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U.S. Department of Justice
United States Attorney
Northern District of Ohio
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Parma, Ohio Man Indicted for Ebay Fraud, Credit Card Fraud, and Identity Theft

Gregory A. White, United States Attorney for the Northern District of Ohio, announced today that a federal grand jury in Cleveland, Ohio, returned a forty-five count indictment charging Jeffrey P. Butcher, age 43, of 7509 Kenilworth Avenue, Parma, Ohio, with forty-three counts of wire fraud, in violation of Title 18, United States Code, Section 1343, one count of identity theft, in violation of Title 18, United States Code, Section 1028(a)(7) and one count of credit card fraud, in violation of 18 U.S.C. § 1029(a)(5). Counts 1 through 43 of the indictment charge that between March 11, 2003, and May 1, 2003, the defendant transmitted and caused the transmission of interstate wire communications for the purpose of executing a scheme to defraud bidders on Ebay, an internet auction website. The indictment charges that Butcher advertised computer equipment, including Pentium computer chips, for sale on Ebay, received payments from individuals for items sold on Ebay, but failed to provide the items to forty-three individual purchasers. The indictment charges that as a result of this scheme and artifice, Butcher caused losses totaling approximately $30,653.76.

Count 44 (identity theft) charges that between December 1, 2003, and December 31, 2003, Butcher applied for 10 credit card accounts using the identifier information of Dureene Kiplinger, including her name, social security account number and date of birth, without authorization.

Count 45 (credit card fraud) charges that between December 1, 2003, and December 29, 2003, Butcher knowingly, and with the intent to defraud, obtained and used a Home Depot credit card issued in the name of Dureene Kiplinger, thereby obtaining goods and services valued at approximately $7,742.44. The statutory maximum sentence for each violation of Title 18, United States Code, Section 1343 is 20 years in prison, a fine of up to $250,000, or both. The statutory maximum sentence for a violation of Title 18, United States Code, Section 1028(a)(7) is 15 years in prison, a fine of up to $250,000, or both. The statutory maximum sentence for a violation of Title 18, United States Code, Section 1029(a)(5) is 10 years in prison, a fine of up to $250,000, or both. The actual sentence in this case however, upon conviction, will be determined by the Court under the mandatory Federal Sentencing Guidelines which depend upon a number of factors unique to each case, including the defendant's prior criminal record, if any, the defendant's role in the offense and the unique characteristics of the violation. In all cases the sentence will not exceed the statutory maximum and in most cases it will be less than the maximum. This case is being prosecuted by Assistant U.S. Attorney Robert W. Kern, following

an investigation by the Cleveland Offices of the Federal Bureau of Investigation and U.S. Postal Inspection Service, and the Beachwood and Bay View Police Departments. An indictment is only a charge and is not evidence of guilt. A defendant is entitled to a fair trial in which it will be the government's burden to prove guilt beyond a reasonable doubt.

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