

Sworn Complaint

UNIVERSITY OF FLORIDA PD
BUILDING 51, MUSEUM ROAD
GAINESVILLE, FL

Report Date / Time 8/15/2017 4:16:34PM	Report Number UFPD55ARR00700M	Case Number/CAD Number UFPD17OFF001225 / UFPD17CAD052727	Reporting Officer Name MCCARTHY, NIKITA D.
Originating Agency ORI FLO010600	Occurrence Date Time Range 6/26/2017 12:00:00 AM - 8/15/2017 12:00:00 AM	Jurisdiction UFPD	Clearance

2017CF3500A

Location of Occurrence

Location Type	Location Description UF BOOKSTORE AND WELCOME CENTER, 886		
Street Number 1900	Street MUSEUM RD.	Apt/Lot/Bldg	
County	City GAINESVILLE	State FL	Zip 32611

Suspect

First Name RICK	Middle Name ANTHONY	Last Name WELLS	Suffix J	Date Of Birth 1/3/1998	Age 19	Race BLACK	Sex MALE
SSN	MNI # UFPD16MNI005089	Place of Birth JACKSONVILLE, FL, DUVAL		Height 602	Weight 205	Hair BLK	Eyes BRO
DL or ID Number W420721980030	ID State FL	ID Type E	Address Type				
Street Number 1222	Street IDA ST	Apt/Lot/Bldg					
County	City JACKSONVILLE	State FL	Zip 32208	Phone Number 9043769102	Extension		
Location Description							

Arrest

Arrest Date/Time 9/22/2017 3:00:13PM	Arrest Location Type	Arrest Location Description	
Street Number	Street	Apt/Lot/Bldg	County ALACHUA
City	State	Zip	

2017 SEP 25 AM 10:49
FILED
OK 61
ALACHUA COUNTY FL
CLERK OF COURTS
JESSIE RBY

Charge(s)

Counts 1	Charge 817.034.4a3	General Offense Code COMMITTED	Bond Amount \$ 0.00	<input type="checkbox"/> No Bond
Charge Degree T	Charge Level FELONY	Arrest Offense Code Description FRAUD-SWINDLE		
Charge Description OBTAIN PROPERTY UNDER 20000 DOLLARS				
Clery Location Type On Campus Buildings				
Counts 1	Charge 817.568.2a	General Offense Code COMMITTED	Bond Amount \$ 0.00	<input type="checkbox"/> No Bond
Charge Degree T	Charge Level FELONY	Arrest Offense Code Description FRAUD-IMPERSON		
Charge Description USE/POSS ID OF ANOTHER PERSON WO CONSENT				
Clery Location Type On Campu				



Probable Cause

On 8/15/17, I responded to the UF Bookstore in reference to a possible fraud case. I made contact with David Looney, Associate Director, and Michael Chambers, Electronic Technician at the UF Bookstore. Looney said it came to his attention that several UF students were adding funds in excess of \$1500

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to their UF Bookstore prepaid accounts. Looney said on average, students usually add around \$300 to their accounts for books, per semester. Looney said the students added funds electronically using their Gatorlink user name and password which was unique to each student. Looney said they usually deal with approximately five "chargebacks" per year. Looney explained that chargebacks were when the card holder whose card was used to fund the student's UF Bookstore debit account disputed the charge. Looney said they received several disputes in reference to two accounts, which was highly unusual. Those two accounts were of UF students Jordan Smith and Sarita Francis (after interviewing Francis, she said the transaction included Jordan Scarlett). Looney said it caused them to flag several other accounts after they received more disputes and launched an investigation into the matter. Looney said they found similar transactions to the debit accounts of Kadeem Telfort, Antonio Callaway, Ventrell Miller, Rick Wells Jr., James Houston IV, Keivonnis Davis, and Richerd Desir-Jones. Looney said all of the students had added large amounts of funds electronically to their UF Bookstore debit accounts using one or several different credit cards that did not belong to them. Some of the students even saved the card for future charges. Looney said the students then used the funds in their UF Bookstore debit accounts to purchase items from the UF bookstore in person. Looney said most of the items purchased were electronics, including items such as laptops, iPads, and Beats head phones. Looney said some of the students mentioned that they have sold the items. Looney said since Chambers recognized the names as athletes, they contacted the University Athletic Association, Inc. (UAA) Compliance Office first. Looney said at the time they were not aware that the credit cards were stolen and the students were committing fraud.

