

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS
AT PEORIA

FILED

JUN 20 2018

CLERK OF COURT
U.S. DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

Criminal No. 18- *10031*

STEVEN MAYS,)

Defendant.)

VIO: Title 18, U.S.C., §§ 641, 1341,
1343, and 2314

INDICTMENT

The Grand Jury charges:

COUNT 1
(Mail Fraud)

At all times material:

1. The General Services Administration (GSA) was an agency of the United States government that provided real estate, logistics, contracting and other services for government agencies.

2. "Computers for Learning" (CFL) was a program administered by GSA and authorized by law through 15 U.S.C. § 3710(i). The authorizing legislation was commonly known as the Stevenson-Wydler Act, or Executive Order 12999. The CFL program facilitated the transfer of computers and related peripheral equipment (hereafter, "computer equipment"), owned by the United

States government, but excess to government needs, directly to schools and some educational non-profit organizations.

3. The CFL program allowed schools and educational non-profit organizations to view and select computer equipment that federal agencies reported as excess to their needs. This was facilitated through the CFL website which was an integral part of the CFL program.

4. Schools and educational nonprofit organizations located in the United States could receive computer equipment through the CFL program. Public and parochial schools were eligible. An educational nonprofit organization had to meet four criteria in order to participate: (1) it must serve some portion of the pre-kindergarten through grade 12 population; (2) it must provide evidence of its nonprofit status by being tax exempt under section 501(c) of the U.S. tax code; (3) it must operate primarily for the purpose of education; and (4) it must be approved, accredited, or licensed.

5. Schools and educational nonprofit organizations did not pay for excess computer equipment acquired through the CFL program. Title to the computer equipment passed from the agency to the school or educational nonprofit organization.

6. Dwight Baptist Academy (hereafter, Dwight Baptist) was a school located in Dwight, Illinois.

7. Steven Mays lived in Athens, Alabama and operated a computer store, Mays Computer Company, Inc., in Athens.

The Scheme

8. Starting in or about 2007 and continuing to late 2017, at Dwight, in the Central District of Illinois and elsewhere,

STEVEN MAYS,

defendant herein, did knowingly engage in a scheme and artifice to defraud the CFL program, departments and agencies of the United States government, and others and to obtain money and property by means of materially false and fraudulent pretenses, representations and promises.

Object of the Scheme

9. The object of the scheme was to obtain and convert federal property, specifically excess computer equipment, under the guise that the computer equipment was being acquired on behalf of and for the use of Dwight Baptist, whereas, in fact, most of the computer equipment was acquired for the personal benefit of MAYS.

Manner and Means of the Scheme

10. It was a part of the scheme that starting in approximately May 2007, MAYS created CFL user identifications (IDs) for use on the website for Dwight Baptist. In total, Mays created four user IDs for Dwight Baptist.

11. It was further a part of the scheme that MAYS accessed the CFL website and utilized false and fraudulent pretenses and representations to GSA to request excess computer equipment on behalf of Dwight Baptist.

12. It was further a part of the scheme that MAYS made false and fraudulent statements in writing, on the phone, and in person, about the acquisition, possession and intended use of the excess computer equipment.

13. It was further a part of the scheme that MAYS enlisted the services of others to pick up computer equipment from the departments and agencies having possession of the excess computer equipment.

14. It was further a part of the scheme that after obtaining the computer equipment, MAYS often had the computer equipment transported to Mays' Computer Company.

15. It was further a part of the scheme that, contrary to the conditions under which he acquired the computer equipment through the CFL program, the defendant sold the computer equipment at Mays Computer Company and on eBay.

16. It was further a part of the scheme that MAYS caused some of the computer equipment to be shipped to recyclers for the purpose of obtaining payment from the recyclers. MAYS threw other computer equipment obtained through the CFL program into dumpsters.

17. It was further a part of the scheme that MAYS provided a small portion of the computer equipment he acquired to Dwight Baptist. Further, MAYS represented to Dwight Baptist that the computer equipment he obtained through the CFL program was “junk” and that he would refurbish certain pieces to make it useable by the students at Dwight Baptist. Unbeknownst to Dwight Baptist, MAYS acquired much more computer equipment in Dwight Baptist’s name than was known to Dwight Baptist and used that computer equipment to enrich himself.

