

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

BARTON ALBERT BUHTZ,)

REBECCA ADELLE SHOLLENBURG,)

STEVEN DOUGLAS SHOLLENBURG,)

RICHARD ROY AQUILA, and)

STEVEN DALE KELTON,)

Defendants.)

Case No. CR 05- 30047-110

INDICTMENT

[18 U.S.C. §§ 371, 514(a)(2), and 2]

THE GRAND JURY CHARGES:

INTRODUCTORY ALLEGATIONS

Between January 1, 2001, and the date of this Indictment, and at all times relevant to this Indictment:

1. DEFENDANT BARTON ALBERT BUHTZ promoted a scheme to defraud by presenting, offering, passing and attempting to pass false and fictitious instruments appearing to be actual securities or other financial instruments issued under the authority of the United States, specifically, the United States Treasury.

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2. DEFENDANT BARTON ALBERT BUHTZ resided in Sunland, California, and conducted promotional seminars in the District of Oregon and elsewhere.

3. DEFENDANTS REBECCA ADELLE SHOLLENBURG, STEVEN DOUGLAS SHOLLENBURG, RICHARD ROY AQUILA and STEVEN DALE KELTON resided and conducted transactions with false and fictitious instruments in the District of Oregon.

COUNT ONE
[CONSPIRACY TO PASS FICTITIOUS INSTRUMENTS]

4. Beginning sometime prior to August 6, 2001, the exact date unknown, and continuing through the date of this Indictment, DEFENDANTS BARTON ALBERT BUHTZ, REBECCA ADELLE SHOLLENBURG, STEVEN DOUGLAS SHOLLENBURG, RICHARD ROY AQUILA and STEVEN DALE KELTON, and other persons known and unknown to the grand jury, did knowingly conspire and agree with one another, by dishonest and deceitful means, to present, offer, pass and attempt to pass, with intent to defraud, false and fictitious instruments purporting to be actual securities or other financial instruments issued under the authority of the United States, specifically, the United States Treasury, in violation of Title 18, United States Code, Sections 371 and 514(a)(2).

Manner and Means of the Conspiracy

5. It was part of the plan and purpose of the conspiracy for the defendants to present, offer, pass and attempt to pass to persons and entities certain instruments which they knew to be false and fictitious purporting to be actual securities or other financial instruments issued under the authority of the United States, specifically, the United States Treasury. The defendants referred to these false and fictitious instruments by various names, including Bill of Exchange, Bonded Bill of Exchange Order, and Trade Acceptance.

Overt Acts

6. In furtherance of the conspiracy, and to effect the objects thereof, the following overt acts, among others, were committed in the District of Oregon and elsewhere:

a. On or about August 6, 2001, DEFENDANTS BARTON ALBERT BUHTZ, REBECCA ADELLE SHOLLENBURG and RICHARD ROY AQUILA, aiding and abetting one another, with intent to defraud, did present, offer, pass and attempt to pass to U.S. Bank, a false and fictitious instrument in the amount of \$41,995.00.

b. On or about August 6, 2001, DEFENDANTS BARTON ALBERT BUHTZ, REBECCA ADELLE SHOLLENBURG and RICHARD ROY AQUILA, aiding and abetting one another, with intent to defraud, did present, offer, pass and attempt to pass to U.S. Bank, a false and fictitious instrument in the amount of \$46,659.00.

c. On or about August 31, 2001, DEFENDANTS BARTON ALBERT BUHTZ, REBECCA ADELLE SHOLLENBURG and STEVEN DALE KELTON, aiding and abetting one another, with intent to defraud, did present, offer, pass and attempt to pass to U.S. Bank, a false and fictitious instrument in the amount of \$48,650.00.

d. On or about October 10, 2001, DEFENDANTS REBECCA ADELLE SHOLLENBURG, STEVEN DOUGLAS SHOLLENBURG and RICHARD ROY AQUILA, aiding and abetting one another, with intent to defraud, did appear at an office of U.S. Bank in Medford, Oregon, for the purpose of presenting a false and fictitious instrument.

