

INDICTMENT

The Grand Jury Charges:

Count One

Conspiracy to Exceed Authorized Access to a Protected Computer (18 U.S.C. §1030(b) (18 U.S.C. §1030(a)(4))

Beginning in or about March 2003, and continuing until in or about July 2009, in the Dallas Division of the Northern District of Texas and elsewhere, defendants Chastity Lynn Faulkner, Michael Blaine Faulkner, Brian Patrick Haney, Eric Byron Littlejohn II, Nathan Todd Shafer, Matthew Norman Simpson, Alicia Cargill Smallwood, Jason Carter Watts, and William Michael Watts did knowingly and intentionally conspire and agree with each other and with others known and unknown to

the Grand Jury, to commit certain offenses against the United States, that is to knowingly and with intent to defraud, exceed authorized access to a protected computer, and by such conduct furthered the intended fraud and obtained anything of value, namely bandwidth minutes provided by various telecommunications companies, such as AT&T, Verizon, XO Communications, SMARTnet VOIP, Waymark Communications, and Grande Communications valued in excess of \$12,000,000.00.

In violation of 18 U.S.C. §1030(b) (18 U.S.C. §1030(a)(4)).

Count Two Forfeiture Allegation [18 U.S.C. §1030(i) and (j)]

Upon conviction of the offense alleged in Count One of this Indictment and pursuant to 18 U.S.C. §1030(i), the defendants **Chastity Lynn Faulkner**, **Michael Blaine Faulkner**, **Nathan Todd Shafer**, and **Matthew Norman Simpson** shall forfeit to the United States of America any personal property that was used or intended to be used to commit or to facilitate the commission of such offense, and any real or personal property constituting or derived from any proceeds that such person obtained, directly or indirectly, as a result of such violation.

The above-referenced property subject to forfeiture includes, but is not limited to, the following:

Property

(only the last 4 digits of a financial account number are listed)

- 1. \$25,681.30 in funds contained in Account XXXX8340 in the name of Core IP Networks at Citizens National Bank of Texas, Waxahachie, Texas, seized on or about April 2, 2009.

 [sought from Matthew Norman Simpson]
- 2. \$283,431.74 in funds contained in Account XXXX1898 in the name of Simpson Burwell, Ltd. at Citizens National Bank of Texas, Waxahachie, Texas, seized on or about April 2, 2009.

 [sought from Matthew Simpson]

- \$2,652.96 in funds contained in Account XXXXXX2104 in the name of Spider Development Corporation at JPMorgan Chase Bank, Dallas, Texas, seized on or about March 11, 2009.
 [sought from Nathan Todd Shafer]
- 4. The real property at 8641 Glenturret Drive, Ovilla, Ellis County, Texas. [sought from **Matthew Simpson**]
- The total amount of proceeds obtained, directly or indirectly, as a result of the offense.[sought from all defendants]

Substitute Assets

Pursuant to 21 U.S.C. §853(p), if any of the above-described real and/or personal property, as a result of any act or omission of the previously-mentioned defendants, cannot be located upon the exercise of due diligence; has been transferred or sold to, or deposited with, a third person; has been placed beyond the jurisdiction of the Court; has been substantially diminished in value; or has been commingled with other property which cannot be subdivided without difficulty, the United States of America intends to

seek forfeiture of any other property of the previously-mentioned defendants up to the value of the above-described property subject to forfeiture.

A TRUE BILL:

FOREPERSØ

JAMES T. JACKS UNITED STATES ATTORNEY

CANDINA S. HEATH

Assistant United States Attorney State of Texas Bar No. 09347450 1100 Commerce Street, 3rd Floor Dallas, Texas 75242

Telephone: 214.659.8600 candina.heath@usdoj.gov

JOHN DELAGARZX

Assistant United States Attorney State of Texas Bar No. 00796455 1100 Commerce Street, 3rd Floor

Dallas, Texas 75242

Telephone: 214.659.8600 john.delagarza@usdoj.gov

Case 3:09-cr-00249-D Document 1 Filed 09/01/09 Case 3:09-cr-00103-D Document 243-4 Filed 11/10/10

Page 6 of 15 page 6 GAURT Page 6 disposition of TEXA

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

CL Deputy

UNITED STATES OF AMERICA

v.

