

FILED
DEC 06 2023
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
TOLEDO

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

DARREN J. BARR,

Defendant.

) INDICTMENT

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CASE NO. _____

3:23 CR 623
JUDGE JAMES G. CARR

Title 18, United States Code,
Sections 1343, 1349,
1956(a)(1)(B)(i), 1957, and 2

COUNT 1

(Conspiracy to Commit Wire Fraud, 18 U.S.C. § 1349)

The Grand Jury charges:

1. From in or around March 2018 through November 2020, in the Northern District of Ohio, Western Division, the Eastern District of Pennsylvania, and elsewhere, Defendant DARREN J. BARR, together with others known and unknown, knowingly and intentionally combined, conspired, confederated, and agreed together and with each other, to commit offenses under Title 18, United States Code, Chapter 63, to wit: knowingly devised and intended to devise a scheme and artifice to defraud and to obtain money and property by means of false and fraudulent pretenses, representations, and promises, and for the purpose of executing the scheme and artifice to defraud and attempting to do so, transmitted and caused to be transmitted by means of wire communication in interstate and foreign commerce, writings, signs, signals, and pictures, in violation of Title 18, United States Code, Section 1343.

ORIGINAL

Manner and Means

2. The manner and means by which the conspiracy was conducted included the following:

a. Co-conspirators used publicly available websites to obtain information regarding approved government vendor businesses and officials responsible for issuing payments to vendor businesses for services rendered to government entities.

b. After obtaining information regarding a vendor business, co-conspirators created false email accounts that resembled the actual email account for a vendor business employee. Co-conspirators would then send an email from this new account to the victim government entity with payment instructions for legitimate invoices.

c. The payment instructions provided by co-conspirators instructed the victim government entity to direct payment to fraudulent corporate bank accounts created by co-conspirators including BARR. BARR and others opened the fraudulent corporate bank accounts using forged State of Pennsylvania and Internal Revenue Service corporate documents.

d. Believing the email containing payment instructions to be genuine, the government official would send payments for legitimate services rendered by vendor businesses to bank accounts controlled by co-conspirators including BARR.

3. BARR and others furthered the scheme to defraud by transferring, or causing to be transferred, funds, with both types of transmissions being sent by means of wire communication in interstate commerce. The wire communications were sent from, to, and through the Northern District of Ohio from places outside the Northern District of Ohio.

4. BARR and others also furthered the scheme to defraud by concealing it. BARR and others did so by quickly disbursing the funds from the accounts into which they were deposited, thus frustrating attempts to recover the funds if the fraud were discovered.

Acts in Furtherance of the Conspiracy

5. In furtherance of the above scheme, and to effect the objects and conceal the existence thereof, BARR and others performed acts in the Northern District of Ohio and elsewhere, including, but not limited to, the following:

- a. On or about August 4, 2020, BARR opened a Citizen's Bank account (hereinafter "CB Account 4374") in the name of A AND B WHOLESALE LLC in Pennsylvania.
- b. On or about October 21, 2020, BARR opened a Bank of America account (hereinafter "BOA Account 3415") in the name of SN Transatlantic Logistics LLC in Pennsylvania.
- c. On or about October 22, 2020, BARR opened a PNC Bank account (hereinafter "PNC Account 1024") in the name of A AND B WHOLESALE LLC in Pennsylvania.
- d. On or about October 21, 2020, BARR received a wire transfer of \$228,832.86 sent from the Office of the Lucas County Auditor (OLCA) in Lucas County, Ohio, to CB Account 4374 in Pennsylvania, for an invoice submitted by Business 1.
- e. On or about October 22, 2020, BARR transferred \$110,000.00 from CB Account 4374 to PNC Account 1024.

- f. On or about November 6, 2020, BARR received a wire transfer of \$307,582.32 sent from the OLCA in Lucas County, Ohio, to CB Account 4374 in Pennsylvania, for an invoice submitted by Business 1.
- g. On or about November 6, 2020, BARR transferred \$149,012.09 from CB Account 4374 to PNC Account 1024.
- h. On or about November 6, 2020, BARR transferred \$148,916.28 from CB Account 4374 to BOA Account 3415.
- i. On or about November 16, 2020, BARR received a wire transfer of \$86,378.44 sent from the OLCA in Lucas County, Ohio, to CB Account 4374 in Pennsylvania, for an invoice submitted by Business 1.

All in violation of Title 18, United States Code, Section 1349.

COUNTS 2-3

(Laundering of Monetary Instruments, 18 U.S.C. § 1956(a)(1)(B)(i))

The Grand Jury further charges:

6. The factual allegations contained in paragraphs 1 through 5 of this Indictment are incorporated by reference as if stated fully herein.

7. From in or around August 2020 to in or around November 2020, Defendant **DARREN J. BARR**, knowing the property involved the proceeds of a specified unlawful activity, to wit: Wire Fraud in violation of Title 18, United States Code, Sections 1343, knowingly and intentionally conducted and caused to be conducted financial transactions designed in whole and in part to conceal and disguise the nature, locations, source, ownership, and control of the proceeds of said specified unlawful activity, and the transaction involved the use of a financial institution engaged in and the activities of which affected interstate commerce,

in that Defendant issued and caused to be issued the transactions detailed below on or about the following dates as follows:

COUNT	DATE	AMOUNT	DESCRIPTION
2	October 22, 2020	\$110,000.00	Check Transfer from CB Account 4374 to PNC Account 1024
3	November 6, 2020	\$148,916.28	Wire Transfer from CB Account 4374 to BOA Account 3415

All in violation of Title 18, United States, Section 1956(a)(1)(B)(i).

COUNT 4

(Illegal Monetary Transactions, 18 U.S.C. § 1957)

The Grand Jury further charges:

8. The factual allegations contained in paragraphs 1 through 5 of this Indictment are incorporated by reference as if stated fully herein.

9. On or about November 6, 2020, Defendant DARREN J. BARR knowingly engaged and attempted to engage in monetary transactions affecting interstate and foreign commerce in criminally derived property of a value greater than \$10,000, that is, a wire transfer of \$149,012.09 from Citizens Bank Account 4374 to PNC Bank Account 1024, such property having been derived from specified unlawful activity, that is, Wire Fraud in violation of Title 18, United States Code, Section 1343, all in violation of Title 18, United States Code, Section 1957.

FORFEITURE SPECIFICATION

The Grand Jury further charges:

The allegations of Counts 1 through 4 are hereby realleged and incorporated herein by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Sections 981(a)(1)(C), 982(a)(1), and 28 U.S.C. § 2461(c). As a result of the foregoing offenses, Defendant DARREN J. BARR, shall forfeit to the United States all property, constituting or derived from

proceeds traceable to the violation charged in Count 1; and all property involved in the violations charged in Counts 2 through 4, or any property traceable to such property, including but not limited to:

- a) \$18,209.86 seized from CB Account 4374 in the name "A AND B WHOLESALE LLC".

A TRUE BILL.

Original document - Signatures on file with the Clerk of Courts, pursuant to the E-Government Act of 2002.