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U.S. Department of Justice
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## Melvern, Ohio Man Indicted for eBay Auction Fraud

Emily M. Sweeney, United States Attorney for the Northern District of Ohio, today announced that a federal grand jury in Cleveland, Ohio, returned an indictment charging Roger L. Harvey, Jr., aka Buddy Harvey, age 28, whose last known address was 221 1st Street, Malvern, Ohio 44644, with sixteen (16) counts of Wire Fraud, in violation of Title 18, United States Code, Section 1343, and thirty-one (31) counts of Mail Fraud, in violation of Title 18, United States Code, Section 1341.

The indictment charges that between on or about October 10, 2000, and on or about September 1, 2001, in the Northern District of Ohio, Eastern Division, Roger L. Harvey, Jr., aka Buddy Harvey, knowingly executed and attempted to execute a scheme and artifice to defraud bidders of certain e-Bay Internet Auctions, and to obtain money from said individuals by means of false and fraudulent pretenses, representations and promises, and for purposes of executing and attempting to execute said scheme and artifice, did knowingly cause the transmission of certain interstate wire communications (Wire Fraud), as well as the mailing of certain items by means of the U.S. Mail (Mail Fraud).

The indictment alleges that Harvey advertised for sale on e-Bay Internet Auctions, various merchandise, including Bose Home Theater Systems, DVD players, sports trading cards, musical equipment and G.I. Joe action figures, which Harvey falsely represented he had available for sale. The successful bidders for each auction received Internet E-mail messages from Harvey informing them that they were the successful bidders, and contained instructions regarding payment and shipping. After the successful bidders sent payment to Harvey, either via the U.S. Mail or via Paypal (an Internet payment service), Harvey failed to ship the items as promised.

The indictment alleges that between October 10, 2000, and September 1, 2001, Harvey fraudulently received payments from the successful e-Bay bidders totaling approximately $26,695.94 in individual amounts ranging from $175.00 to $1,356.33.

The maximum statutory penalty for each violation of Title 18, United States Code, Section 1343 and 1341 is 5 years imprisonment, and a fine of up to $250,000, or both.

This case is being prosecuted by Assistant U.S. Attorney Robert W. Kern, following an investigation by the Canton Office of the U.S. Postal Inspection Service and the Akron Office of the U.S. Secret Service. 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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