

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

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CLERK: U.S. DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO, FLORIDA 32203-4

FILED  
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UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 6:01-cv-207-02L-2203

GATEWAY COMPUTER SYSTEM INCLUDING:  
CPU TOWER, SERIAL #0013395459, MONITOR,  
SERIAL #T9B035638, MICROSOFT KEYBOARD,  
SERIAL #8371818683665, MICROSOFT MOUSE,  
SERIAL #2575637-10000, MICROPHONE

SEJIN ELECTRONIC KEYBOARD, SERIAL  
#3KAC039153, MODEL SKR-1032

BOSTON SPEAKER SYSTEM, SERIAL #0984427,  
MODEL #BA635

COMPAQ PRESARIO LAPTOP COMPUTER, MODEL  
#1456VQL1N, SERIAL #2V97CY26G4J2

COMPAQ PRESARIO LAPTOP, SERIAL #V823BZP33664

GARMIN BATTERY CHARGER, SERIAL #011-00045-00

UNOPENED GARMIN GPS 195, SERIAL #61032178,

Defendants.

VERIFIED COMPLAINT FOR FORFEITURE IN REM

COMES NOW the United States of America, plaintiff in this action, by and through its undersigned Assistant United States Attorney, in a civil cause of forfeiture and alleges upon information and belief:

1. That this Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1345 and 1355(a).

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2. That the Court has in rem jurisdiction over the defendant computer equipment pursuant to:

- a. 28 U.S.C. § 1355(b)(1)(A), since the acts or omissions giving rise to the instant forfeiture action occurred in the Middle District of Florida; and
- b. 28 U.S.C. § 1355(b)(1)(B), since venue properly lies in the Middle District of Florida pursuant to 18 U.S.C. § 981(h) and 28 U.S.C. § 1395.

3. That venue lies with this Court pursuant to:

- a. 18 U.S.C. § 981, since a criminal prosecution against the owner of the defendant computer equipment, Albert Lonzo Adams, has been brought in the Middle District of Florida;
- b. 28 U.S.C. § 1395(a) since the instant civil action accrued in this judicial district; and
- c. 28 U.S.C. § 1395(b) since the defendant personal property is located within the Middle District of Florida.

4. That the defendants are:

GATEWAY COMPUTER SYSTEM INCLUDING:  
CPU TOWER, SERIAL #0013395459, MONITOR,  
SERIAL #T9B035638, MICROSOFT KEYBOARD,  
SERIAL #8371818683665, MICROSOFT MOUSE,  
SERIAL #2575637-10000, MICROPHONE

SEJIN ELECTRONIC KEYBOARD, SERIAL  
#3KAC039153, MODEL SKR-1032

BOSTON SPEAKER SYSTEM, SERIAL #0984427,  
MODEL #BA635

COMPAQ PRESARIO LAPTOP COMPUTER, MODEL  
#1456VQL1N, SERIAL #2V97CY26G4J2

COMPAQ PRESARIO LAPTOP, SERIAL #V823BZP33664,  
GARMIN BATTERY CHARGER, SERIAL #011-00045-00  
UNOPENED GARMIN GPS 195, SERIAL #61032178,

5. That the defendant personal property is within the district or will be during the pendency of this action.

6. That the owner of record of the defendant personal property is Albert Lonzo Adams.

7. That this is a civil action in rem brought to enforce the provisions of 18 U.S.C. § 981(a)(1)(C) for the forfeiture of any property, real or personal, which constitutes or is derived from proceeds traceable to violations of 18 U.S.C. § 1029.

