

UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

Case: 2:24-mj-30434

Assigned To : Unassigned

Assign. Date : 10/8/2024

Description: RE: SEALED

MATTER

(EOB)

United States of America
v.

Austin Mark MATTHEWS

Case No.

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 2024 - August 2024 in the county of Wayne and Oakland in the Eastern District of Michigan, the defendant(s) violated:

| <i>Code Section</i> | <i>Offense Description</i> |
|------------------------|--------------------------------------|
| Title 18 U.S.C. § 1709 | Theft of mail by officer or employee |
| Title 18 U.S.C. § 1344 | Bank Fraud |
| Title 18 U.S.C. § 641 | Theft of United States Property |

This criminal complaint is based on these facts:

Continued on the attached sheet.



Complainant's signature

Patrick Fox, Special Agent - USPS-OIG

Printed name and title

Sworn to before me and signed in my presence.

Date: October 8, 2024



Judge's signature

City and state: Detroit, Michigan

Hon. David R. Grand, United States Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR A
CRIMINAL COMPLAINT AND ARREST WARRANT**

I, Patrick Fox, being duly sworn, hereby depose and state as follows:

INTRODUCTION

1. I am a Special Agent with the United States Postal Service, Office of Inspector General (USPS-OIG). I have been a Special Agent for nine years. Prior to that, I served for eight years as a Criminal Investigator with the United States Department of Housing & Urban Development, Office of Inspector General. I have previously conducted numerous criminal investigations. My primary responsibilities include investigating internal crimes involving the theft of mail.

2. The information contained in this affidavit is solely for the limited purpose of establishing probable cause that AUSTIN MATTHEWS (DOB XX/XX/1992), an employee of the United States Postal Service, stole mail in violation of 18 U.S.C. § 1709, theft of mail by an officer or employee, committed bank fraud in violation of 18 U.S.C. § 1344, and stole United States property in violation of 18 U.S.C. § 641.

3. The information contained in this affidavit is based on my training, experience, personal knowledge, observations, information

provided to me by law enforcement officers, information provided to me by witnesses, and my review of relevant documents and communications. Because this affidavit is submitted for the limited purpose of establishing probable cause for a criminal complaint, it does not set forth each and every fact that I or others have learned during the course of this investigation.

4. On August 7, 2024, I received information from the Washtenaw County Community College Police Department (WCCC PD), who stated that the college had mailed a check to a recipient in Ferndale, Michigan for \$1,580.54 that was deposited into an account which did not belong to the intended recipient. WCCC PD officers spoke with Capital One's Law Enforcement Engagement Team who indicated that the check had been deposited into MATTHEWS's Capital One account. Capital One told WCCC PD that several other checks, each addressed to individuals other than MATTHEWS, had also been fraudulently deposited into MATTHEWS's Capital One account. The intended recipients for each of these checks all had Ferndale addresses. The local United States Postal Inspection Service and USPS-OIG Office were contacted for assistance.

5. Additionally, the Ferndale Police Department contacted the USPS-OIG and stated that they had received complaints from Ferndale residents who had not received checks.

6. Investigators checked Postal databases and discovered that MATTHEWS is a Postal employee employed at the College Park Station as a letter carrier. MATTHEWS's duties include delivering mail. The College Park Station delivers mail to Ferndale, Michigan as well as Detroit, Michigan. Therefore, MATTHEWS had access to the mail containing the fraudulently deposited checks.

7. I located MATTHEWS's active bank accounts by checking accounts where he had previously received Postal direct deposits or allotments. These accounts included accounts with JP Morgan Chase Bank and Citizens Bank. Pursuant to a subpoena, investigators obtained MATTHEWS's bank account records and determined that MATTHEWS deposited several tax refund checks totaling \$11,614.52. These tax refunds were intended for recipients in Ferndale and Detroit.

8. MATTHEWS also had active accounts with Capital One Bank, Discover Bank, and Bancorp where MATTHEWS fraudulently deposited checks not payable to him totaling approximately \$32,768.15.

These checks were also intended for residents of Ferndale and Detroit, Michigan.

