "Boy." Gibson testified that Kelly would call or text her. Kelly and Joseph would then pick her up at her home in Wilkes-Barre, provide her with fake Capital One credit cards bearing her actual name, and instruct her to use them in the different GIANT locations to purchase Visa gift cards. The Grand Jury reviewed telephone records of both Gibson and Kelly showing that Kelly and Gibson were in contact on 441 occasions between December 2016 and February 2017. The records also revealed that the days when there was telephone contact between Kelly and Gibson were the same days - - or close to the same days - - when the fraudulent transactions were being conducted. For time periods where there was an absence of fraudulent activity, there was little to no contact between the two.

Gibson testified that Joseph would drive the vehicle, Kelly would sit in the passenger seat, and she would sit in the back. She further stated that they would make small talk on occasion, but that she did not really know the two men and did not have a friendship with either one of them. Gibson testified that the vehicles they rode in were rental cars. The Grand Jury reviewed documents from Enterprise, which listed two of the vehicles spotted on GIANT surveillance

⁶ Both Gibson and Saunders testified that Saunders and Kelly are cousins.

footage as rental vehicles bearing Joseph's name and identifying information.⁷ According to Gibson, they only used the cards at GIANT because Kelly and Joseph informed her that the cards only worked at GIANT stores. She testified that they did not tell her how or from where they obtained the cards, but that she once heard one of the men discussing the card numbers or information with someone over the phone. Gibson testified that she was instructed to swipe a credit card to purchase a \$500.00 gift card. If the card worked, she was to attempt to purchase another \$500.00 gift card. When Gibson got back into the car after obtaining the gift cards, she would give the cards directly to Kelly or Joseph. At the end of the day, they would compensate her by giving her a percentage of what she had obtained. She testified that the most amount of money that she received was \$1,200.00. The least amount of money that she received was between \$500.00 and \$800.00.

Gibson identified herself in surveillance images, as well as Kelly and Joseph. She testified that every time she went into the store, Kelly or Joseph would enter as well. The Grand Jury viewed several surveillance videos that depicted Kelly or Joseph following Gibson into the stores. The Grand Jury observed that they appeared to be supervising Gibson. They would not walk in or out of the store together and would have no contact or conversation inside the store.

Unlike the Rahsean Jackson organization, the Grand Jury learned that Gibson was only brought to GIANT stores, not Weis. The Grand Jurors learned that all of the transactions relating to Gibson were tracked via GIANT's internal credit card and gift card payment systems, video surveillance footage, Capital One documentation, and/or information from Blackhawk and Metabank. The Grand Jury viewed surveillance footage from various dates, depicting Gibson in

⁷ The vehicles were observed on January 22, 2017 in Bloomsburg, Columbia County and on February 13, 2017 in Bartonsville, Monroe County.

GIANT stores and conducting transactions. Of the transactions viewed by the Grand Jury, Gibson's purchases were limited to Visa gift cards in all but one transaction.⁸

Based on the extensive evidence from GIANT and Capital One, the Grand Jury learned that Kelly and Joseph directed and supervised Gibson relative to the following transactions:

⁸ On February 3, 2017 Gibson purchased a small electronic tablet in addition to three \$500 Visa gift cards at GIANT in Royersford, Montgomery County.

Date	Store Location	Time	County	Last 4	\$ Amount
Dec.21	Harrisburg	16:42	Dauphin	8290	\$505.95
Dec.21	Harrisburg	16:42	Dauphin	8290	\$505.95
Dec.21	Mechanicsburg	18:03	Cumberland	5549	\$505.95
Dec.21	Mechanicsburg	18:05	Cumberland	5549	\$505.95
Dec.21	Dillsburg	18:29	York	2315	\$505.95
Dec.21	Dillsburg	18:30	York	2315	\$505.95
Dec.21	Harrisburg	19:24	Dauphin	9641	\$505.95
Dec.22	Pottsville	19:08	Schuylkill	6683	\$505.95
Dec.22	Pottsville	19:09	Schuylkill	6683	\$505.95
Dec.22	Cleona	20:37	Lebanon	6683	\$505.95
Dec.22	Cleona	20:38	Lebanon	6683	\$505.95
Dec.22	Lebanon	21:04	Lebanon	6683	\$505.95
Dec.22	Lebanon	21:05	Lebanon	6683	\$505.95
Dec.22	Lititz	21:47	Lancaster	6683	\$505.95
Dec.22	Lititz	21:50	Lancaster	6683	\$505.95
Dec.22	Lititz	21:51	Lancaster	6683	\$505.95
Dec.22	Lancaster	22:35	Lancaster	6683	\$505.95
Dec.22	Lancaster	22:36	Lancaster	6683	\$505.95
Dec.22	Lancaster	22:54	Lancaster	6683	\$505.95
Dec.22	Lancaster	22:55	Lancaster	6683	\$505.95
Dec.22	Lancaster	23:13	Lancaster	6683	\$505.95
Dec.22	Lancaster	23:15	Lancaster	6683	\$505.95
Dec.30	Pottsville	15:12	Schuylkill	3098	\$505.95
Dec.30	Pottsville	15:13	Schuylkill	3098	\$505.95
Dec.30	Pottsville	15:14	Schuylkill	3098	\$505.95
Dec.30	Elizabethtown	19:05	Lancaster	146	\$505.95
Dec.30	Elizabethtown	19:06	Lancaster	146	\$505.95
Dec.30	Elizabethtown	19:07	Lancaster	146	\$505.95
Dec.30	Elizabethtown	19:09	Lancaster	146	\$505.95
Dec.30	Mt.Joy	19:37	Lancaster	146	\$512.94
Dec.30	Mt.Joy	19:38	Lancaster	146	\$505.95
Dec.30	Mt.Joy	19:40	Lancaster	146	\$505.95
Dec.30	Mt.Joy	19:43	Lancaster	146	\$505.95