On 6/30/17, at 1214 hours, Rick Wells Jr. Jr. successfully added \$875.00 to his UF Bookstore debit account using a credit card ending in [REDACTED] (authorization # [REDACTED]) via the internet. The credit card ending in [REDACTED] belonged to Michael Smith. The IP address captured for that transaction was 10.136.117.231 (IANA).

On the same day, 6/30/17, Wells Jr. went in person to the UF Bookstore and filled out a paper computer order form for an Apple iPad to which he handwrote his name, the date, phone number, and email address. The purchase included an Apple iPad, 9.7 inch Retina display with Wi-Fi capabilities, 128 GB, in gold, serial number DMPTJ2SKHP9Y for \$399.00, and another Apple iPad, 9.7 inch Retina display with Wi-Fi capabilities, 128 GB, in silver, serial number F9FTL03NHLFF for \$399.00. The total for the order including tax was \$849.87. Wells Jr. signed the order form agreeing that he understood that the educationally priced merchandise cannot be re-sold for 12 months (attached).

The clerk at the UF Bookstore erroneously charged Wells Jr.'s UAA scholarship account instead of his UF Bookstore debit account. When they caught the error, Marcus Keyes from the UF Bookstore contacted Wells Jr. via text messages that he needed to return the iPads since he was not allowed to purchase electronic merchandise using that account. Before Wells Jr. could return he iPads, Keyes texted him that they caught the error and applied to the charges to his UF Bookstore debit account and credited back his UAA scholarship account and that he was all set.

On 8/22/17, Wells Jr. came to UFPD to speak with me. Wells Jr. said his girlfriend, Kamay McCloud went online and added the money to his UF Bookstore debit account. Wells Jr. said he was not involved in any fraud and that he purchased an iPad for himself and one for his girlfriend. Wells Jr. also showed me the text message from Keyes that he was all set and did not owe the Bookstore. I told Wells Jr. to provide his girlfriend's contact number and bring his iPad to me so that I could verify the serial number and he agreed. Wells provided pictures of the iPad, his girlfriend's name and phone number, and the text messages he received from Keyes by email. Wells Jr. never returned with the iPad and did not return my phone calls.

On 8/28/17, I called McCloud and she said she used her own Citicard ending in [REDACTED] to add funds to Wells UF Bookstore debit account on 6/28/17. McCloud could not provide the amount she added. This contradicts the evidence received from the UF Bookstore stating that Wells Jr. used a Visa card ending in [REDACTED], with the name Michael Smith.

On 8/29/17, I received an email stating that Michael Smith disputed the charge made on 6/30/17 to his credit card for \$875.00 as fraudulent.

Wells Jr. unlawfully obtained the identifying information of Michael Smith to include his name, credit card

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numbers, expiration date, security code, and billing address of the credit card ending in [REDACTED]. Wells Jr. used the credit card without authority or consent. Wells Jr. Intended to defraud the victim when he used Smith's credit card to obtain money by using it to add \$875.00 to his UF Bookstore debit account. Wells Jr. then used the funds in his UF Bookstore debit account to purchase two Apple iPads. Wells Jr. also saved Smith's credit card on his UF Bookstore debit account for future charges.

I was contacted by his lawyer, Matt Kachergus and he advised that Wells Jr. will not speak to us or make any further statements.

Wells Jr. was charged with the following:


- 1 count of Fraudulent use of credit card.
- 1 count of Fraudulent use of identity of another without consent.
- 1 count of Scheme to defraud.

Other Person(s)

Person Type VICTIM	First Name STATE	Middle Name OF	Last Name FLORIDA	Suffix	Date Of Birth	Age	Race
Sex	SSN	MNI # UFPD11MNI001893	Place of Birth	Height	Weight 0	Hair	
Eyes	DL or ID Number	ID State	ID Type	Address Type			
Street Number	Street						Apt/Lot/Bldg
County	City	State	Zip	Phone Number	Extension		
Location Description							

The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the above named Defendant, committed violation(s), of law, on the below date(s) and time(s), as listed in the probable cause associated with this report:

Reporting Officer

Officer Name MCCARTHY, NIKITA D.	Officer Rank OFFICER	Officer ID No 082	Sworn and subscribed before me, the undersigned authority This the <u>02</u> day of <u>September, 2017</u> DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT OFFICER
Officer Agency UNIVERSITY OF FLORIDA PD			
Officer Signature 			

Approving Supervisor

Officer Name <i>Ellen Duffy</i>	Officer Rank <i>Sgt</i>	Officer ID No <i>26</i>	Officer Agency <i>UFPD</i>
Officer Signature <i>Ellen Duffy</i>			