

SEP 05 2012

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

JAMES W. MCCORMACK, CLERK
By: Cathy Swain
DEP. CLERK

UNITED STATES OF AMERICA)

vs.)

SUSAN ELAINE BOYCE,)
a/k/a Suzanne Boyce Pitts,)
a/k/a Suzanne B. Pitt,)
a/k/a Suzanne Johnson)

4:12CR 00244 BEM

18 U.S.C. § 1343
18 U.S.C. § 1028A
42 U.S.C. § 408

INDICTMENT

THE GRAND JURY CHARGES THAT:

COUNTS ONE THROUGH FIVE

Wire Fraud

A. At all times material to this indictment:

1. From in or about August 2007 through in or about June 2012, SUSAN ELAINE BOYCE a/k/a SUZANNE BOYCE PITTS was employed as a school nurse at Sidney Deener Elementary School in Searcy, Arkansas.

2. Sidney Deener Elementary School is a member of the Searcy Special School District, which is located in the Eastern District of Arkansas.

3. In or about May 2007, SUSAN ELAINE BOYCE applied for the nursing position under the name Suzanne Boyce Pitts, and it was by this alias that she was to be known at Sidney Deener Elementary School.

4. The Searcy Special School District considered SUSAN ELAINE BOYCE a/k/a SUZANNE BOYCE PITTS for the nursing position on the basis of another application that she had previously submitted in which she claimed to be a registered nurse (RN), which she was not.

5. The Arkansas State Board of Nursing has no record of an RN or licensed practical nurse by the name of SUSAN ELAINE BOYCE, or her alias, Suzanne Boyce Pitts.

6. Believing her to be a duly licensed RN, the Searcy Special School District hired SUSAN ELAINE BOYCE a/k/a SUZANNE BOYCE PITTS to work as a nurse at Sidney Deener Elementary School beginning with the 2007-08 school year.

7. Pursuant to her employment at Sidney Deener Elementary School, SUSAN ELAINE BOYCE a/k/a SUZANNE BOYCE PITTS completed a Department of the Treasury Form W-4 for tax withholding purposes.

8. SUSAN ELAINE BOYCE filled out the Form W-4 under the alias Suzanne Boyce Pitts, using a social security number (XXX-XX-5235) that was not her own and, in fact, was assigned to another person.

9. Pursuant to her employment, SUSAN ELAINE BOYCE a/k/a SUZANNE BOYCE PITTS provided the Searcy Special School District with an Arkansas State Board of Nursing license number to show that she was an RN.

10. SUSAN ELAINE BOYCE a/k/a SUZANNE BOYCE PITTS provided the Searcy Special School District with an RN license number (XXX251) that was not her own and, in fact, belonged to another RN.

11. After the original RN license number expired, SUSAN ELAINE BOYCE a/k/a SUZANNE BOYCE PITTS provided the Searcy Special School District with another RN license number (XXX158) that was not her own and, in fact, belonged to another RN.

12. During the course of her employment, from in or about August 2007 through in or about June 2012, the Searcy Special School District paid SUSAN ELAINE BOYCE a/k/a SUZANNE BOYCE PITTS approximately \$175,099.24 to work as a school nurse at Sidney

Deener Elementary School (2007-08 school year, appx. \$29,158.46; 2008-09, appx. \$31,002.83; 2009-10, appx. \$34,363.95; 2010-11, appx. \$37,184.00; 2011-12, appx. \$43,390.00).

13. The Searcy Special School District would neither have hired SUSAN ELAINE BOYCE a/k/a SUZANNE BOYCE PITTS to work as a nurse at Sidney Deener Elementary School nor paid her to do so had it known that she was not a licensed RN.

B. On or about the dates listed below, in the Eastern District of Arkansas, the Defendant,

SUSAN ELAINE BOYCE a/k/a SUZANNE BOYCE PITTS,

having knowingly and intentionally devised a scheme and artifice to defraud the Searcy Special School District of money by means of false and fraudulent pretenses and representations, and for the purpose of executing and attempting to execute this scheme and artifice to defraud and to obtain money by means of false and fraudulent pretenses and representations, did cause to be transmitted in interstate commerce by means of a wire communication any writing for the purpose of executing such scheme; to wit, an electronic image of her paycheck from Citizen's Bank in Pleasant Plains, Arkansas to First Security Bank in Searcy, Arkansas via the Federal Reserve Bank, located outside Arkansas, to enable its payment.

COUNT	DATE	CHECK NO.	AMOUNT
One	January 23, 2012	91485	\$2,337.78
Two	February 22, 2012	92059	\$2,337.82
Three	March 19, 2012	92641	\$2,337.82
Four	April 23, 2012	93219	\$2,337.82
Five	May 21, 2012	93815	\$2,337.82

All in violation of Title 18, United States Code, Section 1343.

COUNT SIX

Aggravated Identity Theft

1. The Grand Jury realleges and incorporates Paragraph A of Counts One through Five of this Indictment.

2. From in or about August 2007 through in or about June 2012, in the Eastern District of Arkansas, the Defendant,

SUSAN ELAINE BOYCE a/k/a SUZANNE BOYCE PITTS,

did knowingly use, without lawful authority, a means of identification of another person, that is, a social security account number assigned by the Commissioner of Social Security to another person (XXX-XX-5235), when completing a Department of Treasury Form W-4, during and in relation to the offense of wire fraud set out in Counts One through Five, in violation of Title 18, United States Code, Section 1028A(a)(1).

COUNT SEVEN

Misuse of Social Security Number

1. The Grand Jury realleges and incorporates Paragraph A of Counts One through Five of this Indictment.

2. On or about March 31, 2010, in the Eastern District of Arkansas, the Defendant,

SUSAN ELAINE BOYCE a/k/a SUZANNE BOYCE PITTS,

did unlawfully and knowingly, for the purpose of obtaining something of value and for any other purpose, while having the intent to deceive, falsely represented a social security account number assigned by the Commissioner of Social Security to be her own when it was not, specifically, she caused to be submitted a Department of the Treasury Form W-4 listing her social security number as XXX-XX-5235, when she knew that this number was not the actual social security number assigned to her, in violation of Title 42, United States Code, Section 408(a)(7)(B).

(END OF TEXT. SIGNATURE PAGE ATTACHED.)