Date	Store Location	Time	County	Last 4	\$ Amount
Jan.11	Leighton	15:42	Carbon	5697	\$505.95
Jan.11	Leighton	15:43	Carbon	5697	\$505.95
Jan.11	Leighton	15:45	Carbon	5697	\$505.95
Jan.22	Bloomsburg	14:04	Columbia	3414	\$505.95
Jan.22	Bloomsburg	14:05	Columbia	3414	\$505.95
Jan.22	Danville	14:28	Montour	3414	\$505.95
Jan.22	Danville	14:29	Montour	3414	\$505.95
Jan.22	Danville	14:30	Montour	3414	\$505.95
Feb.03	Gilberstville	17:51	Montgomery	2454	\$505.95
Feb.03	Gilberstville	17:54	Montgomery	2454	\$505.95
Feb.03	Pottstown	19:08	Montgomery	4920	\$505.95
Feb.03	Pottstown	19:09	Montgomery	4920	\$505.95
Feb.03	Royersford	19:30	Montgomery	4920	\$505.95
Feb.03	Royersford	19:32	Montgomery	4920	\$505.95
Feb.03	Royersford	19:49	Montgomery	4920	\$505.95
Feb.03	Royersford	19:50	Montgomery	4920	\$52.99
Feb.13	Bartonsville	12:44	Monroe	1759	\$505.95
Feb.13	Bartonsville	12:46	Monroe	8439	\$514.11

The Grand Jury learned that from December 21, 2016 through February 13, 2017, Gibson made unauthorized purchases in the amount of **\$25,365.64** from GIANT stores throughout the Commonwealth.⁹

The Grand Jury reviewed documentation from Capital One, listing the owners of the credit card information used by Kelly, Joseph, and Gibson. Throughout the time period in question, the Grand Jury learned that they used at least 23 different Capital One cards bearing the card information of actual Capital One customers, seven of whom were from Pennsylvania. The card owners were not only from Pennsylvania, but Idaho, New York, Ohio, Delaware, Illinois, Florida, Connecticut, New Jersey, and Colorado. SA Carlson testified that in every instance, the accounts had been flagged as fraudulent based upon the suspicious activity by either Capital One or by a

⁹ It should be noted that for both organizations, the totals include approved transactions only. They did not include the amounts associated with the numerous transactions wherein the cards were declined.

report from the card owner. SA Carlson further testified that he was able to make contact with all seven Pennsylvania residents, who stated that they did not share their Capital One credit card information with anyone, nor did they give anyone else permission to use their credit cards. Four of those individuals were over the age of 65, with ages ranging from 71 to 87.

After an extensive review of documents and surveillance footage from GIANT, Capital One, Western Union, witness testimony, and bank records, the Grand Jury was also able to establish the following:

- Gibson used fraudulent Capital One card ending in 5549 to purchase two \$500.00 Visa gift cards from GIANT in Mechanicsburg (store #6120) on December 21, 2016 at 6:04 pm. That same day at 6:48 pm, Kelly used one of the Visa gift cards to purchase a \$499.00 Western Union money order (ending in 4833) at GIANT in another Mechanicsburg location (store #6331). The money order was later deposited into Kelly's TD bank account.
- The second Visa gift card purchased by Gibson on December 21, 2016 from the Mechanicsburg GIANT, was used by Kelly on December 22, 2016 to purchase a \$499.00 Western Union money order (ending in 9761) from GIANT in Pottsville (store #6030). The money order was then deposited into the Bethpage Federal Credit Union bank account of a third party.
- On December 21, 2016, Gibson used fraudulent Capital One card ending in 2315 to purchase a \$500.00 Visa gift card from GIANT in Dillsburg. Kelly was seen in the GIANT at the same time as Gibson. On December 22, 2016, Kelly used the Visa gift card to purchase a \$499.00 Western Union money order (ending in 800) from GIANT in a second Pottsville location (store #6244). The money order was then deposited into Kelly's TD bank account.
- On December 22, 2016, Gibson used fraudulent Capital One card ending in 6683 to purchase a \$500.00 Visa gift card from GIANT in Lancaster. Joseph was seen supervising Gibson for this transaction. On December 23, 2016, the same Visa gift card was used to purchase a \$499.59 Western Union money order (ending in 1699) from GIANT in Hazelton. That money order was then deposited into the same Bethpage Federal Credit Union third party bank account as money order ending in 9761.

