

UNITED STATES OF AMERICA
NATIONAL CREDIT UNION ADMINISTRATION
Alexandria, Virginia

_____)
In the Matter of)
REBECCA POE) Docket No.: 11-0042-R2
_____)

NOTICE OF PROHIBITION

WHEREAS on or about July 21, 2011, Rebecca Poe ("Poe") was convicted of Aiding and Abetting Bank Fraud, 18 U.S.C §§ 1344 and 2 in connection with her employment at N&W POCA Division Federal Credit Union in Bluefield, West Virginia;

WHEREAS a violation of 18 U.S.C §§ 1344 and 2 are criminal offenses 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), Poe 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 Poe 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 July 25, 2011, 1:10-cr-00118-001, is made a part hereof and is incorporated herein by reference; and

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

IT IS SO ORDERED this 7th day of September, 2011.

NATIONAL CREDIT UNION ADMINISTRATION BOARD

By: Wendy A. Angus
for Jane A. Walters
Regional Director
NCUA Region II

UNITED STATES DISTRICT COURT

Southern District of West Virginia

UNITED STATES OF AMERICA

v.

REBECCA POE

JUDGMENT IN A CRIMINAL CASE

Case Number: 1:10-cr-00118-001

USM Number: 09236-088

George H. Lancaster, Jr.

Defendant's Attorney

THE DEFENDANT:

pleaded guilty to count(s) One of a single count indictment

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:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 U.S.C. §§ 1344 and 2	Aiding and abetting bank fraud	8/1/2008	One

The defendant is sentenced as provided in pages 2 through 9 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) _____ is are dismissed on the motion of the United States.

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 material changes in economic circumstances.

7/21/2011
Date of Imposition of Judgment

David A. Faber

Signature of Judge

David A. Faber
Name of Judge

Senior U.S. Dist. Judge
Title of Judge

7/25/2011
Date

DEFENDANT: REBECCA POE
CASE NUMBER: 1:10-cr-00118-001

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of:

Fifty-One (51) months.

The court makes the following recommendations to the Bureau of Prisons:

The court recommends that Ms. Poe be incarcerated at FCI Alderson.

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 8/22/2011

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 _____

a _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

DEFENDANT: REBECCA POE
CASE NUMBER: 1:10-cr-00118-001

ADDITIONAL IMPRISONMENT TERMS

In the event that she does not receive a designation from the United States Bureau of Prisons, the defendant is to report to United States Marshal's Office in Charleston, West Virginia, on August 22, 2011, by 2:00 p.m. to begin serving her period of incarceration.

DEFENDANT: REBECCA POE
CASE NUMBER: 1:10-cr-00118-001

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of :

Three (3) 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 officer. *(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 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 with any additional conditions on the attached page.

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 of 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: REBECCA POE
CASE NUMBER: 1:10-cr-00118-001

ADDITIONAL SUPERVISED RELEASE TERMS

- (1) The defendant shall provide the probation officer access to any requested personal or business-related financial information;
- (2) The defendant shall be prohibited from incurring new credit charges or opening additional lines of credit without approval of the probation officer;
- (3) The defendant shall apply all monies received from income tax refunds, lottery winnings, judgments, and any other anticipated or unanticipated financial gains to any outstanding financial obligations;
- (4) The defendant shall pay restitution payments during her term of incarceration through participation in the Bureau of Prisons' Inmate Financial Responsibility Program in quarterly installments of \$25, with any balance to be paid through monthly installments of no less than \$200 during a term of supervised release; and
- (5) The defendant shall participate in mental health counseling as directed by the supervising probation officer.

DEFENDANT: REBECCA POE
CASE NUMBER: 1:10-cr-00118-001

ADDITIONAL STANDARD CONDITIONS OF SUPERVISION

The defendant shall comply with the Standard Conditions of Supervision adopted by the Southern District of West Virginia, by Order entered June 22, 2007.

DEFENDANT: REBECCA POE
 CASE NUMBER: 1:10-cr-00118-001

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>		<u>Fine</u>		<u>Restitution</u>
TOTALS	\$ 100.00		\$		\$ 2,406,804.00

The determination of restitution is deferred until _____. An Amended Judgment in a Criminal Case (AO 245C) 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 otherwise 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>
National Credit Union Administration Board	\$1,406,804.00	\$1,406,804.00	(Primary)
CUMIS Insurance Society	\$1,000,000.00	\$1,000,000.00	(Secondary)

TOTALS	\$	2,406,804.00	\$	2,406,804.00
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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 the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 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: REBECCA POE
CASE NUMBER: 1:10-cr-00118-001

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 \$ 2,406,904.00 due immediately, balance due
- not later than _____, or
 in accordance C, D, E, or F below; or
- B Payment to begin immediately (may be combined with C, D, or F below); or
- C Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F Special instructions regarding the payment of criminal monetary penalties:

A special assessment in the amount of \$100.00, which is due immediately. If not paid immediately, the special assessment shall be paid during defendant's term of incarceration through participation in the Inmate Financial Responsibility Program in quarterly installments of \$25.00. Any unpaid balance shall be paid during the period of supervised release. The first installment of any remaining balance shall be paid within 30 days of release from incarceration and continue until the obligation is satisfied. The defendant shall notify the United States Attorney for this district within 30 days of any change in mailing or residence address that occurs while any portion of the sum remains unpaid. Restitution shall be paid during the defendant's term of incarceration through participation in the Bureau of Prisons' Financial Responsibility Program in monthly installments of \$25. Any remaining balance shall be paid during the term of supervised release in minimum installments of no less than \$200 per month, with the first installment to be paid within 30 days of release from incarceration, until the full amount has been paid. Payments are to be made to the Clerk of Court at the following address: United States District Clerk's Office, P.O. Box 4128, Bluefield, West Virginia, 24701.

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 the 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.

Pamela Mullins, Criminal No. 1:10-cr-00120-001
Total Amount: \$2,406,804
Joint and Several Amount: \$2,406,804

- 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:

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.

DEFENDANT: REBECCA POE
CASE NUMBER: 1:10-cr-00118-001

ADDITIONAL DEFENDANTS AND CO-DEFENDANTS HELD JOINT AND SEVERAL

Case Number Defendant and Co-Defendant Names (including defendant number)	Total Amount	Joint and Several Amount	Corresponding Payee, if appropriate
Criminal No. 1:10-cr-00120-001 Pamela Mullins	\$2,406,804.00	\$2,406,804.00	

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