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**FILED**  
FEB 26 2020  
Clerk, U.S. District Court  
District Of Montana  
Missoula

*Asg*

**ATTORNEY FOR PLAINTIFF  
UNITED STATES OF AMERICA**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**JOHANNA ESTELLA CLARK,**

**Defendant.**

**CR 20- 12 -M- DWM**

**INDICTMENT**

**WIRE FRAUD (Counts 1-13)**

Title 18 U.S.C. § 1343

(Penalty: 20 years imprisonment, \$250,000 fine, and three years supervised release)

**BANK FRAUD (Counts 14-15)**

Title 18 U.S.C. § 1344(2)

(Penalty: 30 years imprisonment, \$1,000,000 fine, and five years supervised release)

**AGGRAVATED IDENTITY THEFT**

(Counts 16-17)

Title 18 U.S.C. § 1028A(a)(1)

(Penalty: Mandatory minimum two years imprisonment, consecutive to the predicate felony, \$250,000 fine, and one year supervised release)

THE GRAND JURY CHARGES:

WIRE FRAUD – COUNTS 1-13

THE SCHEME TO DEFRAUD

Beginning in approximately May of 2014, and continuing until May of 2017, at St. Ignatius, within Lake County, in the State and District of Montana and the Flathead Indian Reservation, and elsewhere, the defendant, JOHANNA ESTELLA CLARK, with the intent to defraud, knowingly devised a scheme and plan to defraud, and for obtaining money by means of material false and fraudulent pretenses, representations, promises, and omitted facts, and in doing so caused wire communications to be transmitted in interstate commerce.

To execute the scheme and plan to defraud, the defendant, JOHANNA ESTELLA CLARK, then the Executive Administrative Assistant for the Flathead Joint Board of Control (“FJBC”), used multiple credit cards belonging to and drawing on the accounts of the FJBC, without the organization’s knowledge or consent.

INTERSTATE WIRES

On or about the dates in the table below, at St. Ignatius, in Lake County, in the State and District of Montana and the Flathead Indian Reservation, and elsewhere, the defendant, JOHANNA ESTELLA CLARK, for the purpose of executing the aforementioned scheme and plan to defraud, and for obtaining

money by means of material false and fraudulent pretenses, representations, promises, and omitted facts, caused to be transmitted in interstate commerce wire communications, as outlined in the table below, in violation of 18 U.S.C. § 1343.

Count	Date	Transaction	Amount
1	11/25/2015	Purchase of two six-drawer beds using credit card ending in 1183	\$1,733.98
2	11/25/2015	Purchase of a foam mattress using credit card ending in 1183	\$2,449.00
3	12/9/2015	Purchase of a calving pen using credit card ending in 1183	\$3,450.00
4	10/10/2016	Purchase of silver coins using credit card ending in 1183	\$2,151.00
5	1/31/2017	Purchase of a guitar and accessories using credit card ending in 1183	\$1,151.57
6	5/5/2015	Purchase of a Nikon lens using credit card ending in 7335	\$1,551.99
7	5/18/2015	Purchase of a Nikon lens using credit card ending in 7335	\$1,419.98
8	11/8/2015	Purchase of furniture using credit card ending in 7335	\$1,849.00
9	11/19/2015	Repairs and parts for 2005 Dodge pickup using credit card ending in 7335	\$1,925.94
10	3/14/2016	Purchase of signs reading "HD-93 Clark for House Representative" using credit card ending in 7335	\$502.26
11	6/24/2016	Purchase of round bailer parts using credit card ending in 7335	\$1,474.99
12	7/29/2016	Purchase from Les Schwab Tire Center using credit card ending in 7335	\$2,000.00
13	1/2/2017	Purchase of Lexar Pro Rescue 5 software and Canon 5 ds digital SLR camera using credit card ending in 7335	\$3,537.60

### BANK FRAUD – COUNTS 14, 15

Beginning in approximately June of 2014, and continuing until May of 2017, at St. Ignatius, within Lake County, in the State and District of Montana and the Flathead Indian Reservation, and elsewhere, the defendant, JOHANNA ESTELLA CLARK, with the intent to defraud, knowingly executed and attempted to execute a scheme and artifice to obtain any of the moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, Glacier Bank, a financial institution whose deposits were insured by the Federal Deposit Insurance Corporation, by means of false or fraudulent pretenses, representations, and promises.

To execute the scheme and artifice, the defendant, JOHANNA ESTELLA CLARK, wrote checks to herself drawn on the FJBC's checking accounts, applied the signature stamps of FJBC board members, without the knowledge or consent of the FJBC or those members, and deposited the checks into her personal bank account.

### FORGED CHECKS

On or about the dates in the table below, in Flathead and Lake Counties, in the State and District of Montana and the Flathead Indian Reservation, the defendant, JOHANNA ESTELLA CLARK, for the purpose of executing the aforementioned scheme and artifice, presented checks drawn on the FJBC's



Glacier Bank account for deposit into her personal account ending in 5770, in violation of 18 U.S.C. § 1344(2).

Count	Date	Transaction	Amount
14	7/14/2016	Deposit of warrant #8894 into Clark's personal bank account ending in 5770	\$1,676.00
15	12/21/2016	Deposit of warrant #8970 into Clark's personal bank account ending in 5770	\$1,652.12

#### AGGRAVATED IDENTITY THEFT – COUNT 16

On or about July 14, 2016, at Ronan, within Lake County, in the State and District of Montana and the Flathead Indian Reservation, the defendant, JOHANNA ESTELLA CLARK, did knowingly use, without lawful authority, a means of identification of another person, the names of FJBC board members, during and in relation to a felony violation of 18 U.S.C. § 1344(2), bank fraud, as charged in count 14 of this indictment, in violation of 18 U.S.C. § 1028A(a)(1).

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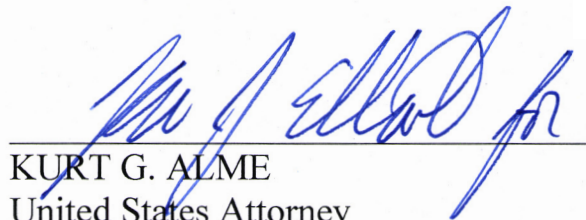
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AGGRAVATED IDENTITY THEFT – COUNT 17

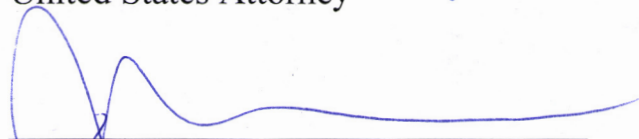
On or about December 21, 2016, at Kalispell, within Flathead County, in the State and District of Montana, the defendant, JOHANNA ESTELLA CLARK, did knowingly use, without lawful authority, a means of identification of another person, the names of FJBC board members, during and in relation to a felony violation of 18 U.S.C. § 1344(2), bank fraud, as charged in count 15 of this indictment, in violation of 18 U.S.C. § 1028A(a)(1).

A TRUE BILL.

Foreperson Signature Redacted. Original document  
filed under seal.



KURT G. ALME  
United States Attorney



JOSEPH E. THAGGARD  
Criminal Chief Assistant U.S. Attorney

✓ Summons  
March 19<sup>th</sup> 2pm  
before KLD in Ms la