

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. **16-20698**

18 U.S.C. § 1349

18 U.S.C. § 1343

18 U.S.C. § 1341

18 U.S.C. § 981(a)(1)(C)

CA-LENARD

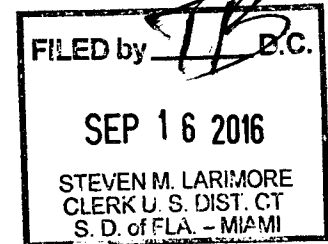
GOODMAN

UNITED STATES OF AMERICA

vs.

ALVIN JAMES WARRICK,
a/k/a "Peter Candlewood,"
COLITHA PATRICE BUSH,
a/k/a "Diane Lane,"
a/k/a "Diane Rice," and
RONALD BENNETT SHEPHERD,

Defendants.



INDICTMENT

The Grand Jury charges that:

GENERAL ALLEGATIONS

At all times relevant to this Indictment:

1. Rule 35 of the Federal Rules of Criminal Procedure allows the court, upon the government's motion, to reduce a defendant's sentence if the defendant is found to have provided substantial assistance in investigating or prosecuting another person. Neither the government nor the court system charges inmates or their relatives a fee for providing substantial assistance.

2. Private Services was a Texas corporation, with its principal place of business located in Houston, Texas. The owners, operators, and employees of Private Services represented that the company worked with a network of informants and law enforcement to identify and provide information and third party cooperation to be credited to federal inmates in Rule 35 proceedings.

3. Defendant **ALVIN JAMES WARRICK** was a resident of Fort Bend County, Texas, and an owner and operator of Private Services.

4. Defendant **COLITHA PATRICE BUSH** was a resident of Fort Bend County, Texas, and an owner and operator of Private Services.

5. Defendant **RONALD BENNETT SHEPHERD** was a resident of Harris County, Texas, and an owner, operator and treasurer of Private Services. He was the sole signatory on the Private Services bank account.

6. Victim 1 was a resident of Miami-Dade County, Florida, and the relative of a federal inmate. Victim 2 was a resident of Miami-Dade County, Florida, and a federal inmate, incarcerated in the Southern District of Florida.

COUNT 1
Conspiracy to Commit Mail and Wire Fraud
(18 U.S.C. § 1349)

1. Paragraphs 1 through 6 of the General Allegations section of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

2. Beginning at least as early as in or around January 2015, the exact date being unknown to the Grand Jury, and continuing through the date of this Indictment, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants,

ALVIN JAMES WARRICK,
a/k/a “Peter Candlewood,”
COLITHA PATRICE BUSH,
a/k/a “Diane Lane,”
a/k/a “Diane Rice,” and
RONALD BENNETT SHEPHERD,

did willfully, that is, with the intent to further the objects of the conspiracy, and knowingly combine, conspire, confederate and agree with each other and with others known and unknown to the Grand Jury, to commit the following offenses:

(a) to knowingly, and with intent to defraud, devise, and intend to devise, a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, knowing that such pretenses, representations and promises were false and fraudulent when made, and, for the purpose of executing the scheme and artifice, knowingly causing to be delivered certain mail matter by the United States Postal Service, according to the directions thereon, in violation of Title 18, United States Code, Section 1341; and

(b) to knowingly, and with intent to defraud, devise, and intend to devise, a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, knowing that such pretenses, representations and promises were false and fraudulent when made, and, for the purpose of executing the scheme and artifice, knowingly transmitting and causing to be transmitted in interstate commerce, by means of wire communication, certain writings, signs, signals, pictures and sounds, in violation of Title 18, United States Code, Section 1343.

PURPOSE OF THE CONSPIRACY

3. It was a purpose of the conspiracy for the defendants and their co-conspirators to unlawfully enrich themselves by obtaining money from relatives of federal inmates incarcerated in federal correctional institutions, by materially false and fraudulent pretenses, representations, and promises concerning fraudulent substantial assistance services provided to secure the early release of the inmates from their sentences in connection with potential motions for reduction of sentence under Rule 35 of the Federal Rules of Criminal Procedure.

MANNER AND MEANS OF THE CONSPIRACY

The manner and means by which the defendants and their co-conspirators sought to accomplish the purpose and objects of the conspiracy included, among others, the following:

4. **ALVIN JAMES WARRICK, COLITHA PATRICE BUSH** and their co-

conspirators, using aliases and false names, represented to Victim 1, Victim 2, and other inmates and family members of inmates in federal correctional institutions that the defendants owned, operated, or were employed by Private Services.