e. On or about October 15, 2001, DEFENDANT BARTON ALBERT BUHTZ sent an e-mail to David Shelofsky, a representative of U.S. Bank, attempting to persuade U.S. Bank to accept a false and fictitious instrument.

f. On or about November 7, 2001, DEFENDANT STEVEN DOUGLAS SHOLLENBURG prepared three false and fictitious instruments for SH.

g. On or about November 9, 2001, DEFENDANTS BARTON ALBERT BUHTZ and STEVEN DALE KELTON, aiding and abetting one another, with intent to defraud, did pass and attempt to pass to Jackson County Payment Center, a false and fictitious instrument in the amount of \$2,772.00.

h. Sometime between June 1, 2001 and January 15, 2002, DEFENDANTS REBECCA ADELLE SHOLLENBURG, and STEVEN DOUGLAS SHOLLENBURG introduced VC and NB to

DEFENDANT BARTON ALBERT BUHTZ and to the idea of using false and fictitious instruments to discharge debts.

i. On or about March 27, 2002, DEFENDANT BARTON ALBERT BUHTZ, with intent to defraud, did aid and abet MR to present, offer, pass and attempt to pass to General Assembly and Church of the First Born, a false and fictitious instrument in the amount of \$52,849.39. On June 11, 2002, DEFENDANT BARTON ALBERT BUHTZ wrote a letter to Humboldt Bank, which had rejected the false and fictitious instrument, attempting to persuade the bank to accept it.

j. On or about May 29, 2002, DEFENDANTS BARTON ALBERT BUHTZ, REBECCA ADELLE SHOLLENBURG, and STEVEN DOUGLAS SHOLLENBURG, with intent to defraud, did aid and abet NB to present, offer, pass and attempt to pass to DeepGreen Bank, a false and fictitious instrument in the amount of \$222,886.52. On June 3, 2002, DEFENDANT BARTON ALBERT BUHTZ wrote a letter to DeepGreen Bank, which had rejected the false and fictitious instrument, attempting to persuade the bank to accept it.

k. On or about May 29, 2002, DEFENDANTS BARTON ALBERT BUHTZ, REBECCA ADELLE SHOLLENBURG, and STEVEN DOUGLAS SHOLLENBURG, with intent to defraud, did aid and abet VC to present, offer, pass and attempt to pass to USAA Savings Bank, a false and fictitious instrument in the amount of \$20,362.01.

l. On or about June 4, 2002, and again on July 19, 2002, DEFENDANTS BARTON ALBERT BUHTZ, REBECCA ADELLE SHOLLENBURG, and STEVEN DOUGLAS SHOLLENBURG, with intent to defraud, did aid and abet VC to present, offer, pass and attempt to pass to Robert Louis Minges a false and fictitious instrument in the amount of \$350,455.00. On July 30, 2002, DEFENDANT BARTON ALBERT BUHTZ wrote a letter to Coast Central Credit Union, which had rejected the false and fictitious instruments, attempting to persuade the bank to accept one.

m. On or about June 6, 2002, DEFENDANTS BARTON ALBERT BUHTZ, REBECCA ADELLE SHOLLENBURG, and STEVEN DOUGLAS SHOLLENBURG, with intent to defraud, did aid and abet NB to present, offer, pass and attempt to pass to DeepGreen Bank, a false and fictitious instrument in the amount of \$247,795.06.

n. On or about July 18, 2002, DEFENDANTS BARTON ALBERT BUHTZ, REBECCA ADELLE SHOLLENBURG, and STEVEN DOUGLAS SHOLLENBURG, with intent to defraud, did aid and abet VC to present, offer, pass and attempt to pass to NB a false and fictitious instrument in the amount of \$497,800.00.