8. That the facts and circumstances, which support the arrest and forfeiture of the defendant computer equipment, are as follows:

On or about October 11, 1999, Sergeant Kevin Stenger and Detective Melissa Ferguson of the Orange County Sheriff's Office, contacted the United States Secret Service ("Secret Service"), Orlando Field Office, requesting assistance in the investigation of access device fraud, in which stolen credit card numbers were being used to purchase merchandise via the computer internet. The collective investigation of the Orange County Sheriff's Office and Special Agent Lawrence F. Lomonaco of the Secret Service revealed the following:

a. On or about February 26, 1999, Aviation Shopping Network, Hood River, Oregon, received an order via electronic message from an individual identifying himself as Dr. Albert Adams, 14012 Colonial Grand Blvd., #612, Orlando, Florida. Dr. Albert Adams ordered a Garmin Global Positioning System 195 ("GPS"), valued at

\$1,244.95, using an American Express credit card. American Express verified this credit card was assigned to a Wayne Osley. The order was processed and Dr. Albert Adams received this GPS system.

b. On or about March 22, 1999, Gulf Coast Avionics, Lakeland, Florida, received an order via electronic message from an individual identifying himself as Dennis Becher. This individual using Becher's MasterCard credit number purchased a GPS system valued at \$2,024.10. This GPS system was shipped to 14012 Colonial Grand Blvd., #612, Orlando, Florida, the known residence of Albert Adams.

c. On or about March 26, 1999, Gateway Computer received an order via telephone from an individual representing himself as Harry W. Lore. This individual order a Gateway P-500 computer system, bearing serial number 0013395459, valued at \$4,138.24. The order was shipped to 14012 Colonial Grand Blvd., #612, Orlando, Florida. The order was paid with a Visa card assigned to a Harry W. Lore. Gateway Computer suffered a monetary loss of \$4,138.24.

d. On or about June 25, 1999, Pacific Coast Avionics, Aurora, Oregon received an order via electronic message from an individual identifying himself as Doyel J. Harris, 14012 Colonial Grand Blvd., #612. This individual purchased a GPS system valued at \$1,493.00 using a Visa credit card assigned to Doyel J. Harris. The merchandise was shipped to the 14012 Colonial Grand Blvd., #612 address. Pacific Coast Avionics suffered a monetary loss of \$1,493.00. Pacific Coast Avionics received another order for a GPS system on or about June 26, 1999, from a Ron Howard living at 1357 Black Willow Trail, Altamonte Springs, Florida, the address of a Mark Peterson.

The Visa credit card used was assigned to a Janice S. Blue. However, the merchandise was never mailed due to the suspicious nature of the order. Two more attempts were made from on or about June 26 through June 30, 1999, to purchase GPS systems from Gulf Coast Avionics, Lakeland, Florida. Said attempted purchases were made using Visa credit cards assigned to a Alan Buky and Terry L. Colvin, both using the shipping address of 14012 Colonial Grand Blvd., #612, Orlando, Florida. The Alan Buky order was actually shipped to Buky's address and returned by Buky once received. The Colvin order was never shipped out because of the previous fraudulent activity associated with 14012 Colonial Grand Blvd., #612 address.

e. On or about July 5, 1999, Compaq Computer Company, Houston, Texas received an order, via its customer computer web page, for a Compaq Presario laptop computer, bearing serial number V823BZP33664, valued at \$1,251.00. The laptop was ordered by a Patty Jaeger and delivered to 14012 Colonial Grand Blvd., #612, Orlando, Florida. Compaq Computer Company suffered a \$1,251.00 loss.

f. On or about July 6, 1999, Compaq Computer Company, Houston, Texas, received an order via its customer computer web page for a Compaq Presario laptop computer, bearing serial number 2V97CY26G4J2, valued at \$4,207.03. The order was placed by an individual named Dr. Albert L. Adams and delivered to 14012 Colonial Grand Blvd., #612, Orlando, Florida. The order was paid with a Visa card that was assigned to a Brian Jenkins. Compaq Computer Company suffered a \$4,207.03 monetary loss.

g. All of the above-named defendants were seized from the residence of Albert Adams located at 14012 Colonial Grand Blvd., #612, Orlando, Florida, during a search warrant obtained by the Orange County Sheriff's Office and executed on July 29, 1999.

h. On June 6, 2000, a four count indictment was returned against Albert Lonzo Adams which charged him with violations 18 U.S.C. § 1029(a)(2). On August 28, 2000, the Court accepted the plea of guilty of Albert Lonzo Adams to Counts One through Four of the Indictment in *United States v. Albert Lonzo Adams*, Case No. 6:00-cr-92-Orl-19KRS. On November 20, 2000, Albert Lonzo Adams was sentenced.

i. Based upon the foregoing, the defendant equipment is forfeitable to the United States pursuant to 18 U.S.C. § 981(a)(1)(C) for the forfeiture of any property, real or personal, which constitutes or is derived from proceeds traceable to violations of 18 U.S.C. § 1029.

