

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Brandon BOWDITCH

Case No. 2:22-mj-30273
Judge: Unassigned,
Filed: 06-14-2022 At 03:28 PM
SEALED MATTER

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 2020 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 1341	Mail Fraud
18 U.S.C. § 1343	Wire fraud

This criminal complaint is based on these facts:

See attached affidavit

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: June 14, 2022

City and state: Detroit, MI


Complainant's signature

Special Agent Miguel A. Colon
Printed name and title


Judge's signature

Hon. Kimberly G. Altman, United States Magistrate Judge
Printed name and title

AFFIDAVIT IN SUPPORT OF A COMPLAINT

I, Miguel A. Colon, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent of the U.S. Department of Labor, Office of Inspector General, Office of Investigations - Labor Racketeering and Fraud (“DOL-OIG/OI-LRF”) and have been since December 2017. I am currently assigned to the Federal Bureau of Investigation (“FBI”) Violent Gang Task Force (“VGTF”), where I participate in investigations of street gangs committing various violations of federal law, including weapons and narcotics trafficking, violent crimes, and fraud. Prior to my current assignment, I was assigned to the Homeland Security Investigations’ Document and Benefit Fraud Task Force, where I investigated criminal activity including, but not limited to, identity theft, money laundering, visa fraud and other financial fraud. I have conducted numerous investigations involving identity theft, labor, financial and unemployment insurance fraud schemes. In addition to my experience, I have also received significant law enforcement training, including graduating from the Criminal Investigator Training Program at the Federal Law Enforcement Training Center.

2. As a Special Agent, I have conducted numerous investigations into criminal violations of both Title 29 and Title 18 of the United States Code. During

this time, I have been either the lead agent or supporting agent on several investigations involving criminal schemes targeting the unemployment insurance (“UI”) program through the filing of false or fictitious UI claims. Based on my direct personal experience with these cases, I have become familiar with the methods that criminals use to attack and exploit the UI systems as well as the criminals’ reliance on the use of email and other internet or online tools and systems to facilitate that fraud.

3. Probable cause exists that **Brandon BOWDITCH** has engaged in an unemployment insurance fraud scheme and has committed Mail Fraud (18 U.S.C. § 1341) and Wire Fraud (18 U.S.C. § 1343). The scheme involves the filing of fraudulent UI claims through the internet, and the withdrawal of fraudulently obtained UI funds at ATMs in the Eastern District of Michigan, often using UI debit cards that were sent through the mail.

4. I make this affidavit based upon personal involvement in the subject criminal investigation, including review of: financial, employment, internet service provider, utility and property records; records from relevant state agencies regarding UI claims; law enforcement surveillance; and information and evidence from search warrants in this investigation. I have also been provided with information from other law enforcement agents and officials, including agents and officials from the FBI and various state Unemployment Insurance agencies. This

affidavit does not contain all the facts developed to date in the underlying investigation and is being submitted for the limited purpose of establishing probable cause to secure a criminal complaint and arrest warrant.

UNEMPLOYMENT INSURANCE BACKGROUND

5. The Social Security Act of 1935 initiated the federal and state Unemployment Insurance system. The system provides benefits to individuals who are unemployed for reasons beyond their control. The purpose of the Unemployment Insurance system is twofold: first, to lessen the effects of unemployment through cash payments made directly to laid-off workers, and second, to ensure that life necessities are met on a weekly basis while the worker seeks employment. In the State of Michigan, the Unemployment Insurance system is administered by the Unemployment Insurance Agency (“MUIA”), which is part of the State of Michigan’s Department of Labor and Economic Opportunity. In the State of Arizona, the UI system is administered by the Department of Economic Security (“DES”). In the State of California, the UI system is administered by the Economic Development Department (“EDD”). The U.S. Department of Labor funds many Unemployment Insurance Agency administrative costs, including salaries, office expenses, and computer equipment.