CHASTITY LYNN FAULKNER(1)
MICHAEL BLAINE FAULKNER(2)
BRIAN PATRICK HANEY(3) (3)
ERIC LITTLEJOHN II (4)
NATHAN TODD SHAFER(5)
MATTHEW NORMAN SIMPSON(6)
ALICIA CARGILL SMALLWOOD(7)
JASON C. WATTS (8)
WILLIAM MICHAEL WATTS(9)

SEALED INDICTMENT 3-09 CR 249-D

18 U.S.C. § 1030(b)(18 U.S.C. § 1030(a)(4) Conspiracty to Exceed Authorized Access to a Protected Computer

18 U.S.C. 1030(i) and(j); 21 U.S.C. § 853(a) and (p); 28 U.S.C. § 2461; 18 U.S.C. §§ 981(a)(1)(C) and 982(a)(2) Forfeiture Allegation

2	2 Counts	
A true bill rendered:	Z	hu
DALLAS	FOI	PERSON
Filed in open court thisday of	, A.D. 2009.	
		Clerk
ISSUE ARREST WARRANTS: CHAST	ΓΙΤΥ LYNN FAULKNER;ΜΙCHAΕ	EL BLAINE
FAULKNER; BRIAN PATRICK HANE	EY; ERIC LITTLEJOHN II; NATH	IAN TODD
SHAFER; MATTHEW NORMAN SIMP	SON; ALICIA CARGILL SMALLV	VOOD;
JASON C. WATTS; WILLIAM MICHAI UNLIED SYATES DISTRICT MAGIST	EL WATTS RATE JUDGE	
No Magistrate Complaint Pending		

Crimin	al Case Cover Sheet Case 3:09 cr 00249 D Do	cument 18 FTC 0.90 (cR P2C 4 o 4 5 Page	eID 7Revised 3/5/98
UNIT	Case 3:09-or-20103 DA Docum ED STATES DISTRICE/EQURT	lent 203-4 Filed 11/10/10 Page 7 of 15 Pag Related Case Information	e ID 1656
	RTHERN DISTRICT OF TEXAS	Superseding Indictment: Yes X No New Defendant:	X Yes No
1.	Defendant Information	Pending CR Case in NDTX: Yes X No If Yes, number	::
	Juvenile: Yes X No	Search Warrant Case Number 3:09-MJ-75;3:09-MJ-76;3:09-M	ЛJ-77;3:09-МJ-78;
	If Yes, Matter to be sealed:	3:09-MJ-79;3:09-MJ-112;3:09-MJ-113;3:09-MJ-114;3:09-MJ	J-115;3:09-MJ-118
	XYes No	R 20 from District of N/A Magistrate Case Number N/A	
	Defendant Name	CHASTITY LYNN FAULKNER (1)	
	Alias Name	f/k/a Chastity Lynn Tutor	
	Address	I'N a Chastity Lynn Tutor	· · · · · · · · · · · · · · · · · · ·
	County in which offense was committed	ted: Dallas	
2.	U.S. Attorney Information		
	Candina S. Heath	Bar # <u>09347450</u>	
		F DECEIVE	7
3.	Interpreter	ALOLIVE	7
	_	Inguage and/or dialect: RECEIVE	4
	TICS IN NO II I CS, list la	inguage and or dialect.	<u></u>
4.	Location Status	CLERK, U.S. DISTRICT NORTHERN DISTRICT C	FT
••	Arrest Date: Issue arrest warrant		
	Already in Federal Custody Already in State Custody On Pretrial Release	in	
5.	U.S.C. Citations		
	Total # of Counts as to This Defendan	nt: 2 Petty Misdemeanor	X Felony
	Citation	Description of Offense Charged	Count(s)
	18 U.S.C. § 1030(b) 18 U.S.C. § 1030(a)(4)	Conspiracy to Exceed Authorized Access to a Protected Computer	. 1
	18 U.S.C. § 1030(i) and (j); 21 U.S.C. § 853(a) and (p); 28 U.S.C. § 2461;	Forfeiture Allegation	2
	18 U.S.C. §§ 981(a)(1)(C) and 982 (a	(2)	
	Date 83.09	Signature of AUSA:	