9. On April 15, 2024, a tax refund check for \$166 was deposited into MATTHEWS's account at JP Morgan Chase Bank. An investigator from the Treasury Inspector General for Tax Administration (TIGTA) determined that the check was issued to an individual residing in Ferndale, Michigan. In a subsequent interview of the victim by the TIGTA investigator, the victim stated they never received the check, had not given it to anyone, nor authorized it to be deposited on their behalf.

10. On April 23, 2024, a tax refund check for \$5,385, was deposited into MATTHEWS's account at JP Morgan Chase Bank. A TIGTA investigator determined that the check was issued to an individual residing in Detroit, Michigan. In a subsequent interview of the victim by the TIGTA investigator, the victim stated they never received the check, had not given it to anyone, nor authorized it to be deposited on their behalf.

11. On May 9, 2024, a tax refund check in the amount of \$4,958.91 was deposited into MATTHEWS's Citizen's Bank account. A

TIGTA investigator determined that the check was issued to an individual residing in Ferndale, Michigan. In a subsequent interview of the victim by the TIGTA investigator, the victim stated they never received the check, had not given it to anyone, nor authorized it to be deposited on their behalf.

12. The Ferndale Police Department provided one report from a resident of Ferndale who was sent a \$560 check from the Jewish Community Center of Metropolitan Detroit; however, the check was deposited into MATTHEWS's Discover Bank account. Another resident of Ferndale contacted the Ferndale Police Department to report the theft of a \$140 paycheck sent to them by the City of Royal Oak that was never received; this check was deposited into MATTHEWS's Bancorp Bank account via Chime.

13. Chime is a mobile app which allows users to deposit checks by taking pictures of them.

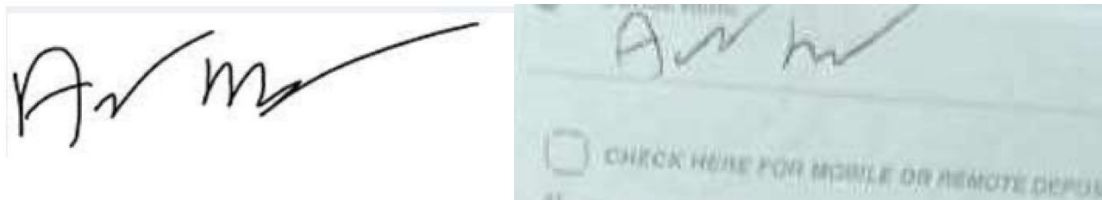
14. Investigators obtained records which included the pictures of checks deposited into MATTHEWS's bank account using Chime. In these photos, MATTHEWS's shorts are visible behind the check. I can

immediately identify the shorts in the pictures as part of a Postal uniform that MATTHEWS would wear.



Photo of check deposited using MATTHEWS's Chime Account showing his shorts behind the check.

15. Investigators inspected the signatures endorsing the checks deposited into MATTHEWS's bank accounts. The signatures appear identical to MATTHEWS's signature on his driver's license.



Photos comparing MATTHEWS's signature on his driver's license (left) with his signature on a deposited check (right).

16. At the time that MATTHEWS deposited stolen checks into his accounts, the deposits of JP Morgan Chase Bank, Discover Bank,

Capital One Bank, Bancorp, and Citizens Bank were insured by the Federal Deposit Insurance Corporation.

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CONCLUSION

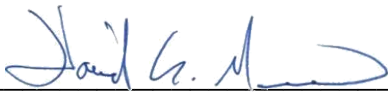
17. Probable cause exists that AUSTIN MATTHEWS while being employed as a United States Postal Service employee, opened and stole mail and its contents, including checks and tax refunds, entrusted to him. MATTHEWS then fraudulently deposited these checks and tax refunds in his own accounts in violation of 18 U.S.C. § 1709, theft of mail by officer or employee, 18 U.S.C. § 1344, bank fraud, and 18 U.S.C. § 641 theft of United States property.

Respectfully submitted,



Patrick Fox, Special Agent
USPS-OIG

Sworn to before me and signed in my presence
and/or by reliable electronic means.



Honorable David R. Grand
United States Magistrate Judge

Date: October 8, 2024