6. State unemployment systems and benefits are joint state and federal enterprises largely financed by taxes on private employers located in that state. In

2020 and 2021, the federal government provided significant supplemental benefits to the states as a result of the COVID-19 pandemic. Beginning in or about March 2020 and continuing through September 4, 2021, the Families First Coronavirus Response Act; Coronavirus Aid, Relief, and Economic Security Act; and the American Rescue Plan Act of 2021 created federal programs that allowed for the significant outlay of federal funds flowing to and through the states to offset the historic need for unemployment benefits by the American workforce, including in the states of Arizona, California, Michigan and in the Eastern District of Michigan. Collectively, these benefits are often referred to as Pandemic Unemployment Assistance (“PUA”).

7. Normally (in the absence of fraud), an unemployed worker initiates a UI claim. This can be accomplished by submitting a claim in person, over the telephone, or via the Internet. Currently, most UI claims in Michigan, California and Arizona are filed online via the Internet through the MUIA and DES’ websites. When a claimant using an internet protocol (“IP”) address registered in Michigan files a claim with an out-of-state UI agency, the servers used to process those claims are located outside the state of Michigan. For example, an Arizona UI claim or California UI claim filed from an IP address registered to a Michigan residence will be processed through a server located outside of the state of Michigan.

8. To be eligible for UI benefits, the worker must demonstrate a certain level of earnings in several quarters immediately preceding the application. The amount of benefits that a UI claimant might be eligible for depends on a variety of factors, including but not limited to the length of his or her previous employment and the amount of wages he or she earned.

9. The MUIA, EDD or DES will either approve or reject a UI claim based on the application made by the unemployed worker. If the MUIA, EDD or DES approves a UI claim, the claimant is required to re-certify the claim via telephone or Internet at various times during the life of the claim. The worker must also certify that he or she is still unemployed and actively seeking work. In Michigan and Arizona, one way in which unemployment benefits are provided to a claimant is with a debit card, issued by the Bank of America (“BOA”), which is mailed to the claimant through the U.S. Postal Service. In California, claimants can only accept UI benefits through the BOA debit card, also mailed to the claimant through the U.S. Postal Service.

10. Alternatively, a claimant can provide the state Unemployment Insurance Agency with a bank routing number and bank account number so his or her Unemployment Insurance benefits can be transferred via electronic funds transfers (“EFTs”) into his or her bank account. These EFTs originate from one or more accounts maintained by the state Unemployment Insurance Agency at Bank

of America, N.A., which is a subsidiary of Bank of America Corporation, a bank holding and financial holding company headquartered in Charlotte, North Carolina. All EFTs of UI benefits to Michigan or California UI claimants, whether via a BOA-provided debit card or via a claimant-provided bank account, involve the transmission of electronic signals through one of BOA's two data centers, which are located in Virginia and Colorado, and from those data centers to banks and/or ATMs located, for example, in Michigan. In addition, any other state that disperses UI benefits using BOA prepaid debit cards, including Arizona, also involve the transmission of electronic signals through the aforementioned BOA data centers. These are interstate wire communications.

PROBABLE CAUSE

11. The Federal Bureau of Investigation and the Bureau for Alcohol, Tobacco, and Firearms have been investigating criminal activity conducted by members and associates of the Detroit street gang, DWBI or "Don't Worry About It." As part of that investigation, I identified DWBI members, associates, and others who appeared to be engaged in unemployment insurance fraud schemes. Through this investigation, I have probable cause to believe that **Brandon BOWDITCH** engaged in a UI fraud scheme that has defrauded multiple states of thousands of federal dollars earmarked for Pandemic Unemployment Assistance.

12. I identified an IP address, 68.49.22.205 (“IP 205”), to be responsible for submitting approximately 109 UI claims in 109 unique individuals’ names and Social Security Numbers (“SSNs”). I know from my training and my experience in other UI fraud investigations that a large volume of claims from a single IP address with numerous unique individuals’ names and SSNs is indicative of fraudulent UI claims. Based on my experience in other UI fraud investigations, the number of UI claims and the number of unique individuals’ names and SSNs listed in those claims, all associated with this single IP address, i.e. 109 claims, constitutes a large volume of claims and unique individuals’ names and SSNs, which provides reason to believe the IP address was used to submit, access and/or modify fraudulent UI claims. To date, approximately \$468,291 in UI benefits has been disbursed on claims connected to IP 205.