o. On or about July 22, 2002, DEFENDANTS BARTON ALBERT BUHTZ, REBECCA ADELLE SHOLLENBURG, and STEVEN DOUGLAS SHOLLENBURG, with intent to defraud, did aid and abet NB to present, offer, pass and attempt to pass to Light Bearers Ministry, a false and fictitious instrument in the amount of \$190,000.00.

p. On or about July 22, 2002, DEFENDANTS BARTON ALBERT BUHTZ, REBECCA ADELLE SHOLLENBURG, and STEVEN DOUGLAS SHOLLENBURG, with intent to defraud, did aid and abet NB and VC to present, offer, pass and attempt to pass to Siskiyou RV World, a false and fictitious instrument in the amount of \$536,749.00.

q. On or about July 22, 2002, DEFENDANTS BARTON ALBERT BUHTZ, REBECCA ADELLE SHOLLENBURG, and STEVEN DOUGLAS SHOLLENBURG, with intent to defraud, did aid and abet VC to present, offer, pass and attempt to pass to MV Society of SDA, a false and fictitious instrument in the amount of \$148,123.36.

r. On or about July 22, 2002, DEFENDANTS BARTON ALBERT BUHTZ, REBECCA ADELLE SHOLLENBURG, and STEVEN DOUGLAS SHOLLENBURG, with intent to defraud, did aid and abet VC to present, offer, pass and attempt to pass to The Present Truth, a false and fictitious instrument in the amount of \$520,500.00.

s. On or about October 4, 2002, DEFENDANT RICHARD ROY AQUILA sent an e-mail to DEFENDANT BARTON ALBERT BUHTZ, requesting a \$65,000.00 Bill of Exchange to pay off a California tax lien.

t. On or about February 28, 2003, DEFENDANT BARTON ALBERT BUHTZ, with intent to defraud, did aid and abet MR to present, offer, pass and attempt to pass to Harvey M. Harper Company, a false and fictitious instrument in the amount of \$51,097.92.

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u. On or about March 5, 2003, DEFENDANT BARTON ALBERT BUHTZ, with intent to defraud, did aid and abet MR to present, offer, pass and attempt to pass to Two Lees Company, a false and fictitious instrument, in the amount of \$75,000.00.

v. On or about March 13, 2003, DEFENDANT BARTON ALBERT BUHTZ, with intent to defraud, did aid and abet MR to present, offer, pass and attempt to pass to Schir Parts, Inc., a false and fictitious instrument, in the amount of \$9,402.04.

w. On or about March 13, 2003, DEFENDANT BARTON ALBERT BUHTZ, with intent to defraud, did aid and abet MR to present, offer, pass and attempt to pass through Community Realty and GMAC Realty to Robert Lutz and Susan Lutz, a false and fictitious instrument in the amount of \$623,000.00.

x. On or about March 13, 2003, DEFENDANT BARTON ALBERT BUHTZ, with intent to defraud, did aid and abet MR to present, offer, pass and attempt to pass to Harvey M. Harper Company, a false and fictitious instrument in the amount of \$48,680.74.

y. On or about March 18, 2003, DEFENDANT BARTON ALBERT BUHTZ, with intent to defraud, did aid and abet MR to present, offer, pass and attempt to pass to General Assembly and Church of the First Born, a false and fictitious instrument in the amount of \$60,000.00.

z. On or about April 15, 2003, DEFENDANTS BARTON ALBERT BUHTZ and STEVEN DALE KELTON, aiding and abetting one another, with intent to defraud, did present, offer, pass and attempt to pass to the Internal Revenue Service, a false and fictitious instrument in the amount of \$7,500.00.

aa. On or about April 17, 2003, DEFENDANT BARTON ALBERT BUHTZ, with intent to defraud, did aid and abet DG to present, offer, pass and attempt to pass to Coos County Treasurer, a false and fictitious instrument in the amount of \$1,670.78.

bb. On or about May 1, 2003, DEFENDANT STEVEN DALE KELTON wrote to DEFENDANT BARTON ALBERT BUHTZ, requesting advice regarding the Internal Revenue Service's rejection of a Bill of Exchange.