18. It was further part of the scheme that MAYS fraudulently obtained computer equipment originally costing the United States government over \$22 million.

Mailing

19. On or about June 19, 2017, in the Central District of Illinois and elsewhere,

STEVEN MAYS,

defendant herein, for the purpose of executing and attempting to execute the scheme and artifice to defraud, by means of materially false and fraudulent pretenses, representations, and premises, and in attempting to do so, did cause an HP Compaq Elite computer to be sent and delivered, according to the

directions thereon, to Jerry Peralta, 95 State Street, P.O. Box 5982, Peoria, IL 61601, by commercial interstate carrier, that being FedEx;

In violation of Title 18, United States Code, Section 1341.

COUNTS 2 – 4
(Mail Fraud)

1. The Grand Jury incorporates by reference herein the allegations of paragraphs 1 through 18 of Count 1 as if fully set forth herein.

2. On or about the below-listed dates, at Peoria, in the Central District of Illinois and elsewhere,

STEVEN MAYS,

defendant herein, for the purpose of executing and attempting to execute the scheme and artifice to defraud by means of materially false and fraudulent pretenses, representations, and promises, and in attempting to do so, did knowingly cause computer equipment to be sent and delivered according to the directions thereon as set forth below:

Mailings

<u>Count</u>	<u>Date</u>	<u>Item</u>	<u>Addressee</u>
2	6/29/17	HP Compaq Elite	Jerry Peralta PO Box 5982 95 State Street Peoria, IL 61601-9906
3	7/7/17	HP Compaq Elite	Jerry Peralta PO Box 5982 95 State Street Peoria, IL 61601-9906
4	7/7/17	HP Compaq Elite	Jerry Peralta PO Box 5982 95 State Street Peoria, IL 61601-9906

COUNT 5
(Wire Fraud)

1. The Grand Jury incorporates the allegations of paragraphs 1 through 18 of Count 1 as if fully set forth herein.

2. Starting in or about 2007 and continuing to in or about late 2017, at Dwight, in the Central District of Illinois and elsewhere,

STEVEN MAYS,

defendant herein, devised and intended to devise a scheme and artifice to defraud the CFL program, departments and agencies of the United States government, and others and to obtain money and property by means of materially false and fraudulent pretenses, representations and promises;

3. On or about April 19, 2017, at Dwight, in the Central District of Illinois and elsewhere,

STEVEN MAYS,

for the purpose of executing the scheme described above, and attempting to do so, caused to be transmitted by means of wire communication in interstate commerce, certain signals and sounds, that being the facsimile transmission of a document from Dwight Baptist Church in Dwight, Illinois to the Department of Homeland Security, Transportation Safety Administration, in Flint, Michigan;

In violation of Title 18, United States Code, Section 1343.

COUNT 6
(Theft of Government Property)

Starting in or about 2007 and continuing to late 2017, in the Central District of Illinois and elsewhere,

STEVEN MAYS,

defendant herein, willfully and knowingly did steal, purloin, and convert to his own use and the use of another, computers and related equipment, of a value exceeding \$1,000, of the goods and property of the United States;

In violation of Title 18, United States Code, Section 641.

COUNT 7
(Interstate Transportation of Stolen Property)

On or about July 26, 2017, at Normal, in the Central District of Illinois and elsewhere,

STEVEN MAYS,

defendant herein, did unlawfully transport, transmit, and transfer and cause to be transported, transmitted, and transferred, in interstate commerce from Estes Express Lines, Inc. in Illinois to MPL Solutions, Inc. in Connecticut, stolen goods, that is, computers and peripheral equipment, of the value of \$5,000 or more, knowing the same to have been stolen, converted, and taken by fraud;

In violation of Title 18, United States Code, Section 2314.

A True Bill,
s/Foreperson

Foreperson

s/Darilynn Knauss


JOHN E. CHILDRESS
UNITED STATES ATTORNEY

DJK/amr