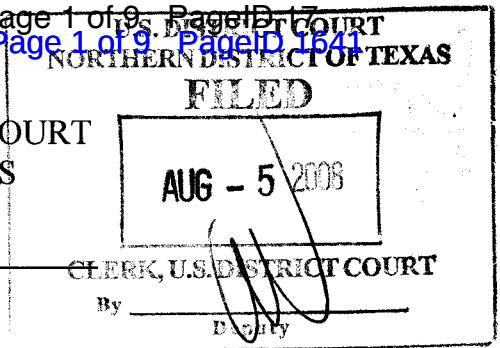


IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION



UNITED STATES OF AMERICA

v.

CHRISTOPHER MATTHEWS (1)
BRIAN TAPIWA MAJIWA (2)

§
§
§
§
§
§

No.

3-08 CR 235-B

INDICTMENT

The Grand Jury Charges:

Count One

Conspiracy to Possess Stolen Mail and Commit Bank Fraud
(Violation of 18 U.S.C. § 371 (18 U.S.C. §§ 1708 and 1344))

Introduction

At all times material to the indictment:

1. Bank of America, a division of Bank of America Corporation, in Charlotte, North Carolina, was a financial institution, the accounts of which were federally insured by the Federal Deposit Insurance Corporation.

The Conspiracy and its Objects

2. Beginning in or about March 2008, the exact date being unknown to the Grand Jury, and continuing thereafter until June 25, 2008, in the Dallas Division of the Northern District of Texas and elsewhere, defendants Christopher Matthews and Brian Tapiwa Majiwa, did unlawfully, knowingly, and willfully combine, conspire, confederate, and agree together, with each other, and with persons both known and unknown to the

Grand Jury, to commit the following offenses against the United States: (1) unlawfully have in their possession mail and the contents of mail, which had been stolen, taken, embezzled or abstracted from the United States Mail, knowing the same to have been stolen, taken, embezzled or abstracted, in violation of 18 U.S.C. § 1708; and (2) the offense of bank fraud in that they unlawfully executed a scheme to defraud a financial institution, in violation of 18 U.S.C. §1344.

Manner and Means of the Conspiracy

3. It was part of the conspiracy that:
 - a) **Majiwa** opened a business checking account registered to BTM Check Cashing at a Bank of America branch office in Dallas, Texas;
 - b) A person, or persons unknown to the Grand Jury, went through the United States Mail identifying, taking, and removing mail believed to contain corporate checks;
 - c) **Matthews** and **Majiwa** possessed mail believed to contain corporate checks and the contents of that mail, which had been stolen, taken, embezzled or abstracted from the United States Mail and which either originated in the Dallas, Texas area or was mailed from other places with the intended recipients being in the Dallas, Texas area;
 - d) **Matthews** and **Majiwa** took these stolen checks to Bank of America branch offices in and around the Dallas, Texas area, where they endorsed and deposited them into the business checking account for BTM Check Cashing;

- e) Once the stolen checks were deposited, **Matthews, Majiwa**, and persons both known and unknown to the Grand Jury withdrew the cash from the Bank of America account by using BTM Check Cashing checks made payable to them;
- f) After withdrawing the money from the BTM Check Cashing business account, **Matthews, Majiwa**, and persons both known and unknown to the Grand Jury, divided the money between and among themselves;
- g) As a result of the combined fraudulent efforts of **Matthews, Majiwa**, and persons both known and unknown to the Grand Jury, the potential financial losses to Bank of America was approximately \$228,875.40.

Overt Acts in Furtherance of Conspiracy

4. In furtherance of the conspiracy and to affect the objects thereof, one or more of the defendants named in Count One of this indictment committed the following overt acts, among others, in the Northern District of Texas, and elsewhere:

a. On or about March 4, 2008, **Brian Tapiwa Majiwa**, using the name "BTM Check Cashing" opened a business checking account with Bank of America for the purpose of depositing stolen corporate checks and defrauding Bank of America. In so doing, Majiwa provided bank officials with an address in Dallas, Texas that he claimed was the business address for BTM Check Cashing, when in truth and fact, as the defendant well knew, was actually his home address. Relying on this information, Bank

of America officials assigned account number XXXXXXXXX3937 to BTM Check Cashing.

b. On or about March 26, 2008, an unknown co-conspirator deposited three checks that had previously been stolen from authorized mail depositories into account number XXXXXXXXX3937, owned by BTM Check Cashing.

c. On or about April 3, 2008, an unknown co-conspirator deposited check number 201309, in the amount of \$10,000.00, made payable to N. Edelcup of Sunny Isles Beach, Florida was deposited into Bank of America account number XXXXXXXXX3937, owned by BTM Check Cashing. The check was issued by COMPX International Inc, in Dallas, Texas, and had been stolen from an authorized mail depository on or about April 1, 2008.

d. On or about April 7, 2008, for the purpose of converting funds from the stolen checks, **Brian Majiwa** cashed a BTM Check Cashing check in the amount of \$2,500 made payable to "Brian Majiwa" at a Bank of America branch office, located at 4999 Preston Road, Dallas, Texas, and withdrawn from account number XXXXXXXXX3937, belonging to BTM Check Cashing.

e. On or about April 14, 2008, an unknown co-conspirator deposited check number 1289594, in the amount of \$29,960.27, made payable to SWS Brinker of Dallas, Texas, into Bank of America account number XXXXXXXXX3937, owned by BTM Check Cashing. The check was issued by Shamrock Foods Company in Phoenix, Arizona, and had been stolen from an authorized mail depository sometime prior to April 14, 2008.

f. On or about April 23, 2008, an unknown co-conspirator deposited check number 88964, in the amount of \$71,919.30, made payable to Primesource Building

Products of Chicago, Illinois, into Bank of America account number XXXXXXXXXX3937, owned by BTM Check Cashing. The check was issued by BARNSCO INC. in Dallas, Texas, and had been stolen from an authorized mail depository sometime prior to April 23, 2008.

g. On or about April 8, 2008, for the purpose of converting funds from the stolen checks, **Christopher Matthews** cashed BTM Check Cashing check number 1058, in the amount of \$2,800.00, made payable to "Christopher Matthews", at Bank of America branch office located at 1227 E. Pleasant Run, De Soto, Texas, and withdrawn from account number XXXXXXXXXX3937, belonging to BTM Check Cashing.

h. On or about April 9, 2008, for the purpose of converting funds from the stolen checks, **Christopher Matthews** cashed BTM Check Cashing check number 1043, in the amount of \$10,200.00, made payable to "Christopher Matthews", at a Bank of America branch office located at 1227 E. Pleasant Run, De Soto, Texas, and withdrawn from account number XXXXXXXXXX3937, belonging to BTM Check Cashing.

[Nothing follows on this page.]

i. On or about April 22, 2008, for the purpose of converting funds from the stolen checks, **Christopher Matthews** cashed BTM Check Cashing check number 1031, in the amount of \$20,000.00, made payable to "Christopher Matthews", at a Bank of America branch office located at 600 E. Camp Wisdom Road, Duncanville, Texas, and withdrawn from account number XXXXXXXXX3937, belonging to BTM Check Cashing.

In violation of 18 U.S.C. §371 (18 U.S.C. §§1708 and 1344).

A TRUE BILL



FOREPERSON

RICHARD B. ROPER
UNITED STATES ATTORNEY

AARON WILEY
Assistant United States Attorney
Texas Bar No. 21467980
1100 Commerce Street, Third Floor
Dallas, Texas 75242-1699
Telephone: 214.659.8600
Facsimile: 214.767.4100

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS

Related Case Information

Superseding Indictment: ☐ Yes ☒ No New Defendant: ☐ Yes ☒ No

Pending CR Case in NDTX: ☐ Yes ☒ No If Yes, number:

Search Warrant Case Number _____

R 20 from District of _____

Magistrate Case Number: 3:08-MJ-250

RECEIVED

AUG - 5 2008

CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS

1. Defendant Information

Juvenile: ☐ Yes ☒ No

If Yes, Matter to be sealed:

☐ Yes ☐ No

Defendant Name

CHRISTOPHER MATTHEWS

Alias Name

Address

County in which offense was committed:

Dallas, Texas

2. U.S. Attorney Information

AUSA AARON L. WILEY

Texas State Bar # 21467980

3. Interpreter

☐ Yes ☒ No

If Yes, list language and/or dialect: _____

4. Location Status

Arrest Date - 8 July 2008

☐ Already in Federal Custody

☐ Already in State Custody

☒ On Pretrial Release

5. U.S.C. Citations

Total # of Counts as to This Defendant:

1

☐

Petty ☐ Misdemeanor

☒ Felony

Citation

Description of Offense Charged

Count(s)

18 U.S.C. § 371
(18 U.S.C. §§1708 and 1344)

Conspiracy to Possess Stolen Mail
and Commit Bank Fraud

1

Date: July 28, 2008

Signature of AUSA:

AARON L. WILEY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS

ORIGINAL

Related Case Information

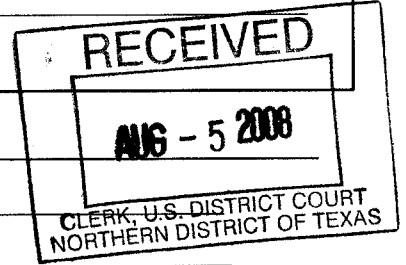
Superseding Indictment: ☐ Yes ☒ No New Defendant: ☒ Yes ☐ No

Pending CR Case in NDTX: ☐ Yes ☒ No If Yes, number:

Search Warrant Case Number _____

R 20 from District of _____

Magistrate Case Number: _____



1. Defendant Information

Juvenile: ☐ Yes ☒ No

If Yes, Matter to be sealed:

☐ Yes ☐ No

Defendant Name

BRIAN TAPIWA MAJIWA

Alias Name

Address

County in which offense was committed:

Dallas, Texas

2. U.S. Attorney Information

AUSA AARON L. WILEY

Texas State Bar # 21467980

3. Interpreter

☐ Yes ☒ No

If Yes, list language and/or dialect: _____

4. Location Status WARRANT TO ISSUE

Arrest Date -

- ☐ Already in Federal Custody
☐ Already in State Custody
☐ On Pretrial Release

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Total # of Counts as to This Defendant: **1**

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Petty

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Misdemeanor

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(18 U.S.C. §§1708 and 1344)

Conspiracy to Possess Stolen Mail
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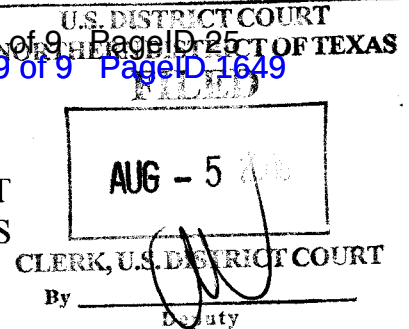
Date: July 28, 2008

Signature of AUSA: _____

AARON L. WILEY

ORIGINAL

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



3-08 CR 235 B

THE UNITED STATES OF AMERICA

v.

**CHRISTOPHER MATTHEWS (1)
BRIAN TAPIWA MAJIWA (2)**

INDICTMENT

18 U.S.C. § 371 (18 U.S.C. §§ 1708 and 1344)
Conspiracy to Possess Stolen Mail and Commit Bank Fraud

1 Count

A true bill rendered

DALLAS

FOREPERSON

Filed in open court this 5th day of August, A.D., 2008.

Clerk

WARRANT TO ISSUE AS TO DEFENDANT BRIAN TAPIWA MAJIWA.

Wm. F. Sander Jr.
UNITED STATES DISTRICT/MAGISTRATE JUDGE

No Magistrate Case Pending: 3:08-MJ-250