All in violation of Title 18, United States Code, Section 371.

COUNT TWO
[FICTITIOUS INSTRUMENT]

On or about August 6, 2001, in the District of Oregon, DEFENDANTS BARTON ALBERT BUHTZ and REBECCA ADELLE SHOLLENBURG, aiding and abetting one another, with intent to defraud, did present, offer, pass and attempt to pass to U.S. Bank, a false and fictitious instrument, in the amount of \$41,995.00 appearing, representing, purporting and contriving through scheme and artifice to be an actual security or other financial instrument issued under the authority of the United States, specifically, the United States Treasury.

All in violation of Title 18, United States Code, Sections 514(a)(2) and 2.

COUNT THREE
[FICTITIOUS INSTRUMENT]

On or about August 6, 2001, in the District of Oregon, DEFENDANTS BARTON ALBERT BUHTZ, REBECCA ADELLE SHOLLENBURG and RICHARD ROY AQUILA, aiding and abetting one another, with intent to defraud, did present, offer, pass and attempt to pass to U.S. Bank, a false and fictitious instrument, in the amount of \$46,659.00 appearing, representing, purporting and contriving through scheme and artifice to be an actual security or other financial instrument issued under the authority of the United States, specifically, the United States Treasury.

All in violation of Title 18, United States Code, Sections 514(a)(2) and 2.

COUNT FOUR
[FICTITIOUS INSTRUMENT]

On or about August 31, 2001, in the District of Oregon, DEFENDANTS BARTON ALBERT BUHTZ, REBECCA ADELLE SHOLLENBURG and STEVEN DALE KELTON, aiding and abetting one another, with intent to defraud, did present, offer, pass and attempt to pass to U.S. Bank, a false and fictitious instrument, in the amount of \$48,650.00 appearing, representing, purporting and contriving through scheme and artifice to be an actual security or other financial instrument issued under the authority of the United States, specifically, the United States Treasury.

All in violation of Title 18, United States Code, Sections 514(a)(2) and 2.

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COUNT FIVE
[FICTITIOUS INSTRUMENT]

On or about November 7, 2001, in the District of Oregon, DEFENDANT STEVEN DOUGLAS SHOLLENBURG, with intent to defraud, did aid and abet SH to present, offer, pass and attempt to pass to the Internal Revenue Service a false and fictitious instrument in the amount of \$4,690.27, appearing, representing, purporting and contriving through scheme and artifice to be an actual security or other financial instrument issued under the authority of the United States, specifically, the United States Treasury.

All in violation of Title 18, United States Code, Sections 514(a)(2) and 2.

COUNT SIX
[FICTITIOUS INSTRUMENT]

On or about November 7, 2001, in the District of Oregon, DEFENDANT STEVEN DOUGLAS SHOLLENBURG, with intent to defraud, did aid and abet SH to present, offer, pass and attempt to pass to the Internal Revenue Service a false and fictitious instrument in the amount of \$5,828.79, appearing, representing, purporting and contriving through scheme and artifice to be an actual security or other financial instrument issued under the authority of the United States, specifically, the United States Treasury.

All in violation of Title 18, United States Code, Sections 514(a)(2) and 2.

COUNT SEVEN
[FICTITIOUS INSTRUMENT]

On or about November 7, 2001, in the District of Oregon, DEFENDANT STEVEN DOUGLAS SHOLLENBURG with intent to defraud, did aid and abet SH to present, offer, pass and attempt to pass to the Internal Revenue Service a false and fictitious instrument in the amount of \$2,407.66, appearing, representing, purporting and contriving through scheme and artifice to be an actual security or other financial instrument issued under the authority of the United States, specifically, the United States Treasury.

All in violation of Title 18, United States Code, Sections 514(a)(2) and 2.

