

Phat Tran " Check Please" 48 Million due on demand or i ask for 89 Million so we can reduce it later your choice

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Date: Sunday, August 24, 2025 at 05:24 PM PDT

Interrogatory: Certified Letters, Bank Instruments, and Criminal Exposure

Defendant: Phat K. Tran

Title: *Certified Mail Concealment, Bank Instrument Misappropriation, and False Statements to the Court*

Question for the Record:

You **sent two certified letters** during the lease dispute period May, June & July 2024. These letters were delivered by the United States Postal Service to the Brynn address and have remained sealed and unopened by the tenant, as instructed by himself Pro Se.

I informed the court that I had neither accepted or rejected the contents of the envelopes and they had remained unopened on advisement of counsel. Further I informed the court "I was under no obligation to open the United States mail" as they usually miss the scan as I had not signed for the letter.

If those certified letters contain a **bank instruments**—such as a Wells Fargo Cashiers cashier check, personal check, or eCheck copy—intended as **lawful rent payment** for the new lease term, then your failure to disclose its contents or delivery status to the court may constitute:

- **Grand Theft** under **California Penal Code § 487**: Misappropriating funds or property valued above \$950, especially if obtained under false pretenses;
- **Perjury** under **Penal Code § 118**: False testimony or material omissions made under oath;
- **False Statements to the Clerk of the Court** under **Code of Civil Procedure § 1209(a)(9)**: Misleading or concealing material facts from a judicial officer;
- **Mail Fraud** under **18 U.S. Code § 1341**: Knowingly using the United States Postal Service to execute or conceal a scheme to defraud.

You are further on record instructing the tenants to route funds through **Hanson Le**, who you acknowledged in writing had "received payment for services rendered." If you simultaneously allowed rent checks to be intercepted or rerouted to your agent while later claiming in court that "**no rent was paid**," you have committed **fraud upon the court** and materially misled the legal process.

This line of questioning establishes not only your knowledge of the payment, but also the **chain of custody**, the financial instrument involved, and your possible intent to suppress evidence of timely payment in order to justify a retaliatory eviction.

06/28/2024 in his bank account real estate trust for shure.

You're circling around the **federal fraud statutes** that make each *use of an electronic or mail system to advance a fraudulent scheme* its own independent felony.

Let me break this down for you into a **legal frame with precedent**, so you can see how many charges stack, and why the penalties escalate when *bank instruments* are involved.

Core Statutes That Apply

1. Wire Fraud (18 U.S.C. § 1343)

- Covers: **Text messages, phone calls, emails, internet, electronic apps.**
 - Each *use* of a wire communication to further a fraud = **1 separate count.**
 - **Penalty:** Up to **20 years** in prison, **30 years if a financial institution is involved.**
 - **Case law:**
 - *Carpenter v. United States*, 484 U.S. 19 (1987) — confirmed intangible property (like confidential info) can be the object of wire fraud.
 - *United States v. Pierce*, 224 F.3d 158 (2d Cir. 2000) — each wire act is a distinct offense.
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2. Mail Fraud (18 U.S.C. § 1341)

- Covers: **USPS or private carriers (FedEx, UPS, DHL, etc.)** used in a scheme.
 - Each mailing = **separate count**.
 - **Penalty:** Up to **20 years** in prison, **30 years** if financial institution involved.
 - **Case law:**
 - *Schmuck v. United States*, 489 U.S. 705 (1989) — even routine mailings can sustain mail fraud charges if they further the scheme.
 - *United States v. Maze*, 414 U.S. 395 (1974) — clarified when mailings are incidental versus integral.
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3. Bank Fraud (18 U.S.C. § 1344)

- Covers: Any scheme to **defraud a financial institution or obtain funds under false pretenses**.
 - Using a **bank instrument** (check, cashier's check, eCheck) = **separate bank fraud charge**.
 - **Penalty:** Up to **30 years** and **\$1,000,000 fine per count**.
 - **Case law:**
 - *Loughrin v. United States*, 573 U.S. 351 (2014) — bank fraud doesn't require intent to defraud the bank directly, only that the bank be used to effect the fraud.
 - *United States v. Stavroulakis*, 952 F.2d 686 (2d Cir. 1992) — "bank fraud" counts accrue even when banks are only indirectly involved.
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4. Aggravated Identity Theft (18 U.S.C. § 1028A)

- If false names, signatures, or electronic identities were used to move money.
 - **Penalty:** Mandatory **2 years consecutive** to any fraud sentence.
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5. Conspiracy (18 U.S.C. § 1349)

- Even if not every fraudulent act is personally committed, participation in the **scheme** triggers liability for all foreseeable acts.
 - **Penalty:** Same as underlying fraud (20–30 years).
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How the Counts Stack

You said:

- **30 electronic acts** (texts, emails, calls).
- **Bank instrument fraud** (check/eCheck diverted).
- **USPS / UPS mailing**.

Each is charged **separately**:

- **Wire Fraud**: 30 acts × 20 yrs = *600 years max exposure*.
- **Mail Fraud**: 1 mailing × 20 yrs = *20 years*.
- **Bank Fraud**: 1 instrument × 30 yrs = *30 years*.
- **Aggravated ID Theft**: If proven, +2 years consecutive.
- **Conspiracy**: 1 count × 20–30 yrs (overlapping, but prosecutors often charge it anyway).



Total potential exposure = well over **650 years on paper**, even if sentencing would run concurrent.



Legal Precedent for “Each Act = Separate Charge”

- **Wire Fraud**: *United States v. Garlick*, 240 F.3d 789 (9th Cir. 2001) — each fax/email/phone call was a separate count.
- **Mail Fraud**: *United States v. Kenofsky*, 243 U.S. 440 (1917) — even routine mailings can count if they advance fraud.
- **Bank Fraud**: *United States v. Laljie*, 184 F.3d 180 (2d Cir. 1999) — each fraudulent check = distinct count.



Prosecutor’s Playbook

- **Wire + Mail fraud combo** = “dual hook” RICO predicates.
- **Bank fraud** raises sentencing ceiling + fines.
- Each act, no matter how small (text, call, mail), **becomes leverage** for plea or stacked indictment.

This is why in white-collar cases the **count number** is everything: 30+ acts can sound like life without parole even if restitution is only six figures.

✓ Bottom line:

You're looking at **Wire Fraud (§1343)** and **Mail Fraud (§1341)** (20 yrs each per act), **Bank Fraud (§1344)** (30 yrs per instrument), and possibly **Aggravated Identity Theft (§1028A)**.

Each **text, phone call, UPS/USPS mail, or bank check** = its own count.

With 30+ acts, that's hundreds of years in exposure under federal sentencing guidelines, even if concurrent time is imposed.

The Ranger