

**ORIGINAL**

FILED IN OPEN COURT  
U.S.D.C. Atlanta

APR 17 2018

James N. Hatten, Clerk  
By:  Deputy Clerk

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

UNITED STATES OF AMERICA

*v.*

KWAMAINE JERELL FORD

Criminal Indictment

No. **1 18 - CR - 133**

**UNDER SEAL**

THE GRAND JURY CHARGES THAT:

**COUNTS ONE THROUGH SIX**

(Wire Fraud)

1. Beginning on an unknown date, but from at least in or about March 2015, and continuing through in or about March 2018, the exact dates being unknown to the Grand Jury, in the Northern District of Georgia and elsewhere, the defendant, KWAMAINE JERELL FORD, aided and abetted by others unknown to the Grand Jury, knowingly devised and intended to devise a scheme and artifice to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations, promises, and material omissions, and for the purpose of executing and attempting to execute such scheme and artifice, did with intent to defraud cause the transmission by means of wire communication in interstate and foreign commerce of certain writings, signs, signals, pictures, and sounds.

**BACKGROUND**

2. At all times relevant to this Indictment:

a. Defendant KWAMAINE JERELL FORD was a resident of Lawrenceville, Georgia and Dacula, Georgia.

b. Apple Inc. (“Apple”) was based in Cupertino, California and operated computers used by subscribers all over the world in interstate and foreign commerce and communications. One of the services Apple offered to its customers was “iCloud,” a cloud storage solution provided by Apple to users of its devices. iCloud provided users with email accounts as well as cloud-based storage of information, including contacts, calendars, documents, photographs and other data. iCloud also stored backup information saved on Apple iOS devices (including iPhones and iPads), including photographs, text messages and data from applications.

c. “iForgot” was an Apple application used to reset a customer’s Apple account. An Apple account password could be changed with iForgot by answering security questions, providing email authentication, or by completing two-step authentication.

d. Apple’s computers and servers hosting iCloud services were located outside the State of Georgia.

e. “Phishing” is a technique used to trick individuals into sharing valuable personal information, such as account numbers, Social Security numbers, or login IDs and passwords, through the use of fraudulent emails, phone calls, or text communications that mimic legitimate accounts, companies, or individuals.

**THE SCHEME AND ARTIFICE TO DEFRAUD**

3. Beginning on an unknown date, but from at least in or about March 2015, and continuing through in or about March 2018, the exact dates being unknown to the Grand Jury, the defendant, KWAMAINE JERELL FORD, tricked individuals providing their Apple iCloud login credentials, logged into their iCloud accounts without authorization, stole personal identifying information and financial information from the compromised accounts, and used credit card information belonging to the victims to pay for his personal expenses. The manner and means by which the scheme and artifice to defraud was sought to be accomplished included, among others, the following:

a. Defendant FORD obtained login credentials for iCloud accounts belonging to public figures by conducting a phishing attack. As part of this phishing scheme, FORD established the email accounts `applememberservices@usa.com` and `apple_customer@usa.com`, which were designed to spoof legitimate Apple customer service email accounts.

b. Using these spoof email accounts, FORD sent emails to victims containing misrepresentations about the status of their iCloud accounts, including false claims that the account had been locked or that a user was attempting to share a video file, and requested that the victims provide login credentials, including the account password or the answers to iForgot security questions. On certain occasions, FORD called the victim, pretended to be an Apple employee, and requested that the victim provide login credentials over the phone.

c. After obtaining the login credentials to victim iCloud accounts under false pretenses, Defendant FORD used the login credentials to access the iCloud accounts without authorization and reset the account password to obtain control and sustained access to those individuals' iCloud accounts. After Defendant FORD reset the password, the true accountholders were unable to access to their own accounts without assistance from Apple.

d. In resetting the password to the individuals' iCloud accounts, defendant FORD falsely represented his identity as the accountholder of the iCloud account and concealed his true identity. At no time did defendant FORD have authorization from any of the individuals to access and use their iCloud accounts.

e. Defendant FORD used the personal identifying information in the accounts he accessed without authorization for his personal gain, including the use of credit card information stolen from his victims to purchase goods and services and to transfer funds to accounts under his control.

**EXECUTION OF THE DEFENDANT'S SCHEME TO DEFRAUD**

4. On or about the dates listed in Column A of the table below, in the Northern District of Georgia and elsewhere, the Defendant, KWAMAINE JERELL FORD, having knowingly devised and intended to devise the aforementioned scheme and artifice to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations,

and promises, did with intent to defraud cause the transmission by means of wire communication in interstate and foreign commerce of certain writings, signs, signals, pictures, and sounds, that is, the transmission of emails confirming purchases and transfers made from the fraudulently obtained credit card numbers identified in Column B belonging to the accountholder whose initials are specified in Column C in the amounts listed in Column D, for the purpose of executing and attempting to execute such scheme and artifice to defraud:

	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>
<b>Count</b>	<b>Date</b>	<b>Last 4 digits of card number</b>	<b>Account-holder</b>	<b>Amount</b>
1	2/1/2016	5710	T.C.	\$529.96
2	10/4/2016	1634	J.G.	\$1,049.39
3	10/11/2016	1634	J.G.	\$449.10
4	12/12/2016	1634	J.G.	\$500.00
5	1/6/2017	1634	J.G.	\$2,500.00
6	7/19/2017	2867	W.B.	\$3,478.72

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

### COUNTS SEVEN THROUGH TWELVE

(Computer Fraud and Abuse)

5. The Grand Jury re-alleges and incorporates by reference paragraphs 2 through 4 of this Indictment as if fully set forth herein.