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COUNT EIGHT
[FICTITIOUS INSTRUMENT]

On or about November 9, 2001, in the District of Oregon, DEFENDANTS BARTON ALBERT BUHTZ and STEVEN DALE KELTON, aiding and abetting one another, with intent to defraud, did present, offer, pass and attempt to pass to Jackson County Payment Center, a false and fictitious instrument, in the amount of \$2,772.00 appearing, representing, purporting and contriving through scheme and artifice to be an actual security or other financial instrument issued under the authority of the United States, specifically, the United States Treasury.

All in violation of Title 18, United States Code, Sections 514(a)(2) and 2.

COUNT NINE
[FICTITIOUS INSTRUMENT]

On or about July 18, 2002, in the District of Oregon, DEFENDANTS BARTON ALBERT BUHTZ, REBECCA ADELLE SHOLLENBURG, and STEVEN DOUGLAS SHOLLENBURG, with intent to defraud, did aid and abet VC to present, offer, pass and attempt to pass to NB a false and fictitious instrument in the amount of \$497,800.00, appearing, representing, purporting and contriving through scheme and artifice to be an actual security or other financial instrument issued under the authority of the United States, specifically, the United States Treasury.

All in violation of Title 18, United States Code, Sections 514(a)(2) and 2.

COUNT TEN
[FICTITIOUS INSTRUMENT]

On or about July 22, 2002, in the District of Oregon, DEFENDANTS BARTON ALBERT BUHTZ, REBECCA ADELLE SHOLLENBURG, and STEVEN DOUGLAS SHOLLENBURG, with intent to defraud, did aid and abet NB to present, offer, pass and attempt to pass to Siskiyou RV, a false and fictitious instrument, in the amount of \$536,749.00 appearing, representing, purporting and contriving through scheme and artifice to be an actual security or other financial instrument issued under the authority of the United States, specifically, the United States Treasury.

All in violation of Title 18, United States Code, Sections 514(a)(2) and 2.

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COUNT ELEVEN
[FICTITIOUS INSTRUMENT]

On or about March 5, 2003, in the District of Oregon, DEFENDANT BARTON ALBERT BUHTZ, with intent to defraud, did aid and abet MR to present, offer, pass and attempt to pass to Two Lees Company, a false and fictitious instrument, in the amount of \$75,000.00 appearing, representing, purporting and contriving through scheme and artifice to be an actual security or other financial instrument issued under the authority of the United States, specifically, the United States Treasury.

All in violation of Title 18, United States Code, Sections 514(a)(2) and 2.

COUNT TWELVE
[FICTITIOUS INSTRUMENT]

On or about April 15, 2003, in the District of Oregon, DEFENDANTS BARTON ALBERT BUHTZ and STEVEN DALE KELTON, aiding and abetting one another, with intent to defraud, did present, offer, pass and attempt to pass to the Internal Revenue Service, a false and fictitious instrument, in the amount of \$7,500.00 appearing, representing, purporting and contriving through scheme and artifice to be an actual security or other financial instrument issued under the authority of the United States, specifically, the United States Treasury.

All in violation of Title 18, United States Code, Sections 514(a)(2) and 2.

COUNT THIRTEEN
[FICTITIOUS INSTRUMENT]

On or about April 17, 2003, in the District of Oregon, DEFENDANT BARTON ALBERT BUHTZ, with intent to defraud, did aid and abet DG to present, offer, pass and attempt to pass to Coos County Treasurer, a false and fictitious instrument, in the amount of \$1,670.78 appearing, representing, purporting and contriving through scheme and artifice to be an actual security or other financial instrument issued under the authority of the United States, specifically, the United States Treasury.

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All in violation of Title 18, United States Code, Sections 514(a)(2) and 2.

DATED this 9th day of September, 2005.

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Presented by:

KARIN J. IMMERGUT
United States Attorney



WILLIAM E. FITZGERALD
Assistant United States Attorney