Between January 2017 and July 2017, there were over 20 money orders deposited into Kelly's bank account, each in the approximate amount of \$499.00.

The Grand Jury also learned that on February 14, 2017, Fones was notified that Gibson was in a GIANT store in Cumberland County attempting to purchase Visa gift cards. Fones testified that he went to the store and confronted Gibson. During the confrontation, Fones observed multiple credit cards in Gibson's wallet. Joseph and Kelly initially left Gibson at the store but ultimately returned for her. The local police arrived and pursued the vehicle, however the vehicle fled and no stop was initiated. Fones stated that he later learned through video surveillance that Joseph had been in the store at the time but left when he saw the confrontation.

Gibson stated that on February 14, 2017, she was in a GIANT store in the Harrisburg area (Cumberland County) and was informed by a store employee that they would need approval from a manager before completing the transaction. She was then approached by Fones who attempted to keep her in the store. She testified that she exited the store and discovered that Joseph and Kelly had left her there. She then called them and asked them to come back. After explaining to them that Fones was not a police officer but worked for GIANT, they returned to pick up Gibson.¹⁰ Gibson stated that when she got into the car, Joseph sped away and a police chase occurred. She stated that when she got into the vehicle the first thing they asked her was whether she still had the cards. She provided them to Kelly and he cut them up and threw them out the window. According to Gibson, Kelly then called Saunders. Gibson testified that they evaded the police and drove to Saunders' home in York County where they switched vehicles.¹¹ Specifically, she stated that

¹⁰ The Grand Jury also heard testimony of Tanisha Foster, a former girlfriend of Kelly. She testified that in 2014, Kelly provided her with credit cards bearing her name and instructed her to use the cards to purchase Visa gift cards. She testified that they were both arrested for credit card fraud in New York. She further stated that, while Kelly was immediately released on bail, Kelly did not post bail for Foster and she remained incarcerated for 30 days.

¹¹ Gibson was charged by the PSP for numerous transactions that occurred on February 1, 2017 in the Lehigh Valley area. Similarly, she was charged by the Lower Paxton Police Department in Dauphin County for transactions that occurred on February 14, 2017 in Cumberland and Dauphin

Saunders got into their vehicle (a white rental car), and they got into Saunders' black Nissan Maxima.

The Grand Jury obtained the cellular telephone records for Saunders and Kelly, from which we learned that there were 434 contacts between the two men from December 2016 through February 2017. Specifically, on February 14, 2017, there were 24 contacts between Kelly and Saunders. The police pursuit occurred at approximately 1:45 p.m. There are eight contacts between Kelly and Saunders from 2:10 p.m. through 2:37 p.m., and three more that evening at 6:06 p.m., 9:05 p.m., and 9:48 p.m.

Trooper Luscan testified that in March of 2017, both Kelly and Joseph were arrested in Florida for similar activity. Kelly was stopped while attempting to purchase an iPad at a Target store using a fraudulent credit card. The card was embossed with Kelly's name; however the magnetic strip contained the account information for the legitimate cardholder. Kelly attempted to flee the store after being approached by an employee. He was apprehended after attempting to enter a vehicle in the parking lot in which Joseph was a passenger. Store personnel had notified the employees after spotting the vehicle, as it was known to be linked to fraudulent activity in the area. Kelly was also found to be in possession of multiple other fraudulent cards at the time of his arrest.

Unknown White Female

Fones informed the Grand Jury that Kelly and Joseph were captured on GIANT surveillance supervising an individual, whose identity is unknown, in the same manner in which they monitored Gibson's activities. The Grand Jury reviewed surveillance footage in which the

Counties, including the transaction in which the group fled from police. Neither Joseph nor Kelly were charged.

Unknown White Female conducted transactions while Kelly or Joseph appeared in the store as well.

