



UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

UNITED STATES OF AMERICA

v.

CASE NO. 6:17-cr-64-0-GJK
18 U.S.C. § 1343

DWAYNE LERON TAYLOR

US DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO, FLORIDA

2017 MAR -8 PM 4:57

FILED

INDICTMENT

The Grand Jury charges:

COUNTS ONE THROUGH NINE
(WIRE FRAUD)

A. Introduction

At times material hereto:

THE DEFENDANT

1. DWAYNE LERON TAYLOR (TAYLOR) was a resident of Daytona Beach, Florida. TAYLOR was first elected in 2008 as a member of the Florida House of Representatives, initially representing the 27th District. Following redistricting in 2012, TAYLOR was reelected as a member of the Florida House of Representatives, representing the 26th District, in both 2012 and 2014. In 2015, TAYLOR announced his campaign for the Volusia County Chair position in Volusia County, Florida. Later in 2015, TAYLOR announced that he would no longer seek the Volusia County Chair position,

but would instead launch a campaign to represent Florida's Sixth Congressional District in the United States House of Representatives.

ENTITIES AND ACCOUNTS USED IN THE SCHEME

2. From January 2011 through July 2013, TAYLOR maintained the "Dwayne L. Taylor Campaign Account" ending in -2110 at Bank of America for the depositing and maintenance of campaign donations from campaign contributors. This bank account was opened in connection with TAYLOR's 2012 reelection campaign.

3. From December 2012 through May 2015, TAYLOR maintained the "Dwayne L. Taylor Campaign Account" ending in -2701 at Bank of America for the depositing and maintenance of campaign donations from campaign contributors. This bank account was opened in connection with TAYLOR's 2014 reelection campaign.

4. The campaign accounts listed in paragraphs two and three are hereinafter collectively referred to as the "Dwayne L. Taylor Campaign Accounts."

5. Since October 2010, TAYLOR has maintained a personal bank account ending in -3640 at Bank of America.

6. From October 2012 until September 2014, TAYLOR maintained a joint bank account ending in -1229 at Bank of America.

7. Since September 2014, TAYLOR has maintained a joint bank account ending in -5097 at Bank of America.

8. The accounts and deposits of Bank of America were federally insured by the Federal Deposit Insurance Corporation.

9. TAYLOR was the campaign treasurer for his 2012 and 2014 reelection campaigns.

ELECTION LAWS OF THE STATE OF FLORIDA

10. Florida Statutes, Section 106.021 requires a state political candidate to appoint a campaign treasurer and designate a depository institution to maintain the candidate's campaign account. A candidate may appoint himself as campaign treasurer, which TAYLOR did for his 2012 and 2014 reelection campaigns.

11. Florida Statutes, Section 106.11 requires all expenditures from a candidate's campaign account to be made by a "bank check," for the campaign account to be separate from any personal account, and for the campaign account to be used only for the purpose of depositing contributions and making expenditures for the candidate.

12. Florida Statutes, Section 106.12 allows candidates to establish a petty cash fund. Prior to the last day of qualifying for office, a candidate may use \$500 per quarter in petty cash. Between the last day for qualifying for

office and the election, a candidate may use \$100 in petty cash per week.

Petty cash may be spent only in amounts less than \$100 and only for office supplies, transportation expenses, and other necessities. Pursuant to Florida Statutes, Section 106.11, to establish a petty cash fund, the campaign treasurer must write a check drawn on the candidate's campaign account.

13. Florida Statutes, Section 106.07 requires the campaign treasurer to report the full name and address of each person to whom an expenditure has been made by or on behalf of a candidate, and the amount, date, and purpose of each expenditure. Expenditures from the petty cash fund do not need to be reported individually, but the campaign treasurer must report the total amount withdrawn and the total amount spent for petty cash purposes. The campaign treasurer must also maintain records of petty cash expenditures.

14. Florida Statutes, Section 106.141 governs the disposition of surplus funds in a candidate's campaign account. Personal use of surplus campaign account funds is not permitted.

15. Florida Statutes, Section 106.1405 prohibits a candidate or a candidate's spouse from using campaign account funds to defray normal living expenses other than expenses actually incurred for transportation, meals, and lodging by the candidate or a family member during travel in the course of the campaign.

B. Scheme and Artifice

From at least in or about January 2011, and continuing thereafter through in or about May 2015, in the Middle District of Florida, the Northern District of Florida, and elsewhere,

DWAYNE LERON TAYLOR

the defendant herein, did knowingly, willfully, and with intent to defraud, devise, and intend to devise, a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises that related to material facts, which scheme and artifice is described as follows:

C. Manner and Means

1. It was part of the scheme and artifice to defraud that TAYLOR solicited, and caused the solicitation of, individuals and entities to contribute money to TAYLOR's campaign for the stated purpose of supporting his reelection to the Florida House of Representatives, when, as TAYLOR then and there well knew, he intended to divert some portion of the contributions to his personal use.

