

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF FLORIDA  
PENSACOLA DIVISION

UNITED STATES OF AMERICA

v.

INDICTMENT

TIMOTHY S. GILBERT

*3:23cr 37-TKW*

THE GRAND JURY CHARGES:

COUNTS ONE THROUGH TWENTY-TWO

A. THE CHARGE

Between on or about January 1, 2012, and on or about May 13, 2022, in the Northern District of Florida and elsewhere, the defendant,

**TIMOTHY S. GILBERT,**

did knowingly and willfully devise, and intend to devise, a scheme to defraud and for obtaining money and property by means of material false and fraudulent pretenses, representations, and promises, and for the purpose of executing such scheme, did cause wire communications to be transmitted in interstate commerce.

B. SCHEME TO DEFRAUD

It was part of the scheme to defraud that:

Returned in open court pursuant to Rule 6(f)	
Date	<i>5/16/2023</i>
	<i>SB</i>
United States Magistrate Judge	

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1. Defendant **TIMOTHY S. GILBERT** (“**GILBERT**”) had been employed by a hospital and medical group (“the Hospital”) in Pensacola, Florida, since in or around May 1993. While working for the Hospital as a rehab manager, **GILBERT** was given a Sam’s Club corporate credit card issued by Synchrony Bank bearing his and his employer’s names and was authorized to use it to make purchases for the Hospital. In approximately 2011, the Hospital implemented a new purchase card program and required the return of previously provided credit cards.

2. However, **GILBERT** kept his Sam’s Club corporate credit card and, starting in approximately 2012, used it to make personal purchases at Sam’s Club locations in Florida and Alabama. **GILBERT** then fraudulently submitted vouchers to the Hospital to pay for personal purchases to which he was not entitled. **GILBERT** prepared vouchers falsely alleging the expenses on the corporate card were for the Hospital and electronically submitted them to the Hospital’s processing center in Indiana, which made the requested payments by check directly to Synchrony Bank for the corporate card purchases.

3. To perpetrate and conceal his scheme, **GILBERT** predominantly used the corporate credit card to buy gift cards, including prepaid credit cards commonly given as gifts as well as gift cards payable only to a specific company. While **GILBERT** used the fraudulently purchased gift cards to make some

personal purchases, **GILBERT** deposited the majority of the gift cards into accounts he controlled, including, but not limited to, a PayPal account ending in 2480, a PayPal account ending in 5692, and a Stripe account ending in F7XI in the name of “Gilbert Services.” **GILBERT** then used these accounts to either make personal purchases directly or transfer money into his personal bank accounts, including, but not limited to, a Santa Rosa County Federal Credit Union account ending in 4316. **GILBERT** falsely documented the deposit of the gift cards into his Stripe account as payments from other individuals for services such as tree trimming and pressure washing.

4. **GILBERT** ensured his scheme would continue undetected by keeping his purchases under \$5,000, as by virtue of his position, vouchers under that amount did not require additional approval for payment under the Hospital’s policies. **GILBERT** took additional steps to conceal his scheme, including withdrawing proceeds transferred into his personal bank account as cash, using the cash to gamble at various casinos, and willfully failing to report the additional income earned directly from his scheme and from gambling with the proceeds of said scheme on his federal tax returns.

5. As a result of his scheme to defraud, between approximately 2012 and 2022, **GILBERT** received approximately \$800,000 in fraudulently obtained funds

to which he was not entitled, over \$600,000 of which was obtained between approximately 2019 and 2022.

### **C. WIRE COMMUNICATIONS**

On or about the following dates, in the Northern District of Florida and elsewhere, the defendant,

**TIMOTHY S. GILBERT,**

for the purpose of executing this scheme to defraud, caused wire communications to be transmitted in interstate commerce as a result of the following point-of-sale purchases of gift cards and prepaid credit cards at Sam's Club:

<b>COUNT</b>	<b>DATE</b>	<b>TOTAL TRANSACTION AMOUNT</b>
<b>1</b>	May 14, 2020	\$1,101.11
<b>2</b>	June 26, 2020	\$1,042.72
<b>3</b>	July 24, 2020	\$1,740.40
<b>4</b>	August 25, 2020	\$2,241.86
<b>5</b>	September 18, 2020	\$2,846.12
<b>6</b>	October 2, 2020	\$2,384.30
<b>7</b>	November 5, 2020	\$3,276.24
<b>8</b>	December 18, 2020	\$3,414.13
<b>9</b>	January 30, 2021	\$2,793.49
<b>10</b>	February 2, 2021	\$1,662.29
<b>11</b>	February 5, 2021	\$1,532.16
<b>12</b>	March 1, 2021	\$1,101.13
<b>13</b>	May 15, 2021	\$2,548.80
<b>14</b>	May 18, 2021	\$2,293.92