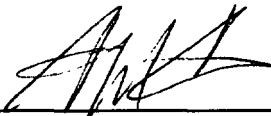
9. That pursuant to Federal Rule of Civil Procedure 10(c), the United States adopts by reference the allegations contained in Counts One through Four of the Indictment in *United States v. Albert Lonzo Adams*, 6:00-cr-92-Orl-19KRS, as if said allegations were more fully set forth herein. A copy of said Indictment is attached hereto as Exhibit A.

10. That the defendant personal property is subject to forfeiture under the provisions of 18 U.S.C. § 981(a)(1)(C) for the forfeiture of any property, real or personal, which constitutes or is derived from proceeds traceable to violations of 18 U.S.C. § 1029.

WHEREFORE, the Plaintiff prays that the usual process for forfeiture in rem be issued against the defendant personal property; that due notice be given to all interested parties to appear and show cause why the forfeiture should not be decreed; that the Court decree the condemnation and forfeiture of the defendant personal property, to the United States for disposition pursuant to law; and that the Plaintiff have such other and further relief as the case may require.

Respectfully submitted,

DONNA A. BUCELLA  
United States Attorney

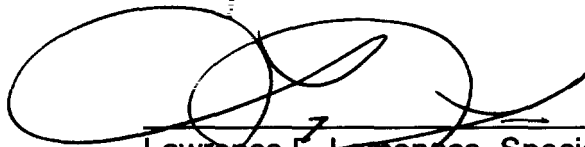
By  \_\_\_\_\_

Anita M. Cream  
Assistant United States Attorney  
Florida Bar No. 56359  
201 Federal Building  
80 North Hughey Avenue  
Orlando, Florida 32801-2280  
(407) 648-7500 - telephone  
(407) 648-7643 - facsimile

VERIFICATION

I, Lawrence F. Lomonaco, Special Agent with the United States Secret Service, declare under penalty of perjury as provided by 28 U.S.C. § 1746 that the foregoing Verified Complaint for Forfeiture In Rem, based upon reports and information provided to me by the United States Secret Service and the Orange County Sheriff's Office, is true and correct to the best of my knowledge and belief.

Executed on this 5 day of FEBRUARY, 2001, at Orlando, Florida.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

Lawrence F. Lomonaco, Special Agent  
United States Secret Service



COPY

FILED

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

00 JUN -5 PM 3:43

CLERK, U.S. DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO, FLORIDA

UNITED STATES OF AMERICA

v.

ALBERT LONZO ADAMS

No. 6:00-cr-92-Orl-198A  
18 U.S.C. § 1029(a)(2)  
18 U.S.C. § 982(a)(2)(B) - Forfeitures

**INDICTMENT**

The Grand Jury charges:

**COUNT ONE**

Beginning on or about February 1, 1999, and continuing thereafter through on or about July 21, 1999, in Orange County, Florida, in the Middle District of Florida, and elsewhere,

**ALBERT LONZO ADAMS**

the defendant herein, did knowingly, willfully and with intent to defraud use one or more unauthorized access devices, that is, an American Express Credit Card bearing account number 3783 6726 1224 007 in the name of Wayne Osley, during a one year period, and did by such conduct obtain anything of value aggregating \$1,000 or more during that period, such conduct having an affect on interstate and foreign commerce.

All in violation of Title 18, United States Code, Section 1029(a)(2).

**COUNT TWO**

Beginning on or about February 1, 1999, and continuing thereafter through on or about July 21, 1999, in Orange County, Florida, in the Middle District of Florida, and elsewhere,

**ALBERT LONZO ADAMS**

the defendant herein, did knowingly, willfully and with intent to defraud use one or more unauthorized access devices, that is, a Visa Credit Card bearing account number 4022 9800 0028 4843 in the name of Harry W. Lore, during a one year period, and did by such conduct obtain anything of value aggregating \$1,000 or more during that period, such conduct having an affect on interstate and foreign commerce.

