

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 16-CR-20698-LENARD

UNITED STATES OF AMERICA

vs.

ALVIN JAMES WARRICK,
a/k/a "Peter Candlewood,"

Defendant.

FACTUAL PROFFER

Had this case gone to trial, the United States of America and the Defendant, Alvin James Warrick (hereinafter, the "Defendant" or "WARRICK") agree that the United States would have proved the following facts beyond a reasonable doubt:

A.V. 2008 M.M.T.O.
From January 1, 2015, through September 7, 2016, in the Southern District of Florida, and elsewhere, the Defendant, Colitha Patrice Bush ("Bush"), Ronald Bennett Shepherd ("Shepherd"), and others, knowingly and willfully engaged in a false and fraudulent scheme to obtain money from relatives of inmates incarcerated at federal correctional institutions by making materially false and fraudulent representations about purported assistance in obtaining a sentencing reduction pursuant to Rule 35 of the Federal Rules of Criminal Procedure, in exchange for money.

As part of the scheme, relatives of federal inmates were referred to Private Services, a Texas company which WARRICK owned, and WARRICK and Bush owned and operated. Many of these referrals came through federal inmates, in Miami-Dade County, and elsewhere, who WARRICK used to refer potential victims, in exchange for a referral fee paid to them by WARRICK. Thereafter, WARRICK and his co-conspirators used mail, email, phone, and in-person meetings to knowingly made materially false and fraudulent representations to these

inmates and relatives of inmates. WARRICK and Bush represented that Private Services used a network of informants to make undercover drug deals and to provide information and third party cooperation in other criminal cases under the supervision of prosecutors, federal agents, and the courts. WARRICK and Bush also represented that, if successful, such deals and information would be credited to the inmate and used to secure their early release through a Rule 35 motion. During these representations, and throughout the conspiracy, WARRICK used aliases and false names, including "Peter Candlewood" to disguise his identity and evade detection. Bush also used aliases and false names, including "Diane Lane" and "Diane Rice."

As a result of these false and fraudulent representations, relatives of inmates entered into agreements with the conspirators to pay money in exchange for assistance in securing a sentencing reduction for their incarcerated relative. During the conspiracy, WARRICK and his co-conspirators used the United States Postal Services to mail false and fraudulent documents summarizing these arrangements, and invoices seeking payment, to the inmates' relatives.

WARRICK and Bush required victims to make periodic payments via cash, check, wire, or electronic fund transfer in order for the third party cooperation process to be initiated. As corroborated by bank records and business document, these payments were deposited into bank accounts controlled by the conspirators, including a Wells Fargo, N.A. bank account ending in 9450 held in the name of Shepherd, d/b/a Private Services, and located in Texas ("Wells Fargo Account.") In furtherance of the scheme, on February 5, 2015, Bush sent a text message to victim "M.F.," a resident of Miami-Dade County, Florida, regarding information for the Wells Fargo Bank Account, which M.F. later used to make a deposit into the account. That same day, Bush also made an interstate call to M.F. and left a voicemail regarding payments to be made by M.F. in exchange for purported Rule 35 cooperation proceedings on behalf of M.F.'s family member "D.F.," who was an inmate at a federal prison located in Miami-Dade County. The falsely and

fraudulently obtained money that WARRICK, Bush, Shepherd and their co-conspirators received through the scheme was used for their personal use and benefit.

WARRICK and Bush used emails, text messages, interstate phone calls, the United States Postal Service, and other methods of communication to falsely and fraudulently represent to victims that substantial assistance was offered and provided to the government on behalf of the inmates whose relatives had made payments to the conspirators. For example, WARRICK created and used the email account pservices2013@gmail.com to send retainer agreements, and other documents in furtherance of the fraudulent scheme. He then assured and consoled family members of federal inmates that he would work on their case and help to coordinate third party cooperation, but in truth and in fact, and as he well knew, no such work was ever done.

In furtherance of the scheme, WARRICK also signed a United States Postal Service Application for Delivery of Mail Through Agent ("Form 1583") and an Application for Mail Box, and submitted them to the West Bellfort Postal Center in Houston, Texas. Thereafter, WARRICK directed mail in connection with the scheme to be sent there. The conspirators also provided M.F. with what they falsely and fraudulently represented to be a contract signed by an Assistant United States Attorney in the Southern District of New York, the United States Attorney for the Southern District of New York, and "Nancy McCann," an investigator employed by Private Services to facilitate a Rule 35 sentencing reduction for D.F. Both the Assistant United States Attorney and the United States Attorney subsequently confirmed with law enforcement that the signatures on the document were not theirs, and nobody from that office had entered into or seen such a contract. Nancy McCann was not a real person, but rather, a false name created by the conspirators.

The above facts are also corroborated by certified business records, phone records, bank documents, Internet Service Provider records, United States Postal Service documents, and other

records, photographs and recordings authenticated by the victims. As a result of the actions of WARRICK, Bush, Shepherd and other co-conspirators, at least twenty-two victims suffered an overall loss of approximately \$4,401,005.

The information contained in this proffer is not a complete recitation of all the facts and circumstances of this case, but the parties admit it is sufficient to prove beyond a reasonable doubt a violation of Title 18, United States Code, Sections 1349, that, is, conspiracy to commit wire fraud and mail fraud, as charged in the Indictment.

BENJAMIN G. GREENBERG
ACTING UNITED STATES ATTORNEY


Date: 3/16/17

By: 
ANNE P. MCNAMARA
ASSISTANT UNITED STATES ATTORNEY

Date: 3/16/17

By: 
MARK O'BRIEN
ATTORNEY FOR DEFENDANT

Date: 3/16/17

By: 
ALVIN JAMES WARRICK
DEFENDANT