<b>COUNT</b>	<b>DATE</b>	<b>TOTAL TRANSACTION AMOUNT</b>
<b>15</b>	May 23, 2021	\$2,399.84
<b>16</b>	May 27, 2021	\$2,144.90
<b>17</b>	January 4, 2022	\$1,349.40
<b>18</b>	February 3, 2022	\$1,484.14
<b>19</b>	February 4, 2022	\$1,583.16
<b>20</b>	February 7, 2022	\$2,076.41
<b>21</b>	February 13, 2022	\$2,293.92
<b>22</b>	February 22, 2022	\$1,573.12

In violation of Title 18, United States Code, Section 1343.

**COUNTS TWENTY-THREE THROUGH THIRTY-THREE**

The allegations contained in section B of Counts One through Twenty-Two of this Indictment are realleged and incorporated as if fully set forth herein.

On or about the dates listed below, in the Northern District of Florida, the defendant,

**TIMOTHY S. GILBERT,**

did knowingly conduct and attempt to conduct a financial transaction affecting interstate and foreign commerce, to wit, payments to a Stripe account ending in F7XI in the name of “Gilbert Services,” involving the proceeds of a specified unlawful activity, that is, wire fraud as charged in Counts One through Twenty-Two of this Indictment, knowing that the transaction was designed to conceal and disguise the nature, the location, the source, the ownership, and the control of the

proceeds of the specified unlawful activity, and knowing that the funds involved in the financial transaction represented the proceeds of some form of unlawful activity:

<b>COUNT</b>	<b>DATE</b>	<b>TRANSACTION</b>
<b>23</b>	May 15, 2021	\$250 payment from Vanilla Visa gift card ending in 2103
<b>24</b>	May 17, 2021	\$2,250 total payment from Vanilla Visa gift cards ending in 5663, 4937, 1897, 7647, 0350, 6137, 3095, 9528, and 7761
<b>25</b>	May 18, 2021	\$2,250 total payment from Vanilla Visa gift cards ending in 2509, 5462, 5861, 6022, 8565, 8786, 2588, 2231, and 5798
<b>26</b>	May 23, 2021	\$2,250 total payment from American Express gift cards ending in 2103, 7764, 8010, 7558, 0386, 7614, 9050, 6010, and 9008
<b>27</b>	May 27, 2021	\$2,000 total payment from American Express gift cards ending in 6945, 5117, 8407, 3467, 8355, 1415, 7227, and 4564
<b>28</b>	January 4, 2022	\$1,250 total payment from Vanilla Mastercard gift cards ending in 9374, 1070, 4060, 7144, and 0583
<b>29</b>	February 3, 2022	\$1,250 total payment from Vanilla Mastercard gift cards ending in 7783, 8633, 0285, 8064, and 4190
<b>30</b>	February 4, 2022	\$1,500 total payment from Vanilla Mastercard gift cards ending in 9633, 0158, 3847, 6513, 3289, and 1751
<b>31</b>	February 7, 2022	\$2,000 total payment from Vanilla Mastercard gift cards ending in 9388, 8295, 1991, and 3238 and Metabank Visa gift cards ending in 2854, 2891, 0933, and 8995
<b>32</b>	February 13, 2022	\$2,170 total payment from Metabank Visa gift cards ending in 0011, 4445, 1282, 7884, 5688, 5927, 0137, 2585, and 3592

COUNT	DATE	TRANSACTION
33	February 22, 2022	\$1,250 total payment from Metabank Mastercard gift cards ending in 5197, 8994, 0077, 1804, and 1920

In violation of Title 18, United States Code, Section 1956(a)(1)(B)(i).

**COUNT THIRTY-FOUR**

On or about August 9, 2020, in the Northern District of Florida, the defendant,

**TIMOTHY S. GILBERT,**

a resident of Pensacola, Florida, did willfully make and subscribe a United States Individual Income Tax Return, Form 1040, for the calendar year 2019, which was filed with the Internal Revenue Service and contained and was verified by a written declaration that it was made under the penalties of perjury, and which the defendant did not believe to be true and correct as to every material matter, in that the return represented a total income of \$48,908.00, when, in truth and fact and as the defendant then well knew, his total income for the calendar year 2019 was in excess of that amount.