13. Agents uncovered the 109 claims linked to IP 205 in part through searches of a DOL-OIG database that contains information related to UI applications and benefits paid. A search in that database for claims filed, accessed or modified using IP 205 indicated that IP 205 is associated with (*i.e.*, the IP address was used to file, access and/modify) UI claims in eight different states. The search results also indicated that the address X02X Greenview Ave, Detroit, MI

48228 was listed as the account mailing address on at least seven of the 109 UI claims connected to IP 205.

14. Agents also learned from subscriber and billing records from Comcast that the service and billing address for IP 205 is X02X Greenview Ave. in Detroit, Michigan, and the subscriber is Conspirator #1, a real person whose identity I know, with an account phone number of 313-XXX-6206.

15. Agents identified that Conspirator #1 was living at X02X Greenview Ave, Detroit, MI 48228, from at least May 2, 2020 through October 9, 2020, which covers the period during which the 109 claims linked with IP 205 were submitted.

Fraud Indicators

16. Agents reviewed the email addresses, claimant phone numbers, bank accounts and IP addresses related to the UI claims associated with IP 205. Agents found numerous commonalities among the claims, which are strong indicators of fraud. For instance, phone number 313-XXX-1592, was used on 14 separate UI claims in the states of Michigan, Arizona, Guam, and Hawaii. A separate phone number, 313-XXX-7897 was used on five separate UI claims in the states of Michigan and Arizona. As previously stated, the claims were all filed under a single IP address. Bank accounts were also used multiple times between claims. For instance, Green Dot bank account ending X-5128 was used in four of the 109

UI claims. A separate Axos bank account ending X-6937 was used in seven of the 109 UI claims in three different states.

17. Based on my training and my experience with fraud and identity theft schemes targeting state UI agencies, I know that the filing of 109 distinct claims from one IP address in less than a year, with claims within that population having repeat phone numbers and/or repeat bank accounts, are strong indicators of an identity theft and unemployment insurance fraud scheme.

June 2021 Search of X02X Greenview Ave

18. On June 11, 2021, agents executed a federal search warrant at X02X Greenview Avenue in Detroit, Michigan. **BOWDITCH**, Conspirator #1, and another individual were present at the time of the search. Agents seized evidence of identity theft and UI fraud inside the house. For example, multiple debit cards corresponding to fraudulent UI claims were found in the house.

19. During the search, agents seized cell phones belonging to **BOWDITCH** and Conspirator #1, and subsequently obtained and executed a search warrant to search the phones, which in turn uncovered additional evidence

(some of which is described below) of **BOWDITCH**'s involvement in perpetrating UI fraud.

UI Fraud Associated with BOWDITCH

20. On April 27, 2020, a Michigan UI claim was filed in the name of Brandon **BOWDITCH**. The email address provided with the UI claim was "4487ROSS@gmail.com." The phone number listed on the claim was 313-XXX-1027, which is the phone number that **BOWDITCH** gave to federal agents as his phone number on June 11, 2021. The address registered on **BOWDITCH**'s Michigan UI claim for the mailing, via USPS, of a Bank of America UI debit card was 197XX Winthrop St., Detroit, MI, which is the same address that is listed on **BOWDITCH**'s Michigan driver's license.

21. On June 12, 2020, a UI claim was filed in Brandon **BOWDITCH**'s name and SSN in the state of Arizona. The phone number listed on the claim was 313-XXX-1027, which is the same phone number on **BOWDITCH**'s Michigan UI claim. The email address registered on the Arizona claim was "ratedpgROSS@gmail.com." The address listed on the claim for the mailing of a BOA UI debit card, via USPS, was 34XX Collins Ferry Rd, Morgantown, WV.

22. On or around June 16, 2020, an Arizona BOA UI debit card ending in 4830 in **BOWDITCH**'s name for the June 12 Arizona UI claim was mailed, via USPS, to 34XX Collins Ferry Rd, Morgantown, WV. Between July 16 and July

17, 2020, \$9,960 was deposited into the debit account established by the Arizona DES in **BOWDITCH**'s name.

