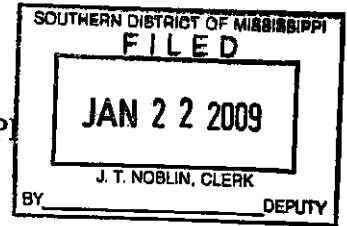


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION



UNITED STATES OF AMERICA

v.

SUPERSEDING INDICTMENT
CRIMINAL NO. 1:08cr132LG-RHW

GREGORY BRENT WARR and
LAURA JEAN WARR

18 U.S.C. § 371
18 U.S.C. § 287
18 U.S.C. § 1001
18 U.S.C. § 641
18 U.S.C. § 1343
18 U.S.C. § 1341

The Grand Jury charges:

COUNT 1

The Conspiracy

1. From on or about August 29, 2005, through the present, in Harrison County in the Southern Division of the Southern District of Mississippi and elsewhere, the defendants, **GREGORY BRENT WARR** and **LAURA JEAN WARR**, did knowingly and willfully conspire and agree with each other and with others known and unknown to the Grand Jury to:

(i) to defraud the United States of and concerning its legitimate official action and purpose, governmental functions and rights by impairing, obstructing, and impeding the right and ability of the Department of Homeland Security to transact its business unhindered, unhampered, unobstructed and free from fraud in the issuance of Hurricane Katrina disaster assistance for qualified persons in that the defendants caused material and false information to be submitted to the Federal Emergency Management Agency (FEMA) to induce FEMA to issue funds to the defendants; and

(ii) to defraud the United States of and concerning its legitimate official action and purpose, governmental functions and rights by impairing, obstructing, and impeding the right and ability of the Department of Housing and Urban Development (HUD) to transact its business unhindered, unhampered, unobstructed and free from fraud in the issuance of Hurricane Katrina homeowner disaster assistance grants for qualified persons in that the defendants caused material and false information to be submitted to HUD through the Mississippi Development Authority (MDA) to induce MDA to issue a grant, funded by HUD, to the defendants.

2. The purpose of the conspiracy was to enrich defendants **GREGORY BRENT WARR** and **LAURA JEAN WARR** by enabling them to obtain money and property to which the defendants were not in fact entitled.

Manner and Means

3. It was part of the conspiracy that the defendants would by deceit, craft, trick, and dishonest means, submit false information and statements regarding the place of residence of themselves and their family at the time of Hurricane Katrina, in order to receive payment by electronic fund transfer and checks by mail or commercial carrier from the United States.

4. It was part of the conspiracy that the defendants would by deceit, craft, trick, and dishonest means, defraud the United States by interfering with and obstructing the lawful governmental functions of FEMA, in that the defendants caused material and false information to be submitted to FEMA to induce FEMA to pay Hurricane Katrina disaster assistance benefits to the defendants.

5. It was part of the conspiracy that the defendants would by deceit, craft, trick, and dishonest means, defraud the United States by interfering with and obstructing the lawful

governmental functions of HUD, in that the defendants caused material and false information to be submitted to HUD to induce HUD to pay homeowner disaster assistance benefits to defendants.

Overt Acts

7. In furtherance of the conspiracy and to effectuate the unlawful objects thereof, the defendants, **GREGORY BRENT WARR** and **LAURA JEAN WARR**, committed, among others, the following overt acts:

(a) On September 14, 2005, **LAURA JEAN WARR** registered with FEMA for Hurricane Katrina disaster benefits.

(b) On November 26, 2005, **GREGORY BRENT WARR** signed a FEMA Declaration and Release, certifying that all information in the application for FEMA assistance was true and correct.

(c) On November 26, 2005, **GREGORY BRENT WARR** met with a FEMA inspector at the house located at 1814 Beach Drive, Gulfport, Mississippi and made representations as to hurricane damage and losses.

(d) On November 26, 2005, **LAURA JEAN WARR** met with a FEMA inspector at the house located at 1814 Beach Drive, Gulfport, Mississippi and made representations as to hurricane damage and losses.

