NEWS RELEASE

OFFICE OF THE UNITED STATES ATTORNEY
WESTERN DISTRICT OF MISSOURI

JOHN F. WOOD

Contact Don Ledford, Public Affairs ● (816) 426-4220 ● 400 East Ninth Street, Room 5510 ● Kansas City, MO 64106
www.usdoj.gov/usao/mow/index.html

AUGUST 19, 2008
FOR IMMEDIATE RELEASE

KC MAN PLEADS GUILTY TO IDENTITY THEFT, CREDIT CARD FRAUD

KANSAS CITY, Mo. – John F. Wood, United States Attorney for the Western District of Missouri, announced that a Kansas City, Mo., man pleaded guilty in federal court today to using stolen identity information to make fraudulent credit purchases at area retail stores.

Jerry Bagby, 51, of Kansas City, pleaded guilty before U.S. District Judge Fernando J. Gaitan this morning to the charges contained in a Jan. 16, 2008, federal indictment.

Bagby admitted that he and co-defendant **Kimberly Ann Mavis**, 30, of Kansas City, participated in a conspiracy to commit aggravated identity theft from Jan. 10 to Oct. 1, 2007. **Mavis** pleaded guilty on Aug. 11, 2008, to her role in the conspiracy, which resulted in a total loss of $62,742.

Mavis used a computer to illegally access customer databases at Premier Bank in Overland Park, Kan., in order to steal personal identity information and credit bureau reports of the bank's customers. **Bagby** and **Mavis** used a personal computer to produce counterfeit forms of identification (including counterfeit Missouri driver's licenses), using the names and other identifying information of the identity theft victims. That counterfeit identification displayed photos of the conspirators so that they could pose as

the identity theft victims when making fraudulent and unauthorized purchases at retail stores.

Bagby and **Mavis** used the existing credit accounts of the identity theft victims and applied for new credit accounts using the identity information and creditworthiness of the identity theft victims. After purchasing expensive merchandise or gift cards at stores such as Lowe's, Sears, Best Buy, Kohl's, Dillards and others, **Bagby** and **Mavis** sold the items to others and split the proceeds equally.

In addition to the conspiracy, **Bagby** pleaded guilty to one count of aggravated identity theft and three counts of credit card fraud. **Mavis** also pleaded guilty to one count each of computer fraud, aggravated identity theft and credit card fraud.

Under federal statutes, **Bagby** could be subject to a sentence of up to 50 years in federal prison without parole, in addition to a two-year mandatory sentence for aggravated identity theft that must run consecutively to the other counts, plus a fine up to $1,250,000 and an order of restitution. A sentencing hearing will be scheduled after the completion of a presentence investigation by the United States Probation Office.

This case is being prosecuted by Assistant U.S. Attorney John E. Cowles. It was investigated by the Overland Park, Kan., Police Department and the U.S. Secret Service as part of the U.S. Secret Service Financial Crimes Task Force in the Kansas City field office.

****

This news release, as well as additional information about the office of the United States Attorney for the Western District of Missouri, is available on-line at www.usdoj.gov/usao/mow/index.html