5. **ALVIN JAMES WARRICK, COLITHA PATRICE BUSH** and their co-conspirators falsely and fraudulently represented that Private Services was associated with the federal government, and promoted themselves as individuals who utilized a network of informants who, in exchange for the payment of funds from relatives of federal inmates to bank accounts controlled by the defendants, would provide third party cooperation under the supervision of law enforcement, to be credited to the federal inmates in Rule 35 proceedings.

6. **ALVIN JAMES WARRICK, COLITHA PATRICE BUSH** and their co-conspirators required relatives of the federal inmates to make periodic payments via cash, check, wire, and electronic fund transfer, in order for the third party cooperation process to be conducted. The payments were deposited into a Wells Fargo, N.A. bank account ending in -9450 in the name of **RONALD BENNETT SHEPHERD** d/b/a Private Services (“Private Services bank account”), which was established on or about November 3, 2014. The account opening paperwork listed Private Services as being in the Transportation and Warehousing industry.

7. **ALVIN JAMES WARRICK, COLITHA PATRICE BUSH** and their co-conspirators provided false and fraudulent documents purporting to show agreements between U.S. Attorney’s Offices, including the Eastern District of New York and the Southern District of New York, and a company affiliated with Private Services.

8. The conspirators also used mail, emails, phone calls and other means of electronic communications to update inmates and relatives of inmates by falsely and fraudulently representing that substantial assistance was offered and provided to the government on behalf of the inmates whose relatives made payments to the defendants, when in truth and in fact no such substantial assistance

was ever provided or offered to the government on behalf of the inmates whose relatives had made payments to the defendants.

9. On or about January 17, 2013, **ALVIN JAMES WARRICK** 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, owners and operators of Private Services directed mail to 8544 West Bellfort Street, #322, Houston, Texas 77071, and received mail at that address.

10. As a result of this scheme and artifice, **ALVIN JAMES WARRICK, COLITHA PATRICE BUSH, RONALD SHEPHERD** and their co-conspirators received payments from relatives of inmates into bank accounts controlled by them, then withdrew the falsely and fraudulently obtained funds for their personal use and benefit.

In violation of Title 18, United States Code, Section 1349.

COUNTS 2-8
Wire Fraud
(18 U.S.C. § 1343)

From at least as early as in or around January 2015, and continuing through the date of this Indictment, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants,

ALVIN JAMES WARRICK,
a/k/a “Peter Candlewood,”
COLITHA PATRICE BUSH,
a/k/a “Diane Lane,”
a/k/a “Diane Rice,” and
RONALD BENNETT SHEPHERD,

did knowingly, and with intent to defraud, devise and intend to devise a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, knowing that the pretenses, representations, and promises were false and fraudulent when made, and, for the purpose of executing the scheme and artifice, did knowingly

transmit and cause to be transmitted, by means of wire communications in interstate commerce, certain writings, signs, signals, pictures and sounds.

PURPOSE OF THE SCHEME AND ARTIFICE

1. It was a purpose of the scheme and artifice for the defendants and their accomplices to unlawfully enrich themselves by obtaining money from relatives of federal inmates incarcerated in federal correctional institutions, by materially false and fraudulent pretenses, representations, and promises concerning fraudulent substantial assistance services provided to secure the early release of the inmates from their sentences in connection with potential motions for reduction of sentence under Rule 35 of the Federal Rules of Criminal Procedure.

SCHEME AND ARTIFICE

2. Paragraphs 4 through 10 of the Manner and Means section of this Indictment are re-alleged and incorporated by reference as though fully set forth herein as a description of the scheme and artifice.

USE OF THE WIRES

3. On or about the dates specified as to each count below, the defendants, for the purpose of executing the aforesaid scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, did knowingly cause to be transmitted by means of wire communication in interstate commerce, certain writings, signs, signals, pictures, and sounds, as more specifically described below:

COUNT	APPROX. DATE	DEFENDANT	ACTS IN EXECUTION OF THE SCHEME AND ARTIFICE
2	January 20, 2015	ALVIN JAMES WARRICK and COLITHA PATRICE BUSH	E-mailed Victim 2, in the Southern District of Florida, about purported communications with Attorney General Loretta Lynch regarding Rule 35 cooperation proceedings for Victim 2.