(e) On April 24, 2006, **GREGORY BRENT WARR** made application with the Mississippi Development Authority for a Homeowner's Assistance Grant funded by HUD.

(f) On April 24, 2006, **LAURA JEAN WARR** made application with the Mississippi Development Authority for a Homeowner's Assistance Grant funded by HUD.

(g) On January 4, 2007, **GREGORY BRENT WARR** signed an affidavit as to owner occupancy for the Homeowner's Assistance Grant.

(h) On January 4, 2007, **LAURA JEAN WARR** signed an affidavit as to owner occupancy for the Homeowner's Assistance Grant.

All in violation of Section 371, Title 18, United States Code.

COUNT 2

On or about September 14, 2005, in Harrison County in the Southern Division of the Southern District of Mississippi and elsewhere, the defendants, **GREGORY BRENT WARR** and **LAURA JEAN WARR**, aided and abetted by others known and unknown to the Grand Jury, made and presented to the Federal Emergency Management Agency a claim against the United States for payment, which they knew to be false, fictitious, and fraudulent, by filing a disaster assistance claim in which they represented that at the time of Hurricane Katrina they were living at 1814 Beach Drive, Gulfport, Mississippi.

In violation of Sections 287 and 2, Title 18, United States Code.

COUNT 3

On or about September 14, 2005, in Harrison County in the Southern Division of the Southern District of Mississippi and elsewhere, in a matter within the jurisdiction of the Federal Emergency Management Agency, an agency of the United States of America, the defendants, **GREGORY BRENT WARR** and **LAURA JEAN WARR**, aided and abetted by others known and unknown to the Grand Jury, knowingly and willfully made or caused to be made a false and fraudulent material statement or representation, in that the defendants filed a disaster assistance claim in which they represented that at the time of Hurricane Katrina, they were living at 1814 Beach Drive, Gulfport, Mississippi, when in truth and in fact at the time of Hurricane Katrina they were not living at 1814 Beach Drive, Gulfport, Mississippi.

In violation of Sections 1001 and 2, Title 18, United States Code.

COUNT 4

On or about November 26, 2005, in Harrison County in the Southern Division of the Southern District of Mississippi and elsewhere, in a matter within the jurisdiction of the Federal Emergency Management Agency, an agency of the United States of America, the defendant, **GREGORY BRENT WARR**, aided and abetted by **LAURA JEAN WARR**, and by others known and unknown to the Grand Jury, knowingly and willfully made or caused to be made a false and fraudulent material statement or representation, in that defendant **GREGORY BRENT WARR** signed a declaration and release in which he represented that all of the information provided in their application for FEMA disaster assistance was true and correct, when in truth and in fact the information in the application for FEMA disaster assistance was not true and correct.

In violation of Sections 1001 and 2, Title 18, United States Code.

COUNT 5

On or about April 24, 2006, in Harrison County in the Southern Division of the Southern District of Mississippi and elsewhere, in a matter within the jurisdiction of the Department of Housing and Urban Development, an agency of the United States of America, the defendants, **GREGORY BRENT WARR** and **LAURA JEAN WARR** aided and abetted by others known and unknown to the Grand Jury, knowingly and willfully made or caused to be made a false and fraudulent material statement or representation, in that the defendants filed a homeowner's assistance grant application with the Mississippi Development Authority in which they represented that at the time of Hurricane Katrina they occupied the residence at 1814 Beach Drive, Gulfport, Mississippi, when in truth and in fact at the time of Hurricane Katrina they did not occupy 1814 Beach Drive, Gulfport, Mississippi.

In violation of Sections 1001 and 2, Title 18, United States Code.

COUNT 6

On or about January 4, 2007, in Harrison County in the Southern Division of the Southern District of Mississippi and elsewhere, in a matter within the jurisdiction of the Department of Housing and Urban Development, an agency of the United States of America, the defendants, **GREGORY BRENT WARR** and **LAURA JEAN WARR**, aided and abetted by others known and unknown to the Grand Jury, knowingly and willfully made or caused to be made a false and fraudulent material statement or representation, in that the defendants signed an affidavit for the Mississippi Development Authority in which they represented that at the time of Hurricane Katrina they occupied the residence at 1814 Beach Drive, Gulfport, Mississippi, when in truth and in fact at the time of Hurricane Katrina they did not occupy 1814 Beach Drive, Gulfport, Mississippi.