2. It was part of the scheme and artifice to defraud that TAYLOR would withdraw cash from the Dwayne L. Taylor Campaign Accounts at automated teller machines (ATMs) within the Middle District of Florida and

the Northern District of Florida and, within minutes or hours, deposit the same or a similar amount of cash into one of TAYLOR's personal accounts.

3. It was further part of the scheme that TAYLOR would draw checks on the Dwayne L. Taylor Campaign Accounts and write on the memorandum line of the checks that the purpose of the withdrawals was for the petty cash fund. However, the withdrawals were for amounts that exceeded the statutory limits, and the withdrawals were not reported to the State of Florida.

4. It was further part of the scheme and artifice to defraud that TAYLOR would fraudulently and unlawfully use funds acquired from the Dwayne L. Taylor Campaign Accounts for personal expenses unrelated to his campaign to be elected to the Florida House of Representatives.

5. It was further part of the scheme and artifice to defraud that TAYLOR would submit, and cause to be submitted, false and fraudulent campaign expenditure reports to the State of Florida that included inflated and nonexistent campaign expenses in order to hide and conceal the fact that TAYLOR had fraudulently and unlawfully embezzled funds from the Dwayne L. Taylor Campaign Accounts, in violation of campaign laws of the State of Florida.

6. It was a further part of the scheme and artifice to defraud that TAYLOR would and did use, and caused to be used, interstate wires in furtherance of the scheme and artifice to defraud, including by conducting transactions at ATMs that were routed through servers located outside of Florida and by cashing checks that were processed through servers located outside of Florida.

7. It was a further part of the scheme and artifice to defraud that TAYLOR would and did perform acts and make statements to hide and conceal, and cause to be hidden and concealed, the purpose of the scheme to defraud and the acts committed in furtherance thereof.

D. Wires

On or about the dates set forth below, in the Middle District of Florida, and elsewhere,

DWAYNE LERON TAYLOR

the defendant herein, for the purpose of executing the aforesaid scheme and artifice to defraud and for obtaining money and property by means of materially false and fraudulent pretenses, representations and promises, did knowingly, and with intent to defraud, transmit and cause to be transmitted by means of wire communication in interstate commerce, the following writings, signs, signals, pictures, and sounds:

Count	Date	Description	Amount
ONE	06/09/2012	ATM withdrawal in Daytona Beach, FL	\$400
TWO	11/20/2013	ATM withdrawal in Daytona Beach, FL	\$200
THREE	12/03/2013	ATM withdrawal in Ormond Beach, FL	\$400
FOUR	12/22/2013	ATM withdrawal in Tampa, FL	\$140
FIVE	01/20/2014	ATM withdrawal in Daytona Beach, FL	\$400
SIX	02/22/2014	ATM withdrawal in Daytona Beach, FL	\$200
SEVEN	06/05/2014	Check #1018 cashed in Daytona Beach, FL	\$400
EIGHT	06/22/2014	ATM withdrawal in Ormond Beach, FL	\$200
NINE	08/03/2014	ATM withdrawal in Daytona Beach, FL	\$100

In violation of 18 U.S.C. §§ 1343 and 2.

FORFEITURE

1. The allegations contained in Counts One through Nine are incorporated by reference for the purpose of alleging forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c).

2. Upon conviction of a violation of 18 U.S.C. § 1343, the defendant shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the violation.

3. The property to be forfeited includes, but is not limited to, the following: a money judgment in the amount of at least \$62,834, representing the amount of proceeds obtained as a result of the offense charged in Counts One through Nine.

4. If any of the property described above, as a result of any act or omission of the defendant:

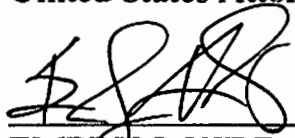
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be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

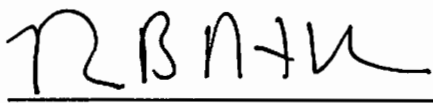
the United States shall be entitled to forfeiture of substitute property under the provisions of 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c).

A TRUE BILL,

Cassandra Pizarro
Foreperson

A. LEE BENTLEY, III
United States Attorney

By: 
EMBRY J. KIDD
Assistant United States Attorney

By: 
ROGER B. HANDBERG
Assistant United States Attorney
Chief, Criminal Division

No.

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Middle District of Florida
Orlando Division

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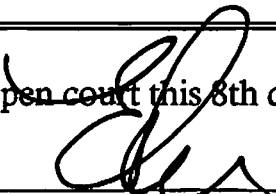
Violations: 18 U.S.C. § 1343

A true bill,



 Foreperson

Filed in open court this 8th day of March, 2017.



 Clerk

Bail \$ _____