6. On or about the dates specified in Column A, in the Northern District of Georgia, the defendant, KWAMAINE JERELL FORD, aided and abetted by others unknown to the Grand Jury, intentionally accessed a computer, that is,

iCloud accounts in the names of the accountholders whose initials are specified in Column B hosted on computer servers of Apple Inc., without authorization and exceeding authorization, and thereby obtained information and attempted to obtain information from a protected computer in furtherance of the criminal act of wire fraud in violation of Title 18, United States Code, Section 1343, and for the purposes of commercial advantage and private financial gain, from the computer located in the Northern District of Georgia associated with the IP address identified in Column C:

	<b>A</b>	<b>B</b>	<b>C</b>
<b>Count</b>	<b>Date</b>	<b>Accountholder</b>	<b>Last Digits of IP address</b>
7	12/17/2015	J.G.	.102
8	2/21/2016	J.G.	.71
9	2/25/2016	T.C.	.71
10	12/18/2016	W.B.	.71
11	3/19/2017	W.B.	.71
12	4/17/2017	J.G.	.71

All in violation of Title 18, United States Code, Sections 1030(a)(2)(C), 1030(c)(2)(B)(i), 1030(c)(2)(B)(ii), and Section 2.

**COUNTS THIRTEEN THROUGH EIGHTEEN**  
(Access Device Fraud)

7. The Grand Jury re-alleges and incorporates by reference paragraphs 2 through 6 of this Indictment as if fully set forth herein.

8. On or about the dates specified in Column A, in the Northern District of Georgia and elsewhere, the defendant, KWAMAINE JERELL FORD, aided and abetted by others unknown to the Grand Jury, did knowingly and with intent to defraud use an unauthorized access device, namely the credit card identified in Column B activated in the name of the individual whose initials are specified in Column C, and by such conduct obtained a thing of value, namely goods and services, in the aggregate value of \$1,000 or more, in the amounts specified in Column D, said use affecting interstate commerce:

	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>
<b>Count</b>	<b>Date</b>	<b>Last 4 digits of card number</b>	<b>Account-holder</b>	<b>Amount</b>
13	2/1/2016	5710	T.C.	\$529.96
14	10/4/2016	1634	J.G.	\$1,049.39
15	10/11/2016	1634	J.G.	\$449.10
16	12/12/2016	1634	J.G.	\$500.00
17	1/6/2017	1634	J.G.	\$2,500.00
18	7/19/2017	2867	W.B.	\$3,478.72

All in violation of Title 18, United States Code, Sections 1029(a)(2) and Section 2.

**COUNTS NINETEEN THROUGH TWENTY-FOUR**

(Aggravated Identity Theft)

9. The Grand Jury re-alleges and incorporates by reference paragraphs 2 through 6 of this Indictment as if fully set forth herein.

10. On or about each date specified in Column A, in the Northern District of Georgia and elsewhere, the Defendant, KWAMAINE JERELL FORD, aided and

abetted by others unknown to the Grand Jury, did knowingly transfer, possess, and use, without lawful authority, a means of identification of another person, that is, the login credentials, name, address, and credit card numbers of the persons whose initials are specified in Column B, during and in relation to the commission of the felony of wire fraud in violation of Title 18, United States Code, Section 1343, as set forth in the corresponding counts identified in Column C:

	<b>A</b>	<b>B</b>	<b>C</b>
<b>Count</b>	<b>Date</b>	<b>Person</b>	<b>Felony Count</b>
19	2/1/2016	T.C.	Count 1
20	10/4/2016	J.G.	Count 2
21	10/11/2016	J.G.	Count 3
22	12/12/2016	J.G.	Count 4
23	1/6/2017	J.G.	Count 5
24	7/19/2017	W.B.	Count 6

All in violation of Title 18, United States Code, Section 1028A and Section 2.

### **FORFEITURE PROVISION**

11. Upon conviction of one or more of the offenses alleged in Counts One through Six or Counts Thirteen through Eighteen of this Indictment, the defendant, KWAMAINE JERELL FORD, shall forfeit to the United States, pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and 982(a)(2)(B), and Title 28, United States Code, Section 2461(c), any and all property

constituting, or derived from, proceeds obtained directly or indirectly as a result of said violations;

12. Upon conviction of one or more of the offenses alleged in Counts Seven through Twelve of this Indictment, the defendant, KWAMAINE JERELL FORD, shall forfeit to the United States, pursuant to Title 18, United States Code, Sections 982(a)(2)(B) and 1030(i), the defendant's interest in any and all personal property that was used or intended to be used to commit or to facilitate the commission of such violation, as well as any and all property constituting, or derived from, proceeds obtained directly or indirectly as a result of said violations; and

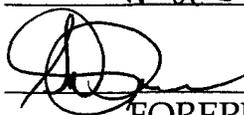
13. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- a. cannot be located upon the 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;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b), to seek forfeiture of any other property of said defendants up to the value of the forfeitable property described above; all pursuant to Title 18, United States Code,

Sections 981(a)(1)(C), 982(a)(2)(A) & (B) and 1030(i), and Title 28, United States Code, Section 2461(c).

A True BILL  
  
FOREPERSON

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