

UNITED STATES OF AMERICA
NATIONAL CREDIT UNION ADMINISTRATION
Alexandria, Virginia

In the Matter of)
)

TERESA D. JOHNSON)
)

Docket No.: 12-0077-R3

NOTICE OF PROHIBITION

WHEREAS on or about January 7, 2011, Teresa D. Johnson ("Johnson") entered a plea of guilty to the charge of embezzlement, 18 U.S.C. § 657, in connection with her employment at SAFE Federal Credit Union in Sumter, South Carolina;

WHEREAS a violation of 18 U.S.C. § 657 is a criminal offense involving dishonesty and breach of trust;

NOW, THEREFORE, YOU ARE HEREBY NOTIFIED THAT:

1. Pursuant to 12 U.S. C. § 1785(d)(1)(A) and 12 U.S.C. § 1829(a)(1)(A), Johnson is prohibited from becoming an "institution affiliated party" of any insured depository institution, as defined in 12 U.S.C. § 1786(r); otherwise participating, directly or indirectly, in the conduct of the affairs of any insured depository institution; and owning or controlling, directly or indirectly, any insured depository institution;

2. Pursuant to 12 U.S. C. § 1785(d)(1)(B) and 12 U.S.C. § 1829(a)(1)(B), no insured depository institution may permit Johnson to engage in any conduct or continue in any relationship prohibited in paragraph 1 above;

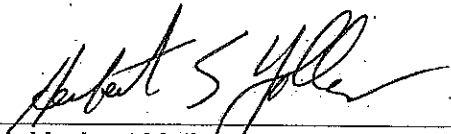
3. Pursuant to 12 U.S.C. § 1785(d)(3) and 12 U.S.C. § 1829(b), whoever knowingly violates paragraph 1 or 2 above is subject to a fine of not more than \$1 million for each day such prohibition is violated, or imprisonment for not more than five (5) years, or both;

4. The "Judgment in a Criminal Case" filed May 13, 2011, and "Indictment" filed April 21, 2010, case number 3:10-cr-00463, are made a part hereof and are incorporated herein by reference; and

5. This Notice of Prohibition shall be effective and enforceable on the date set forth below.

IT IS SO ORDERED this 7th day of January, 2013.

NATIONAL CREDIT UNION ADMINISTRATION BOARD

By: 
Herbert Yolles
Regional Director
NCUA Region III

UNITED STATES DISTRICT COURT
District of South Carolina

UNITED STATES OF AMERICA

JUDGMENT IN A CRIMINAL CASE

vs.

TERESA JOHNSON

Case Number: 3:10-463 (001 JFA)

USM Number: 20821-171

John T. Mobley, Esq. (Retained)
Defendant's Attorney.

THE DEFENDANT:

- pleaded guilty to count(s) 1 of the indictment on 1/7/11.
pleaded nolo contendere to count(s) which was accepted by the court.
was found guilty on count(s) after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

Table with 4 columns: Title & Section, Nature of Offense, Offense Ended, Count. Row 1: 18 USC 657, Please see indictment, 9/16/09, 1

The defendant is sentenced as provided in pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- The defendant has been found not guilty on count(s).
Count(s) 2-23 of the indictment is/are dismissed on the motion of the United States.
Forfeiture provision is hereby dismissed on motion of the United States Attorney.

It is ordered that the defendant must notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of any material changes in economic circumstances.

May 12, 2011
Date of Imposition of Judgment

Handwritten signature of Joseph F. Anderson, Jr.

Signature of Judge

Joseph F. Anderson, Jr.; United States District Judge
Name and Title of Judge

May 13, 2011
Date

DEFENDANT: TERESA JOHNSON
CASE NUMBER: 3:10-463

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of Twenty-one (21) months.

The court makes the following recommendations to the Bureau of Prisons:
For defendant to be placed in a Federal Correctional Institution near South Carolina.

The defendant is remanded to the custody of the United States Marshal.

The defendant shall surrender to the United States Marshal for this district:

at _____ a.m. p.m. on _____

as notified by the United States Marshal.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

before 2 p.m. on _____

as notified by the United States Marshal.

as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

DEFENDANT: TERESA JOHNSON
CASE NUMBER: 3:10-463

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of Five (5) years.

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

- The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. *(Check, if applicable.)*
- The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. *(Check, if applicable.)*
- The defendant shall cooperate in the collection of DNA as directed by the Probation Office. *(Check, if applicable.)*
- The defendant shall comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901; *et seq.*) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which he or she resides, works, is a student, or was convicted of a qualifying offense. *(Check, if applicable.)*
- The defendant shall participate in an approved program for domestic violence. *(Check, if applicable.)*

If this judgment imposes a fine or a restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as any additional conditions: The defendant shall participate in a financial or consumer credit counseling program as approved by the US Probation Office. The defendant shall participate in a Vocational Training Program as approved by the US Probation Office.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT: TERESA JOHNSON
 CASE NUMBER: 3:10-463

CRIMINAL MONETARY PENALTIES

The defendant shall pay the total criminal monetary penalties under the schedule of payments on Sheet 5.

| | <u>Assessment</u> | <u>Fine</u> | <u>Restitution</u> |
|---------------|-------------------|-------------|----------------------|
| TOTALS | \$ 100.00 | \$ | \$ 241,272.90 |

The determination of restitution is deferred until _____, An Amended Judgment in a Criminal Case(AO245C) will be entered after such determination.