In violation of Title 26, United States Code, Section 7206(1).

**COUNT THIRTY-FIVE**

On or about April 15, 2021, in the Northern District of Florida, the defendant,

**TIMOTHY S. GILBERT,**

a resident of Pensacola, Florida, did willfully make and subscribe a United States Individual Income Tax Return, Form 1040, for the calendar year 2020, which was filed with the Internal Revenue Service and contained and was verified by a written declaration that it was made under the penalties of perjury, and which the defendant did not believe to be true and correct as to every material matter, in that the return represented a total income of \$53,519.00, when, in truth and fact and as the defendant then well knew, his total income for the calendar year 2020 was in excess of that amount.

In violation of Title 26, United States Code, Section 7206(1).

**COUNT THIRTY-SIX**

On or about September 21, 2022, in the Northern District of Florida, the defendant,

**TIMOTHY S. GILBERT,**

a resident of Pensacola, Florida, did willfully make and subscribe a United States Individual Income Tax Return, Form 1040, for the calendar year 2021, which was filed with the Internal Revenue Service and contained and was verified by a written declaration that it was made under the penalties of perjury, and which the defendant did not believe to be true and correct as to every material matter, in that the return represented a total income of \$54,052.00, when, in truth and fact and as



the defendant then well knew, his total income for the calendar year 2021 was in excess of that amount.

In violation of Title 26, United States Code, Section 7206(1).

**COUNT THIRTY-SEVEN**

On or about April 18, 2023, in the Northern District of Florida, the defendant,

**TIMOTHY S. GILBERT,**

a resident of Pensacola, Florida, did willfully make and subscribe a United States Individual Income Tax Return, Form 1040, for the calendar year 2022, which was filed with the Internal Revenue Service and contained and was verified by a written declaration that it was made under the penalties of perjury, and which the defendant did not believe to be true and correct as to every material matter, in that the return represented a total income of \$11,621.00, when, in truth and fact and as the defendant then well knew, his total income for the calendar year 2022 was in excess of that amount.

In violation of Title 26, United States Code, Section 7206(1).

**CRIMINAL FORFEITURE**

The allegations in Counts One through Thirty-Three of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging

forfeiture. From the defendant's engagement in the violations alleged in Counts One through Thirty-Three of this Indictment, the defendant,

**TIMOTHY S. GILBERT,**

shall forfeit to the United States:

(a) pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), upon conviction of an offense in violation of Title 18, United States Code, Section 1343, any and all of the defendant's right, title, and interest in any property, real and personal, constituting and derived from proceeds traceable to such offenses; and

(b) pursuant to Title 18, United States Code, Section 982(a)(1), upon conviction of an offense in violation of Title 18, United States Code, Section 1956, any and all of the defendant's right, title, and interest in any property, real and personal, involved in such offense, and any property traceable to such property.

If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant:

- i. cannot be located upon the exercise of due diligence;
- ii. has been transferred or sold to, or deposited with, a third person;
- iii. has been placed beyond the jurisdiction of this Court;
- iv. has been substantially diminished in value; or

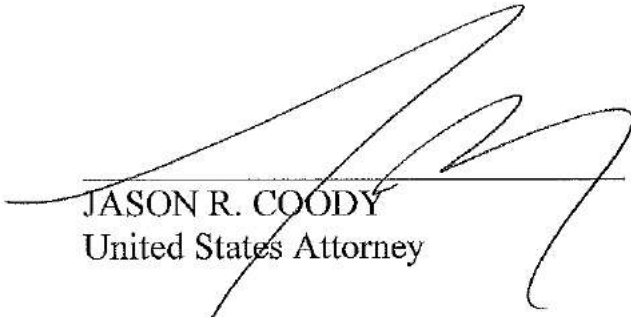
v. has been commingled with other property that cannot be divided without difficulty,


it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by reference in Title 18, United States Code, Section 982(b)(1), and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property.

A TRUE BILL:

  
FOREPERSON

May 16, 2023  
DATE

  
\_\_\_\_\_  
JASON R. COODY  
United States Attorney

  
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ALICIA H. FORBES  
Assistant United States Attorney

  
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JESSICA S. ETHERTON  
Assistant United States Attorney