In violation of Sections 1001 and 2, Title 18, United States Code.

COUNT 7

On or about September 14, 2005, through on or about November 30, 2005, in Harrison County in the Southern Division of the Southern District of Mississippi and elsewhere, the defendants, **GREGORY BRENT WARR** and **LAURA JEAN WARR**, aided and abetted by others known and unknown to the Grand Jury, did steal, purloin and knowingly convert to their own use greater than \$1,000.00 in funds belonging to the United States of America by filing a claim for Federal Emergency Management Agency disaster assistance benefits and receiving such disaster assistance benefits to which they knew they were not entitled.

In violation of Sections 641 and 2, Title 18, United States Code.

COUNT 8

On or about April 24, 2006, through on or about February 28, 2007, in Harrison County in the Southern Division of the Southern District of Mississippi and elsewhere, the defendants,

GREGORY BRENT WARR and **LAURA JEAN WARR**, aided and abetted by others known and unknown to the Grand Jury, did steal, purloin and knowingly convert to their own use greater than \$1,000.00 in funds belonging to the United States of America by filing for and receiving a Department of Housing and Urban Development disaster assistance homeowner's grant and receiving such disaster assistance benefits to which they knew they were not entitled.

In violation of Sections 641 and 2, Title 18, United States Code.

COUNTS 9-11

1. Beginning on or about September 14, 2005, and continuing through on or about November 30, 2005, in Harrison County in the Southern Division of the Southern District of Mississippi and elsewhere, the defendants, **GREGORY BRENT WARR** and **LAURA JEAN WARR**, aided and abetted by others known and unknown to the Grand Jury, intentionally devised and carried out a scheme to defraud the Federal Emergency Management Agency, an agency of the United States, to obtain money and property by means of materially false and fraudulent representations, pretenses and promises, and in furtherance thereof, did cause to be transmitted in interstate commerce certain wire communications for the purpose of executing the scheme and attempting to do so.

2. On or about the dates set forth below, within the Southern District of Mississippi and elsewhere, the defendants, **GREGORY BRENT WARR** and **LAURA JEAN WARR**, aided and abetted by others known and unknown to the Grand Jury, for the purpose of carrying out this scheme to defraud and attempting to do so, knowingly caused to be transmitted in interstate commerce certain wire communications, each item constituting a separate count herein as follows:

Count	Item	Date	Amount
9	Electronic Funds Transaction	9/15/2005	\$2,000

10	Electronic Funds Transaction	10/18/2005	\$2,358
11	Electronic Funds Transaction	11/29/2005	\$5,200

All in violation of Sections 1343 and 2, Title 18, United States Code.

COUNT 12

1. Beginning on or about April 24, 2006, and continuing through on or about February 28, 2007, in Harrison County in the Southern Division of the Southern District of Mississippi and elsewhere, the defendants, **GREGORY BRENT WARR** and **LAURA JEAN WARR**, aided and abetted by others known and unknown to the Grand Jury, intentionally devised and carried out a scheme to defraud the Department of Housing and Urban Development, an agency of the United States, to obtain money and property by means of materially false and fraudulent representations, pretenses and promises, and in furtherance thereof, did use and cause to be used the U.S. Mails and private or commercial interstate carriers for the purpose of executing the scheme and attempting to do so.

2. On or about the dates set forth below, within the Southern District of Mississippi and elsewhere, the defendants **GREGORY BRENT WARR** and **LAURA JEAN WARR**, aided and abetted by others known and unknown to the Grand Jury, for the purpose of carrying out this scheme to defraud and attempting to do so, knowingly caused to be sent or delivered by the United States Postal Service and private or commercial interstate carriers certain items, each item constituting a separate count herein as follows:

Count	From	Item	Date	Amount
12	MDA	Homeowner's Grant Check	1/19/2007	\$150,000

In violation of Sections 1341 and 2, Title 18, United States Code.