COUNT	APPROX. DATE	DEFENDANT	ACTS IN EXECUTION OF THE SCHEME AND ARTIFICE
3	February 5, 2015	COLITHA PATRICE BUSH	Text messaged information for the Private Services bank account in Texas to Victim 1, in the Southern District of Florida, for deposit of United States currency into the account.
4	February 5, 2015	COLITHA PATRICE BUSH	Called Victim 1, in the Southern District of Florida, and left a voicemail regarding payments to be made by Victim 1 in exchange for purported Rule 35 cooperation proceedings for Victim 2.
5	February 13, 2015	COLITHA PATRICE BUSH	Called Victim 1, in the Southern District of Florida, and left a voicemail regarding Rule 35 cooperation proceedings for Victim 2.
6	February 18, 2015	ALVIN JAMES WARRICK and COLITHA PATRICE BUSH	E-mailed Victim 1, in the Southern District of Florida, about purported communications with an Assistant United States Attorney in the Southern District of New York regarding Rule 35 cooperation proceedings for Victim 2.
7	March 12, 2015	ALVIN JAMES WARRICK, COLITHA PATRICE BUSH, and RONALD BENNETT SHEPHERD	Caused an electronic transmission in the amount of \$5,000 from Victim 1, in the Southern District of Florida, to the RONALD BENNETT SHEPHERD d/b/a Private Services bank account in Texas.
8	March 31, 2015	ALVIN JAMES WARRICK, COLITHA PATRICE BUSH, and RONALD BENNETT SHEPHERD	Caused an electronic transmission in the amount of \$5,500 from Victim 1, in the Southern District of Florida, to the RONALD BENNETT SHEPHERD d/b/a Private Services bank account in Texas.

In violation of Title 18, United States Code, Sections 1343 and 2.

COUNTS 9-11
Mail Fraud
(18 U.S.C. § 1341)

On or about the dates specified as to each count below, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants,

**ALVIN JAMES WARRICK,
a/k/a “Peter Candlewood,” and
COLITHA PATRICE BUSH,
a/k/a “Diane Lane,”
a/k/a “Diane Rice,”**

did knowingly, and with the intent to defraud, devise, and intend to devise, a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, knowing that the pretenses, representations, and promises were false and fraudulent when made, and, for the purpose of executing the scheme and artifice, did knowingly cause to be sent and delivered certain mail matter by the United States Postal Service, according to the directions therein.

PURPOSE OF THE SCHEME AND ARTIFICE

1. It was a purpose of the scheme and artifice for **ALVIN JAMES WARRICK, COLITHA PATRICE BUSH**, and their accomplices to unlawfully enrich themselves by obtaining money from relatives of federal inmates incarcerated in federal correctional institutions, by materially false and fraudulent pretenses, representations, and promises concerning fraudulent substantial assistance services provided to secure the early release of the inmates from their sentences in connection with potential motions for reduction of sentence under Rule 35 of the Federal Rules of Criminal Procedure.

SCHEME AND ARTIFICE

2. Paragraphs 4 through 10 of the Manner and Means section of this Indictment are re-alleged and incorporated by reference as though fully set forth herein as a description of the scheme and artifice.

USE OF THE MAILS

3. On or about the dates specified as to each count below, the defendants, **ALVIN JAMES WARRICK** and **COLITHA PATRICE BUSH**, for the purpose of executing and in

furtherance of the aforesaid scheme and artifice to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, did knowingly cause to be delivered certain mail matter by the United States Postal Service, according to the directions thereon, as more particularly described below:

COUNT	DATE	DESCRIPTION OF MAILING
9	February 25, 2015	Invoice sent from Private Services in Houston, Texas, to Victim 1, in Miami, Florida, regarding services purportedly provided in connection with a Rule 35 for Victim 2.
10	March 10, 2015	Invoice sent from Private Services in Houston, Texas, to Victim 1, in Miami, Florida, regarding services purportedly provided in connection with a Rule 35 for Victim 2.
11	March 17, 2015	Invoice sent from Private Services in Houston, Texas, to Victim 1, in Miami, Florida, regarding services purportedly provided in connection with a Rule 35 for Victim 2.

In violation of Title 18, United States Code, Sections 1341 and 2.