Criminal Case Egyer Sheeth-cr-00249-D Do	AマAマも日はもマオロもでは日本中に、「日本とことA、「日、「A、「「大田」「AマA、「「大田」は本文はマハク語(グ・)マオレニ、「マニ、「田田」で、『	elD Revised 3/5/98
Case 3:09-cr-00103-D Docum UNITED STATES DISTRICT COURT	Related Case Information	CID 1037
NORTHERN DISTRICT OF TEXAS	Superseding Indictment: Yes X No New Defendant:	X Yes No
1. Defendant Information	Pending CR Case in NDTX: Yes X No If Yes, number	r:
Juvenile: Yes X No	Search Warrant Case Number 3:09-MJ-75;3:09-MJ-76;3:09-I	MJ-77;3:09-MJ-78;
If Yes, Matter to be sealed:	3:09-MJ-79;3:09-MJ-112;3:09-MJ-113;3:09-MJ-114;3:09-M	J-115;3:09-MJ-118
XYes No	R 20 from District of N/A Magistrate Case Number N/A	
	MOULER DI ADIC CALILIVATED (A)	
Defendant Name	MICHAEL BLAINE FAULKNER (2)	
Alias Name		
Address		
County in which offense was commit	ted: <u>Dallas</u>	
2. U.S. Attorney Information		
Candina S. Heath	Bar # <u>09347450</u>	
	RECEIVE	D
3. Interpreter		
Yes X No If Yes, list l	anguage and/or dialect: RECEIVE SEP - 1 2009]
,		COURT
4. Location Status	CLERK, U.S. DISTRICT NORTHERN DISTRICT C	OF TEXAS
Arrest Date: Issue arrest warrant		
Already in Federal Custody Already in State Custody	n	
On Pretrial Release		
5. U.S.C. Citations		
Total # of Counts as to This Defenda	nt: 2 Petty Misdemeanor	X Felony
Citation	Description of Offense Charged	Count(s)
18 U.S.C. § 1030(b)	•	1
18 U.S.C. § 1030(a)(4)	Conspiracy to Exceed Authorized Access to a Protected Computer	I
18 U.S.C. § 1030(i) and (j);	Forfeiture Allegation	2
21 U.S.C. § 853(a) and (p); 28 U.S.C. § 2461;		
18 U.S.C. § 981(a)(1)(C) and 982 (a	a)(2)	
Date 8 3 -09	Signature of AUSA:	
Dan	Signature of AUSA.	_

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	Case 3:09-cr-00103-D Docum	ient 203-4
	ED STATES DISTRICT COURT	Related Case Information
NOR	THERN DISTRICT OF TEXAS	Superseding Indictment: Yes X No New Defendant: X Yes No
1.	Defendant Information	Pending CR Case in NDTX: Yes X No If Yes, number:
	Juvenile: Yes X No	Search Warrant Case Number 3:09-MJ-75;3:09-MJ-76;3:09-MJ-77;3:09-MJ-78;
	If Yes, Matter to be sealed:	3:09-MJ-79;3:09-MJ-112;3:09-MJ-113;3:09-MJ-114;3:09-MJ-115;3:09-MJ-118
	XYes No	R 20 from District of N/A Magistrate Case Number N/A
	Defendant Name	BRIAN PATRICK HANEY (3)
	Alias Name	
	Address	
	County in which offense was commit	ted: Dallas
2.	U.S. Attorney Information	
	Candina S. Heath	Bar # 09347450 RECEIVED
		SEP - 1 2009
3.	Interpreter	3Lr - 1 2009
	Yes X No If Yes, list la	Inguage and/or dialect: CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF TEXAS
	,	
4.	Location Status	
	Arrest Date: Issue arrest warrant	
	Already in Federal Custody	in
	Already in State Custody	
	On Pretrial Release	
_	TIO C. CU. II	
5.	U.S.C. Citations	
	Total # of Counts as to This Defendar	nt: 1 Petty Misdemeanor X Felony
	Citation	Description of Offense Charged Count(s)
	18 U.S.C. § 1030(b) 18 U.S.C. § 1030(a)(4)	Conspiracy to Exceed Authorized Access 1 to a Protected Computer
		Δ
	Date 8.31 -09	Signature of AUSA:

Crimina	al Case Sovers Shorter-00249-D Documents	ument 1 Filed 89/01/69 Page 10 of 15 PageID 1Revised 3/5/98
UNIT	ED STATES DISTRICT COURT	Related Case Information
	THERN DISTRICT OF TEXAS	Superseding Indictment: Yes X No New Defendant: X Yes No
1.	Defendant Information	Pending CR Case in NDTX: Yes X No If Yes, number:
	Juvenile: Yes X No	Search Warrant Case Number <u>3:09-MJ-75;3:09-MJ-76;3:09-MJ-77;3:09-MJ-78;</u>
	If Yes, Matter to be sealed:	3:09-MJ-79;3:09-MJ-112;3:09-MJ-113;3:09-MJ-114;3:09-MJ-115;3:09-MJ-118
	XYes No	R 20 from District of N/A Magistrate Case Number N/A
	Defendant Name	ERIC BYRON LITTLEJOHN, II (4)
	Alias Name	
	Address	
	County in which offense was commit	ted: Dallas
2.	U.S. Attorney Information	
	Candina S. Heath	Bar # _09347450
3.	Interpreter Yes X No If Yes, list la	SEP - I 2009 anguage and/or dialect: CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF TEXAS
4.	Location Status	
	Arrest Date: Issue arrest warrant	
	Already in Federal Custody Already in State Custody On Pretrial Release	in
5.	U.S.C. Citations	
	Total # of Counts as to This Defendar	nt: 1 Petty Misdemeanor X Felony
	Citation	Description of Offense Charged Count(s)
	18 U.S.C. § 1030(b) 18 U.S.C. § 1030(a)(4)	Conspiracy to Exceed Authorized Access 1 to a Protected Computer
	Date 8-31-09	Signature of AUSA:

Crimino	al Case Cover Sheet or 00249-D Docu Case 3:09-cr-00103-D Docume	mered - Freeboorto 1997 Page 0 of 15 Page	PID 1 Revised 3/5/98
UNIT	ED STATES DISTRICT COURT	Related Case Information	
Nor	THERN DISTRICT OF TEXAS	Superseding Indictment: Yes X No New Defendant:	X Yes No
1.	Defendant Information	Pending CR Case in NDTX: Yes X No If Yes, number	r:
	Juvenile: Yes X No	Search Warrant Case Number 3:09-MJ-75;3:09-MJ-76;3:09-M	MJ-77;3:09-MJ-78;
	If Yes, Matter to be sealed:	3:09-MJ-79;3:09-MJ-112;3:09-MJ-113;3:09-MJ-114;3:09-M.	J-115;3:09-MJ-118
	Xyes No	R 20 from District of N/A Magistrate Case Number N/A	
	Defendant Name	NATHAN TODD SHAFER (5)	
	Alias Name		
	Address		
	County in which offense was committed	ed: Dallas	EIVED
2.	U.S. Attorney Information	SEP	- 1 2009
	Candina S. Heath	Bar # 09347450	
		CLERK, U.S. NORTHERN D	
3.	Interpreter		
	Yes X No If Yes, list la	nguage and/or dialect:	
4.	Location Status		
	Arrest Date: Issue arrest warrant		
	Already in Federal Custody Already in State Custody On Pretrial Release	in	
5.	U.S.C. Citations		
	Total # of Counts as to This Defendan	t: 2 Petty Misdemeanor	X Felony
	Citation	Description of Offense Charged	Count(s)
	18 U.S.C. § 1030(b) 18 U.S.C. § 1030(a)(4)	Conspiracy to Exceed Authorized Access to a Protected Computer	1 .
	18 U.S.C. § 1030(i) and (j); 21 U.S.C. § 853(a) and (p); 28 U.S.C. § 2461; 18 U.S.C. §§ 981(a)(1)(C) and 982 (a)	Forfeiture Allegation (2)	2
	Date 8.31.09	Signature of AUSA:	-