COUNTS 13-16

1. Beginning on or about August 29, 2005, and continuing through the date of this indictment, in Harrison County in the Southern Division of the Southern District of Mississippi and elsewhere, the defendants, **GREGORY BRENT WARR** and **LAURA JEAN WARR**, aided and abetted by others known and unknown to the Grand Jury, intentionally devised and carried out a scheme to defraud Lexington Insurance Company, to obtain money and property by means of materially false and fraudulent representations, pretenses and promises, and in furtherance thereof, did use and cause to be used the U.S. Mails and private or commercial interstate carriers for the purpose of executing the scheme and attempting to do so.
2. As part of the scheme to defraud the defendants, **GREGORY BRENT WARR** and **LAURA JEAN WARR** made material misrepresentations to Lexington Insurance Company regarding personal property located in the insured dwelling.
3. It was further part of the scheme that defendants **GREGORY BRENT WARR** and **LAURA J. WARR** misrepresented to Lexington Insurance Company the payment of rent for alternative living following Hurricane Katrina.
4. It was further part of the scheme that defendants **GREGORY BRENT WARR** and **LAURA JEAN WARR** misrepresented to Lexington Insurance Company the extent of renovations and damage caused by Katrina to the insured dwelling.
5. On or about the dates set forth below, within the Southern District of Mississippi and elsewhere, the defendants, **GREGORY BRENT WARR** and **LAURA JEAN WARR**, aided and abetted by others known and unknown to the Grand Jury, for the purpose of carrying out this scheme to defraud and attempting to do so, knowingly caused to be sent or delivered by the United States

Postal Service and private or commercial interstate carriers certain items, each item constituting a separate count herein as follows:

Count	Item	From	Date	Amount
13	Check # 740132	Lexington Insurance Co.	7/11/2006	\$4,271.33
14	Check # 740131	Lexington Insurance Co.	8/2/2006	\$29,526.31
15	Check # 812479	Lexington Insurance Co.	3/29/2007	\$29,442.46
16	Letter	Brent Warr	3/7/2007	\$25,200.00

All in violation of Sections 1341 and 2, Title 18, United States Code.

NOTICE OF FORFEITURE

As a result of the felony offenses specified in Counts 1 and 7 through 16 of this Indictment, the defendants, **GREGORY BRENT WARR** and **LAURA JEAN WARR**, shall forfeit to the United States, any and all property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of such violations. The property to be forfeited includes, but is not limited to, the following:

MONEY JUDGMENT

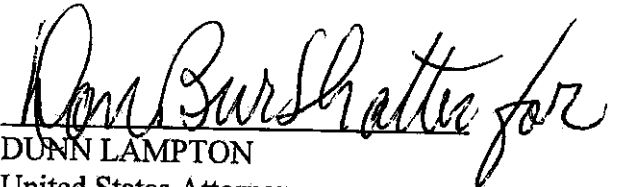
A sum of money equal to \$222,798.10, in United States currency, representing the amount of proceeds obtained as a result of the said offenses, for which the defendants are liable.

Further, if any of the property described above, as a result of any act or omission of the defendants:

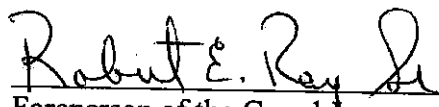
- a. cannot be located upon exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property, which cannot be divided without difficulty,


then it is the intent of the United States, pursuant to Section 853(p), Title 21, United States Code, to seek a judgment of forfeiture of any other property of the defendants up to the value of the property described in this indictment or any bill of particulars supporting it.

All pursuant to Section 981(a)(1)(C), Title 18, United States Code, and Section 2461(c), Title 28, United States Code.


DUNN LAMPTON
United States Attorney

A TRUE BILL:


Foreperson of the Grand Jury

A TRUE COPY, I HEREBY CERTIFY.
J. T. NOBLIN, CLERK
BY: 
DEPUTY CLERK