The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment unless specified in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

| <u>Name of Payee</u> | <u>Total Loss*</u> | <u>Restitution Ordered</u> | <u>Priority or Percentage</u> |
|-------------------------------|----------------------|----------------------------|-------------------------------|
| SAFE Federal Credit Union | \$ 10,000.00 | \$ 10,000.00 | |
| Chubb Group Insurance Company | \$ 231,272.90 | \$ 231,272.90 | |
| TOTAL | \$ 241,272.90 | \$ 241,272.90 | |

Restitution amount ordered pursuant to plea agreement \$ _____

The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. §3612(f). All of the payment options on Sheet 5 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. §3612(g).

The court determined that the defendant does not have the ability to pay interest and it is ordered that:

- The interest requirement is waived for the fine restitution.
- The interest requirement for the fine restitution is modified as follows:

Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT: TERESA JOHNSON
CASE NUMBER: 3:10-463

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties is due as follows:

- A: Lump sum payment of \$ 241,372.90 special assessment and restitution due immediately, balance due not later than _____, or in accordance with C, D, or E, or F below: or
- B Payment to begin immediately (may be combined with C, D, or F below); or
- C Payment in equal _____ (weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (30 or 60 days) after the date of this judgment; or
- D: Payment in equal _____ (weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (30 or 60 days) after release from imprisonment to a term of supervision; or
- E Any remaining restitution balance shall be paid in minimum monthly installments of not less than \$100.00 beginning 60 days after release from the Bureau of Prisons.
- Special instructions regarding the payment of criminal monetary penalties: During incarceration, the Defendant shall make payments of not greater than 50 percent of net quarterly prison income, applied to Special Assessment and Restitution.

If restitution, fine and/or special assessment are ordered due immediately, payments made pursuant to this judgment while the defendant is incarcerated, on supervised release, or on probation are minimum payments only and do not preclude the government from seeking to enforce this judgment against other assets or non-prison income of the defendant. In other words if ordered due immediately, the government may seek to enforce the full amount of any monetary penalty at any time pursuant to 18 U.S.C. § 3612, 3613 and 3664(m).

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and Corresponding Payee, if appropriate.

The defendant shall pay the cost of prosecution.

The defendant shall pay the following court cost(s):

The defendant shall forfeit the defendant's interest in the following property to the United States:

As directed in the Preliminary Order of Forfeiture, filed _____ and the said order is incorporated herein as part of this judgment.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

| | | |
|--------------------------|---|---------------------------|
| UNITED STATES OF AMERICA |) | CR. NO. <u>3:10cr 463</u> |
| |) | 18 U.S.C. § 657 |
| v. |) | 18 U.S.C. § 1006 |
| |) | |
| TERESA JOHNSON |) | INDICTMENT |

COUNT 1

THE GRAND JURY CHARGES:

Beginning on a date unknown to the grand jury, but from at least in or about December 2006, to on or about September 16, 2009, in the District of South Carolina, TERESA JOHNSON, who was then an employee of SAFE Federal Credit Union (SAFE FCU), a financial institution with deposits insured by the National Credit Union Administration, with intent to injure and defraud, knowingly and willfully did embezzle, abstract, purloin and misapply over \$1,000 of the funds owned by and entrusted to the custody and care of SAFE FCU;

In violation of Title 18, United States Code, Section 657.

COUNT 2

THE GRAND JURY FURTHER CHARGES:

On or about the dates set forth below, in the District of South Carolina, TERESA JOHNSON, who was then an employee of SAFE Federal Credit Union (SAFE FCU), a financial institution with deposits insured by the National Credit Union Administration, with intent to defraud and deceive SAFE FCU and its officers, auditors, examiners, and agents, did make false entries into the books, entries, and statements of SAFE FCU in that she did falsely state that funds specified below had been transferred to a specified teller number when in truth, as TERESA JOHNSON then knew, such funds were not transferred to the specified teller number:

| COUNT | DATE | TELLER NO. | AMOUNT |
|-------|------------------|------------|---------|
| 2 | July 20, 2006 | 598 | \$5,000 |
| 3 | October 17, 2006 | 598 | \$3,000 |
| 4 | January 22, 2008 | 591 | \$5,000 |
| 5 | January 31, 2008 | 591 | \$5,000 |
| 6 | February 7, 2008 | 591 | \$5,000 |
| 7 | April 7, 2008 | 591 | \$5,000 |
| 8 | May 16, 2008 | 591 | \$5,000 |
| 9 | May 28, 2008 | 591 | \$5,000 |
| 10 | June 9, 2008 | 591 | \$5,000 |
| 11 | June 23, 2008 | 591 | \$5,000 |
| 12 | August 19, 2008 | 591 | \$5,000 |
| 13 | August 26, 2008 | 591 | \$5,500 |

| | | | |
|----|--------------------|-----|---------|
| 14 | September 18, 2008 | 591 | \$5,000 |
| 15 | September 30, 2008 | 591 | \$5,000 |
| 16 | October 14, 2008 | 591 | \$8,600 |
| 17 | October 30, 2008 | 591 | \$2,900 |
| 18 | November 10, 2008 | 591 | \$7,000 |
| 19 | November 25, 2008 | 591 | \$6,500 |
| 20 | January 8, 2009 | 591 | \$7,000 |
| 21 | February 6, 2009 | 591 | \$5,000 |
| 22 | March 6, 2006 | 591 | \$5,000 |
| 23 | April 6, 2009 | 591 | \$6,000 |

All in violation of Title 18, United States Code, Section 1006.

A TRUE BILL


FOREPERSON
KEVIN F. MCDONALD (DAE)
ACTING UNITED STATES ATTORNEY

RECORD OF GRAND JURY BALLOT

CI 3:10CR463

THE UNITED STATES V. TERESA JOHNSON

(SEALED UNTIL FURTHER ORDER OF THE COURT)