Crimina	al Case Cover Sheet Case 3:09-cr-00249-D Docu Case 3:09-cr-00103-D Docume	ment 1 Fil 3 (9/0/9 GR) e 1 2 01 4 5 9 5	1 Revised 3/5/98
UNIT	ED STATES DISTRICT COURT	Related Case Information	ge15 1001
Nor	THERN DISTRICT OF TEXAS	Superseding Indictment: Yes X No New Defendant	X Yes No
1.	Defendant Information	Pending CR Case in NDTX: Yes X No If Yes, number	er:
	Juvenile: Yes X No	Search Warrant Case Number <u>3:09-MJ-75;3:09-MJ-76;3:09-</u>	MJ-77;3:09-MJ-78;
	If Yes, Matter to be sealed:	3:09-MJ-79;3:09-MJ-112;3:09-MJ-113;3:09-MJ-114;3:09-M	IJ-115;3:09-MJ-118
	XYes No	R 20 from District of N/A Magistrate Case Number N/A	
	Defendant Name	MATTHEW NORMAN SIMPSON (6)	
	Alias Name		
	Address		
		**	
	County in which offense was committed	ed: <u>Dallas</u>	
2.	U.S. Attorney Information		
	Candina S. Heath	Bar # 09347450	EIVED
		I ALO	LIVED
3.	Interpreter	SEP	- 1 2009
	Yes X No If Yes, list la		DISTRICT COURT
4.	Location Status		
	Arrest Date: Issue arrest warrant		
	Already in Federal Custody Already in State Custody On Pretrial Release	in	
5.	U.S.C. Citations		
	Total # of Counts as to This Defendan	tt: 2 Petty Misdemeanor	X Felony
	Citation	Description of Offense Charged	Count(s)
	18 U.S.C. § 1030(b) 18 U.S.C. § 1030(a)(4)	Conspiracy to Exceed Authorized Access to a Protected Computer	1
	18 U.S.C. § 1030(i) and (j); 21 U.S.C. § 853(a) and (p); 28 U.S.C. § 2461; 18 U.S.C. § 981(a)(1)(C) and 982 (a)	Forfeiture Allegation (2)	2
	Date 9 - 31 - 09	Signature of AUSA:	

Crimin	al Care Cares Mgg/cr-00249-D Docume Case 3:09-cr-00103-D Docume	ument 1 Red (1000 Pages 3 of 15 PageID 1 Revised 3/5/98
UNIT	TED STATES DISTRICT COURT	Related Case Information
Noi	RTHERN DISTRICT OF TEXAS	Superseding Indictment: Yes X No New Defendant: X Yes No
1.	Defendant Information	Pending CR Case in NDTX: Yes X No If Yes, number:
	Juvenile: Yes X No	Search Warrant Case Number 3:09-MJ-75;3:09-MJ-76;3:09-MJ-77;3:09-MJ-78;
	If Yes, Matter to be sealed:	3:09-MJ-79;3:09-MJ-112;3:09-MJ-113;3:09-MJ-114;3:09-MJ-115;3:09-MJ-118
	XYes No	R 20 from District of N/A Magistrate Case Number N/A
٠	Defendant Name	ALICIA CARGILL SMALLWOOD (7)
	Alias Name	·
	Address	
	County in which offense was commit	ted: <u>Dallas</u>
2.	U.S. Attorney Information	RECEIVED
	Candina S. Heath	Bar # <u>09347450</u> SEP - 1 200 9
3.	Interpreter	CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF TEXAS
	Yes X No If Yes, list la	anguage and/or dialect:
	I Too, Mot N	anguage and/or dialect.
4.	Location Status	
	Arrest Date: Issue arrest warrant	
	Already in Federal Custody Already in State Custody On Pretrial Release	in
5.	U.S.C. Citations	
	Total # of Counts as to This Defendant	nt: 1 Petty Misdemeanor X Felony
	Citation	Description of Offense Charged Count(s)
	18 U.S.C. § 1030(b) 18 U.S.C. § 1030(a)(4)	Conspiracy to Exceed Authorized Access 1 to a Protected Computer
	Date 8.31.09	Signature of AUSA:

Crimina	al Case Cover Sheet Case 3:09 cr 00249 D Doc	unicit. 1 - 1 lieu 03/01/03 - 1 auc 14 01 13 - 1 au	eID 1 ^R evised 3/5/9
I Inite	Case 3:09-cr-00103-D Docume ED STATES DISTRICT COURT	ent 203-4 Filed 11/10/10 Page 14 of 15 Page Related Case Information	jeID 1663
	THERN DISTRICT COURT		
NON	THERN DISTRICT OF TEXAS	Superseding Indictment: Yes X No New Defendant:	X Yes No
1.	Defendant Information	Pending CR Case in NDTX: Yes X No If Yes, number	r:
	Juvenile: Yes X No	Search Warrant Case Number 3:09-MJ-75;3:09-MJ-76;3:09-	MJ-77;3:09-MJ-78;
	If Yes, Matter to be sealed:	3:09-MJ-79;3:09-MJ-112;3:09-MJ-113;3:09-MJ-114;3:09-M	<u>J-115;3:09-MJ-118</u>
	XYes No	R 20 from District of <u>N/A</u> Magistrate Case Number <u>N/A</u>	
	Defendant Name	JASON CARTER WATTS (8)	
	Alias Name		
	Address		
	County in which offense was commit	ted: Dallas	
2.	U.S. Attorney Information	RECEI	VED
	Candina S. Heath	Bar # 09347450	
		Bar # <u>09347450</u> SEP - I	200 9
3.	Interpreter	MERK IIS DIS	TRICT COURT
	Yes X No If Yes, list la	NORTHERN DISTI	RICT OF REYALL
	II 165, list is	anguage and/or dialect:	
4.	Location Status		
	Arrest Date: Issue arrest warrant		
	Already in Federal Custody	:	
	Already in Pederal Custody Already in State Custody		
	On Pretrial Release		
5.	U.S.C. Citations		
	Total # of Counts as to This Defenda	nt: 1 Petty Misdemeanor	X Felony
	Citation	Description of Offense Charged	Count(s)
	18 U.S.C. § 1030(b)	Conspiracy to Exceed Authorized Access	1
	18 U.S.C. § 1030(a)(4)	to a Protected Computer	
	C , 24 , FYG	A11-	
	Date 8 - 3 - 09	Signature of AUSA:	·

Crimin.	al Case Cover Steel - 00249-D Docume	Page 15 of 15 PageID 18evised 3/5/9
Unit	ED STATES DISTRICT COURT	Related Case Information
	RTHERN DISTRICT OF TEXAS	Superseding Indictment: Yes X No New Defendant: X Yes No
1.	Defendant Information	Pending CR Case in NDTX: Yes X No If Yes, number:
	Juvenile: Yes X No	Search Warrant Case Number 3:09-MJ-75;3:09-MJ-76;3:09-MJ-77;3:09-MJ-78;
	If Yes, Matter to be sealed:	3:09-MJ-79;3:09-MJ-112;3:09-MJ-113;3:09-MJ-114;3:09-MJ-115;3:09-MJ-118
	\overline{X} Yes No	R 20 from District of N/A Magistrate Case Number N/A
	Defendant Name	WILLIAM MICHAEL WATTS (9)
	Alias Name	WILLIAM MICHAEL WATTS (7)
	Address	
	County in which offense was commit	
2.	U.S. Attorney Information	SEP - 1 2009
	Candina S. Heath	Bar # 09347450 CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF TEXT
3.	Interpreter	110
	Yes X No If Yes, list la	managa and/an dislact.
	TI CS IX NO II I ES, IIST R	anguage and/or dialect:
4.	Location Status	
	Arrest Date: Issue arrest warrant	
	Already in Federal Custody Already in State Custody On Pretrial Release	in
5.	U.S.C. Citations	
	Total # of Counts as to This Defendan	nt: 1 Petty Misdemeanor X Felony
	Citation	Description of Offense Charged Count(s)
	18 U.S.C. § 1030(b) 18 U.S.C. § 1030(a)(4)	Conspiracy to Exceed Authorized Access to a Protected Computer
	Date_8-31-09	Signature of AUSA: