

FILED*10 JUL 21 15:45 USDC-ORP

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION**

UNITED STATES OF AMERICA

No. CR 10- 323 - BR

v.

INDICTMENT

**DAVID LEE FOSTER, JR.,
CRYSTAL FOSTER (a/k/a CRYSTAL
LINDSAY),**

18 U.S.C. §§ 641, 1001

Defendants.

THE GRAND JURY CHARGES:

COUNT 1

(Theft of Public Money - 18 U.S.C. § 641)

Beginning prior to July 2005, and continuing through December 2007, in the District of Oregon, defendants **DAVID LEE FOSTER, JR.** and **CRYSTAL FOSTER (a/k/a CRYSTAL LINDSAY)**, did unlawfully, willfully, and knowingly steal, purloin, and convert to their own use, and the use of another, vouchers, money, and things of value of the United States Department of Housing and Urban Development (“HUD”), a department of the United States, the value of which exceeded the sum of \$1,000, with the intention of depriving HUD of the use and benefit of the vouchers, money, and things of value; to wit, defendants **DAVID LEE FOSTER,**

JR. and CRYSTAL FOSTER (a/k/a CRYSTAL LINDSAY) received federal housing subsidies to which they were not entitled through fraud and deceit by failing to disclose disability settlement payments received from SAIF Corporation, all in violation of Title 18, United States Code, Section 641.

COUNT 2
(Theft of Public Money - 18 U.S.C. § 641)

Beginning prior to July 2005, and continuing through December 2009, in the District of Oregon, defendants **DAVID LEE FOSTER, JR. and CRYSTAL FOSTER (a/k/a CRYSTAL LINDSAY)**, did unlawfully, willfully, and knowingly steal, purloin, and convert to their own use, and the use of another, vouchers, money, and things of value of the United States Department of Housing and Urban Development (“HUD”), a department of the United States, the value of which exceeded the sum of \$1,000, with the intention of depriving HUD of the use and benefit of the vouchers, money, and things of value; to wit, defendants **DAVID LEE FOSTER, JR. and CRYSTAL FOSTER (a/k/a CRYSTAL LINDSAY)** received federal housing subsidies to which they were not entitled through fraud and deceit by falsely representing that a family member with initials T.L.F. resided in their home 51% or more of the time, all in violation of Title 18, United States Code, Section 641.

COUNT 3
[False Statement to Government Agency - 18 U.S.C. § 1001]

On or about January 20, 2009, within the District of Oregon, defendants **DAVID LEE FOSTER, JR. and CRYSTAL FOSTER (a/k/a CRYSTAL LINDSAY)**, in a matter within the jurisdiction of the executive branch of the United States (the United States Department of Housing and Urban Development), did unlawfully, willfully, and knowingly make and use a false

writing and document knowing the same to contain a materially false, fictitious, and fraudulent statement or entry; to wit, defendants **DAVID LEE FOSTER, JR.** and **CRYSTAL FOSTER (a/k/a CRYSTAL LINDSAY)** falsely asserted in a document submitted to the Housing Authority of Yamhill County for the purpose of receiving federal housing subsidies that a family member with initials T.L.F. resided in their home 51% or more of the time, all in violation of Title 18, United States Code, Section 1001.

FORFEITURE ALLEGATION

Upon conviction of the offense alleged in Counts One and Two of this Indictment, defendants **DAVID LEE FOSTER, JR.** and **CRYSTAL FOSTER (a/k/a CRYSTAL LINDSAY)** 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 said offense.

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 21 U.S.C. § 853(p) as incorporated by 18 U.S.C. § 982(b), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property described above.

DATED this 20 day of July, 2010.

A TRUE BILL.


OFFICIATING FOREPERSON

Presented by:

DWIGHT C. HOLTON
United States Attorney


STACIE F. BECKERMAN, OSB#062397
Assistant United States Attorney