FORFEITURE ALLEGATIONS

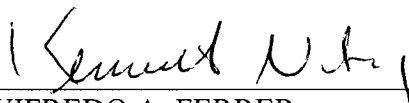
1. The allegations of this Indictment are re-alleged and by this reference fully incorporated herein for the purpose of alleging criminal forfeiture to the United States of America of certain property in which the defendants, **ALVIN JAMES WARRICK**, **COLITHA PATRICE BUSH**, and **RONALD BENNETT SHEPHERD**, have an interest.

2. Upon conviction of a violation of Title 18, United States Code, Sections 1341, 1343, or a conspiracy to violate either of these sections, as alleged in the Indictment, the defendants shall forfeit to the United States of America any property, real and personal, which constitutes or is derived from proceeds traceable to such violation, pursuant to Title 18, United States Code, Section 981(a)(1)(C).

All pursuant to Title 18, United States Code, Section 981(a)(1)(C), and the procedures set forth at Title 21, United States Code, Section 853, as made applicable by Title 28, United States Code, Section 2461(c).

A TRUE BILL. ^

~~FOREPERSON~~ _____



WIFREDO A. FERRER
UNITED STATES ATTORNEY



ANNE P. MCNAMARA
ASSISTANT UNITED STATES ATTORNEY

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

UNITED STATES OF AMERICA

CASE NO. _____

v.

ALVIN JAMES WARRICK et al.

Defendants.

Superseding Case Information:

Court Division: (Select One)

 X Miami Key West
 FTL WPB FTP

New Defendant(s) Yes No
Number of New Defendants
Total number of counts

I do hereby certify that:

1. I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.
2. I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. Section 3161.
3. Interpreter: (Yes or No) No
List language and/or dialect _____
4. This case will take 7-9 days for the parties to try.
5. Please check appropriate category and type of offense listed below:

(Check only one)		(Check only one)	
I	0 to 5 days	_____	Petty
II	6 to 10 days	<u> x </u>	Minor
III	11 to 20 days	_____	Misdem.
IV	21 to 60 days	_____	Felony
V	61 days and over	_____	<u> x </u>

6. Has this case been previously filed in this District Court? (Yes or No) No

If yes: Judge: Case No. _____

(Attach copy of dispositive order)
Has a complaint been filed in this matter? (Yes or No) No

If yes: Magistrate Case No. _____

Related Miscellaneous numbers: _____

Defendant(s) in federal custody as of _____

Defendant(s) in state custody as of _____

Rule 20 from the District of _____

Is this a potential death penalty case? (Yes or No) No

7. Does this case originate from a matter pending in the Northern Region of the U.S. Attorney's Office prior to October 14, 2003? Yes _____ No x

8. Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to September 1, 2007? Yes _____ No x



ANNE P. MCNAMARA
ASSISTANT UNITED STATES ATTORNEY
COURT ID. NO. A5501847

*Penalty Sheet(s) attached

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: ALVIN JAMES WARRICK a/k/a "Peter Candlewood"

Case No: _____

Count #: 1

Conspiracy to Commit Wire Fraud and Mail Fraud

Title 18, United States Code, Section 1349

***Max. Penalties:** 20 Years' Imprisonment

Counts #: 2, 6-8

Wire Fraud

Title 18, United States Code, Section 1343

***Max. Penalties:** 20 Years' Imprisonment

Counts #: 9-11

Mail Fraud

Title 18, United States Code, Section 1341

***Max. Penalties:** 20 Years' Imprisonment

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: COLITHA PATRICE BUSH a/k/a "Diane Lane" a/k/a "Diane Rice"

Case No: _____

Count #: 1

Conspiracy to Commit Wire Fraud and Mail Fraud

Title 18, United States Code, Section 1349

*Max. Penalties: 20 Years' Imprisonment

Counts #: 2-8

Wire Fraud

Title 18, United States Code, Section 1343

*Max. Penalties: 20 Years' Imprisonment

Counts #: 9-11

Mail Fraud

Title 18, United States Code, Section 1341

*Max. Penalties: 20 Years' Imprisonment

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: RONALD BENNETT SHEPHERD

Case No: _____

Count #: 1

Conspiracy to Commit Wire Fraud and Mail Fraud

Title 18, United States Code, Section 1349

*Max. Penalties: 20 Years' Imprisonment

Counts #: 7-8

Wire Fraud

Title 18, United States Code, Section 1343

*Max. Penalties: 20 Years' Imprisonment

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**