

Jan 20, 2022

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S.D. OF FLA. - MIAMI

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

CASE NO. 22-20018-CR-ALTMAN/REID

**18 U.S.C. § 1029(a)(3)
18 U.S.C. § 1028A(a)(1)
18 U.S.C. § 982(a)(2)(B)
18 U.S.C. § 1029(c)(1)(C)**

UNITED STATES OF AMERICA

vs.

MARLIN JEAN,

Defendant.

INDICTMENT

The Grand Jury charges that:

COUNT 1

**Possession of Fifteen or More Unauthorized Access Devices
(18 U.S.C. § 1029(a)(3))**

On or about August 15, 2021, in Miami-Dade County, in the Southern District of Florida,
and elsewhere, the defendant,

MARLIN JEAN,

did knowingly, and with intent to defraud, possess fifteen (15) or more unauthorized access devices, that is, credit card account numbers, debit card account numbers, social security numbers, driver license numbers, and bank account numbers issued to other persons, said conduct affecting interstate and foreign commerce, in violation of Title 18, United States Code, Sections 1029(a)(3) and 2.

COUNTS 2-4
Aggravated Identity Theft
(18 U.S.C. §1028A(a)(1))

On or about August 15, 2021, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

MARLIN JEAN,

during and in relation to a felony violation of Title 18, United States Code, Section 1029(a)(3), that is, knowingly, and with intent to defraud, possessing fifteen (15) or more unauthorized access devices, that is, credit card account numbers, debit card account numbers, social security numbers, driver license numbers, and bank account numbers issued to other persons, said conduct affecting interstate and foreign commerce, as charged in Count 1, did knowingly transfer, possess, and use, without lawful authority, the means of identification of another person, as specified in each count below:

Count	Means of Identification
2	Name, date of birth, and social security number belonging to "T.R."
3	Name, date of birth, and social security number belonging to "N.M."
4	Name, date of birth, and social security number belonging to "F.R."

In violation of Title 18, United States Code, Sections 1028A(a)(1) and 2.

FORFEITURE ALLEGATIONS

1. The allegations of this Indictment are hereby re-alleged and by this reference fully incorporated herein for the purpose of alleging forfeiture to the United States of America of certain property in which the defendant, **MARLIN JEAN**, has an interest.

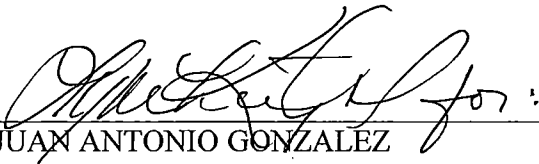
2. Upon conviction of a violation of Title 18, United States Code, Section 1029, as alleged in this Indictment, the defendant shall forfeit to the United States: (a) any property

constituting, or derived from, proceeds obtained, directly or indirectly, as the result of such offense, pursuant to Title 18, United States Code, Section 928(a)(2)(B); and (b) any personal property used, or intended to be used, to commit such offense, pursuant to Title 18, United States Code, Section 1029(c)(1)(C).

All pursuant to Title 18, United States Code, Sections 928(a)(2)(B) and 1029(c)(1)(C), and the procedures set forth at Title 21, United States Code, Section 853, as incorporated by Title 18, United States Code, Sections 982(b) and 1029(c)(2).

A TRUE BILL

FOREPERSON



JUAN ANTONIO GONZALEZ
UNITED STATES ATTORNEY



EDUARDO GARDEA, JR.
ASSISTANT UNITED STATES ATTORNEY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA

CASE NO. _____

v.

MARLIN JEAN,

CERTIFICATE OF TRIAL ATTORNEY***Superseding Case Information:**

Defendant/

Court Division: (Select One)
☒ Miami
 ☐ Key West
 ☐ FTL
 ☐ WPB
 ☐ FTP
New defendant(s) ☐ Yes ☐ No

Number of new defendants _____

Total number of counts _____

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 3 days for the parties to try.

5. Please check appropriate category and type of offense listed below:

(Check only one)

I	0 to 5 days	☒
II	6 to 10 days	☐
III	11 to 20 days	☐
IV	21 to 60 days	☐
V	61 days and over	☐

(Check only one)

Petty	☐
Minor	☐
Misdemeanor	☐
Felony	☒

6. Has this case previously been 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 Central Region of the U.S. Attorney's Office prior to August 9, 2013 (Mag. Judge Alicia O. Valle)? (Yes or No) **No**
8. Does this case originate from a matter pending in the Northern Region of the U.S. Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek Maynard)? (Yes or No) **No**
9. Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to October 3, 2019 (Mag. Judge Jared Strauss)? (Yes or No) **No**


EDUARDO GARDEA, JR.

Assistant United States Attorney

Court ID No. A5502663

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: MARLIN JEAN

Case No: _____

Count #: 1

Possession of Fifteen or More Unauthorized Access Devices

Title 18, United States Code, Sections 1029(a)(3)

*Max. Penalty: 10 Years' Imprisonment

Count #: 2-4

Aggravated Identity Theft

Title 18, United States Code, Sections 1028A(a)(1)

*Max. Penalty: Mandatory Two Years' Imprisonment (Consecutive to Any Other Sentence)

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