Once again, based upon the extensive evidence from GIANT and Capital One, the Grand Jury learned that Kelly and Joseph directed and supervised the Unknown White Female relative to the following transactions:

Date	Town	Time	County	Last 4	\$ Amount
Dec.24	Harrisburg	5:30	Dauphin	314	\$505.95
Dec.24	Harrisburg	5:33	Dauphin	9253	\$505.95
Dec.24	Camp Hill	6:01	Cumberland	9253	\$505.95
Dec.24	Camp Hill	6:02	Cumberland	9253	\$505.95
Dec.24	Mechanicsburg	6:18	Cumberland	9253	\$505.95
Dec.24	Mechanicsburg	6:19	Cumberland	9253	\$505.95
Dec.24	Mechanicsburg	6:34	Cumberland	9253	\$505.95
Dec.24	Mechanicsburg	6:37	Cumberland	9253	\$505.95
Dec.24	Dillsburg	7:06	York	9253	\$505.95
Dec.24	Dillsburg	7:07	York	9253	\$505.95
Dec.24	Harrisburg	7:45	Dauphin	9253	\$505.95
Dec.24	Harrisburg	7:46	Dauphin	9253	\$505.95
Dec.24	Lebanon	16:16	Lebanon	9253	\$505.95
Dec.24	Lebanon	16:17	Lebanon	9253	\$505.95
Dec.24	Lebanon	16:20	Lebanon	9253	\$505.95
Dec.24	Lebanon	16:21	Lebanon	9253	\$505.95
Dec.24	Cleona	16:47	Lebanon	9253	\$505.95
Dec.24	Cleona	16:48	Lebanon	9253	\$505.95
Dec.24	Cleona	16:50	Lebanon	9253	\$505.95
Dec.24	Cleona	16:51	Lebanon	9253	\$505.95
Dec.24	Hershey	17:56	Dauphin	9253	\$1,013.44
Dec.24	Hershey	17:57	Dauphin	9253	\$1,013.79

Dec.28	Gettysburg	20:39	Adams	8040	\$505.95
Dec.28	Gettysburg	20:40	Adams	8040	\$505.95
Dec.28	Hanover	21:12	Adams	8040	\$505.95
Dec.28	Hanover	21:13	Adams	8040	\$505.95
Dec.28	Hanover	21:13	Adams	8040	\$505.90
Dec.28	Hanover	21:33	Adams	8040	\$505.95
Dec.28	Hanover	21:35	Adams	8040	\$505.90
Dec.28	York	22:29	York	8040	\$1,011.90
Dec.28	Red Lion	23:23	York	8040	\$505.95
Dec.28	Red Lion	23:24	York	8040	\$505.95
Dec.28	Red Lion	23:25	York	8040	\$505.95
Dec.28	York	23:53	York	8040	\$1,011.90
Dec.29	Hazleton	12:38	Luzerne	8040	\$505.95
Dec.29	Hazleton	12:39	Luzerne	57	\$505.95
Dec.29	Hazleton	12:41	Luzerne	57	\$505.95

Jan.24	Pottsville	17:04	Schuylkill	5197	\$505.95
Jan.24	Pottsville	17:06	Schuylkill	5197	\$1,011.90
Jan.24	Hershey	19:22	Dauphin	9864	\$507.95
Jan.24	Hershey	19:23	Dauphin	9864	\$505.95
Jan.24	Hershey	19:24	Dauphin	9864	\$505.95
Jan.25	Pottsville	17:21	Schuylkill	779	\$505.95
Jan.25	Pottsville	17:22	Schuylkill	779	\$505.95
Jan.25	Lancaster	19:41	Lancaster	5837	\$1,011.90
Jan.25	Lancaster	19:53	Lancaster	5837	\$1,011.90
Jan.25	York	22:03	York	8317	\$505.95
Jan.25	York	22:05	York	8317	\$505.95

The Grand Jury learned that from December 24, 2016 through January 25, 2017, the Unknown White Female made unauthorized purchases in the amount of **\$27,832.68** from GIANT stores throughout central Pennsylvania.

The Grand Jury reviewed documentation from Capital One, listing the owners of the credit card information used by Kelly, Joseph, and the Unknown White Female.¹² Throughout the time period in question, the Grand Jury learned that they used at least 18 different Capital One cards

¹² Gibson and Saunders were shown surveillance footage of the Unknown White Female but were unable to identify her

bearing the actual credit card information for 18 different Capital One customers. The card owners were from Pennsylvania, Arizona, Maine, Florida, New Jersey, Illinois, and Colorado. The Grand Jury's review of the Capital One and GIANT evidence showed that fraudulently obtained credit card information used by Gibson were also used by the Unknown White Female on different dates.

SA Carlson testified that in every instance, the accounts had been flagged as fraudulent based upon the suspicious activity by either Capital One or by a report from the card owner. SA Carlson further testified that he was able to make contact with all seven Pennsylvania residents, who all stated that they did not share their Capital One credit card information with anyone, nor did they give anyone else permission to use their credit cards. Three of those individuals were over the age of 65, with ages ranging from 71 to 78.¹³

¹³ The credit card information for all three individuals over 65 were also used by Gibson.