All in violation of Title 18, United States Code, Section 1029(a)(2).

**COUNT THREE**

Beginning on or about February 1, 1999, and continuing thereafter through on or about July 21, 1999, in Orange County, Florida, in the Middle District of Florida, and elsewhere,

**ALBERT LONZO ADAMS**

the defendant herein, did knowingly, willfully and with intent to defraud use one or more unauthorized access devices, that is, a MasterCard bearing account number 5329 0058 2601 8253 in the name of Dennis Becher, during a one year period, and did by such conduct obtain anything of value aggregating \$1,000 or more during that period, such conduct having an affect on interstate and foreign commerce.

All in violation of Title 18, United States Code, Section 1029(a)(2).

**COUNT FOUR**

Beginning on or about February 1, 1999, and continuing thereafter through on or about July 21, 1999, in Orange County, Florida, in the Middle District of Florida, and elsewhere,

**ALBERT LONZO ADAMS**

the defendant herein, did knowingly, willfully and with intent to defraud use one or more unauthorized access devices, that is, an AT&T Universal Credit Card bearing account number 4492 2700 0411 3813 in the name of Joseph Skinner, during a one year period, and did by such conduct obtain anything of value aggregating \$1,000 or more during that period, such conduct having an affect on interstate and foreign commerce.

All in violation of Title 18, United States Code, Section 1029(a)(2).

**FORFEITURES**

1. The allegations contained in Counts One through Four of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to the provisions of Title 18, United States Code, Section 982.

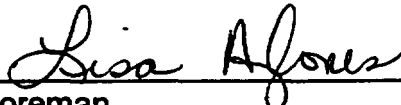
2. The defendant, **ALBERT LONZO ADAMS**, shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 982(a)(2), any and all right, title, and interest he may have in any property, real and personal, involved in violations of Title 18, United States Code, Section 1029(a)(2), as alleged in Counts One through Four of this Indictment, and any property traceable to such property.

3. If any of the property described above, as a result of any act or omission of the defendant:

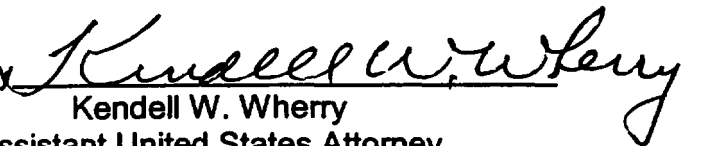
- a. Cannot be located upon the exercise of due diligence;
- b. Has been transferred or sold to, or deposited with, a third party;
- c. Has been placed beyond the jurisdiction of the court;
- d. Has been substantially diminished in value; or
- e. Has been commingled with other property which cannot be divided without difficulty,

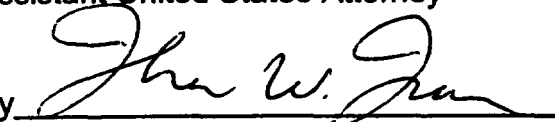
the United States of America shall be entitled to forfeiture of substitute property under the provisions of Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1).

A TRUE BILL,

  
\_\_\_\_\_  
Foreman

DONNA A. BUCELLA  
United States Attorney

By   
\_\_\_\_\_  
Kendell W. Wherry  
Assistant United States Attorney

By   
\_\_\_\_\_  
Thomas W. Turner  
Acting Managing Assistant U.S. Attorney

No.

**UNITED STATES DISTRICT COURT**

Middle District of Florida

Orlando Division

**THE UNITED STATES OF AMERICA**

vs.

**ALBERT LONZO ADAMS**

**INDICTMENT**

Violation: 18 U.S.C. § 1029(a)(2)

A true bill,

*Dean Alfells*  
Foreman

Filed in open court this

18th

day

of

*June*  
*Allyn V. Korman*  
A.D. 2000.

Clerk

Bail

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