23. On July 17, 2020, a UI claim was filed in Brandon **BOWDITCH**'s name, SSN and date of birth in the state of California. The address listed on the claim for the mailing of a Bank of America UI debit card, via USPS, was 34XX Collins Ferry Rd., Apt 6, Morgantown, WV, consistent with the address on **BOWDITCH**'s Arizona UI claim, above. The email address registered with the claim was "brandonbowditch@yahoo.com."

24. On or around July 22, 2020, a California BOA UI debit card ending in -0015 in **BOWDITCH**'s name was mailed, via USPS, to 34XX Collins Ferry Rd, Morgantown, WV. On July 23, 2020, \$18,600 was deposited into the debit account established by the California EDD in **BOWDITCH**'s name.

25. Documents provided by BOA revealed that the email address registered to this State of California UI account was changed by the account holder

to “4487ROSS@gmail.com,” which is **BOWDITCH**’s email account on his Michigan UI claim, identified above.

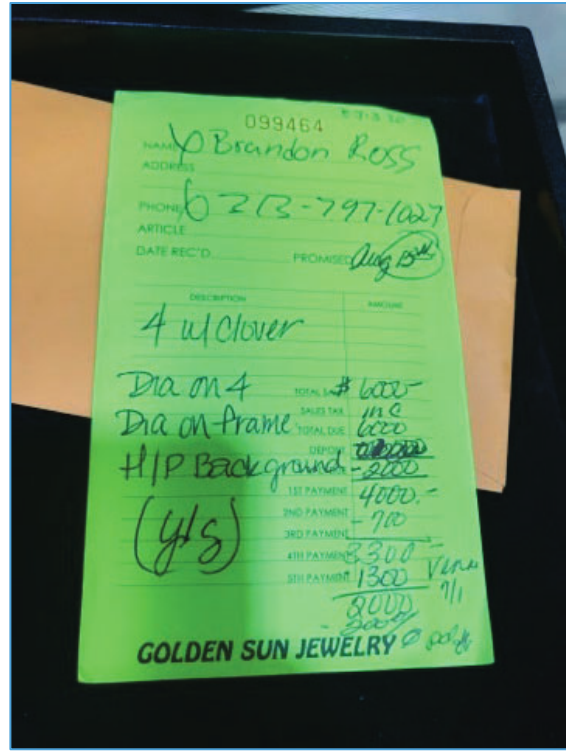
26. I interviewed **BOWDITCH** in person in June 2021 and am familiar with his appearance. I am thus able to positively identify him in surveillance images.

27. BOA provided agents with ATM surveillance images of a withdrawal made from the State of California UI account on September 9, 2020 in the Eastern District of Michigan. Based on my review of the ATM surveillance image, I have concluded that the individual in the ATM surveillance images making the withdrawal is **BOWDITCH**.

28. The ATM surveillance image below shows **BOWDITCH** withdrawing funds on September 9, 2020 in the Eastern District of Michigan using the mailed California UI debit card. Although the individual is masked, I observed the gold necklace worn by **BOWDITCH** in the image. I saw a photo of **BOWDITCH** wearing the same gold necklace as is seen in the ATM surveillance image on **BOWDITCH**’s cell phone that was seized on June 11, 2021. A photo of an invoice from Golden Sun Jewelry bearing a description of “4 w/Clover” for the purchased item was also found on **BOWDITCH**’s phone. In addition, the name on the invoice was “Brandon ROSS” (the use of “Ross” ties him to email addresses on UI claims), and the listed phone number was 313-XXX-1027, which

is the phone number on **BOWDITCH**'s UI claims and that he gave as his phone number to agents in June 2021.





29. The filing of multiple UI claims in multiple states is an indication of fraud because it is generally unlikely that an individual will qualify for UI benefits in multiple states due to employment history requirements.

CONCLUSION

30. Based on the forgoing, there is probable cause to believe that **Brandon BOWDITCH** has committed Mail Fraud (18 U.S.C. § 1341) and Wire Fraud (18 U.S.C. § 1343), in connection with a scheme to defraud the federal/state UI program and obtain unemployment benefits by means of false and fraudulent pretenses and representations.

Respectfully submitted,



Miguel A. Colon
Special Agent
U.S. Department of Labor
Office of Inspector General

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: June 14, 2022



Kimberly G. Altman
United States Magistrate Judge