

MAY 15 2013


DEPUTY CLERK

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA

NO. 3:13-00091

v.

18 U.S.C. § 2

18 U.S.C. § 371

STEVEN MELLIDES

18 U.S.C. § 844(i)

18 U.S.C. §1341

and

JOHN FISHER

INDICTMENT

COUNT ONE

At times relevant to this Indictment:

I. Background

1. Defendant STEVEN MELLIDES, was a resident of Long Island, New York, and owned a residential building located at 2004 Lynn Haven Court, Mt. Juliet, Tennessee.

2. Defendant, JOHN FISHER, was a resident of Mt. Juliet, Tennessee, and was employed by defendant, STEVEN MELIIDES, to perform construction work and manual labor on the property STEVEN MELLIDES owned located at 2004 Lynn Haven Court, Mt. Juliet, Tennessee.

3. A person known to the Grand Jury as "Individual A" was a resident of Mt. Juliet, Tennessee and an associate of defendants STEVEN MELLIDES and JOHN FISHER.

4. Defendant STEVEN MELLIDES, along with other individuals known to the Grand Jury, was building single family homes as part of a planned development in Mt. Juliet,

Tennessee.

II. The Conspiracy

5. From in or about October 2009 and continuing to in or about June 2011, the exact dates unknown to the Grand Jury, in the Middle District of Tennessee and elsewhere, **STEVEN MELLIDES, JOHN FISHER**, and Individual A, did unlawfully, willfully, and knowingly combine, conspire, confederate, and agree with one another to commit offenses against the United States, including mail fraud in violation of Title 18, United States Code Section 1341, and arson in violation of Title 18, United States Code, Section 844(i).

III. Manner and Means

6. The manner and means by which **STEVEN MELLIDES, JOHN FISHER**, and Individual A sought to accomplish and carry out the conspiracy and underlying scheme to defraud included multiple conversations regarding plans to burn down the residential building located at 2004 Lynn Haven Court, Mt. Juliet, Tennessee, that culminated with that residential building being destroyed by a fire that was intentionally caused by **JOHN FISHER** and Individual A. After the fire, **STEVEN MELLIDES** caused the insurer of the building to mail checks covering the damage to the residential building to **STEVEN MELLIDES** and the mortgage holder.

IV. Overt Acts

7. In furtherance of the above conspiracy and to effect the objects and purposes thereof, **STEVEN MELLIDES, JOHN FISHER**, and Individual A, individually or jointly, committed one or more overt acts within the Middle District of Tennessee and elsewhere, including, among others, the following:

- (a) In the Fall of 2009, **STEVEN MELLIDES** and Individual A discussed

burning down the residential building MELLIDES owned located at 2004 Lynn Haven Court, Mt. Juliet, Tennessee.

(b) Between in or around October 2009 and December 12, 2009, Individual A and JOHN FISHER had multiple conversations regarding the plan to burn down the residential building located at 2004 Lynn Haven Court, Mt. Juliet, Tennessee.

(c) On or about December 12, 2009, at the request of defendant STEVEN MELLIDES, JOHN FISHER maliciously damaged and destroyed, by means of fire, the residential building at 2004 Lynn Haven Court, Mt. Juliet, Tennessee.

(d) On or about January 5, 2010, STEVEN MELLIDES told a representative of State Farm Insurance that he only learned of the fire when a business associate in Mt. Juliet told him about it via telephone, that he did not know how the fire was started, and that he did not ask anyone to set the fire.

(e) Between April 14, and April 27, 2010, STEVEN MELLIDES caused a mailing from State Farm Fire and Casualty Company located at 2500 Memorial Boulevard, Murfreesboro, Tennessee, which enclosed check number 865149J in the amount of \$27,800, payable to Steven Mellides, K.M., and First National Bank of Pennsylvania, which was intended as payment for the demolition and debris removal of the residential building located at 2004 Lynn Haven Court, Mt. Juliet, Tennessee.

(f) Between May 14, and May 19, 2010, STEVEN MELLIDES caused a mailing from State Farm Fire and Casualty Company located at 2500 Memorial Boulevard, Murfreesboro, Tennessee, which enclosed check number 866941J, in the amount of \$554,887.28, payable to Steven Mellides, K.M., and First National Bank of Pennsylvania, which was for the fire damage to the residential building located at 2004 Lynn Haven Court, Mt. Juliet, Tennessee,

and check number 866942J, in the amount of \$2,764.03, payable to Steven Mellides and K.M., which was for the personal property inside the residential building located at 2004 Lynn Haven Court, Mt. Juliet, Tennessee.

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

COUNTS TWO AND THREE

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 4, and 6 through 7 of Count One are hereby incorporated and realleged as if fully set forth herein.
2. From in or about October 2009 through in or about June 2011, in the Middle District of Tennessee and elsewhere, **STEVEN MELLIDES** and **JOHN FISHER** devised and intended to devise a scheme and artifice to defraud and to obtain money and property by means of materially false pretenses, representations, and promises, and by acts of concealment of the scheme, all as described in Paragraphs 1 through 4 and 6 through 7 of Count One and in furtherance thereof used the United States mails and private commercial carriers.
3. On or about the dates indicated below for each count, in the Middle District of Tennessee and elsewhere, **STEVEN MELLIDES** and **JOHN FISHER**, for the purpose of executing the aforesaid scheme and attempting to do so, knowingly did cause to be delivered by the Postal Service and private interstate carrier according to the direction thereon the following:

Count	Date of Mailing	Description of Mailing
2	Between 4/14/10 and 4/27/10	A mailing from State Farm Fire and Casualty Company located at 2500 Memorial Boulevard, Murfreesboro, Tennessee 37131, to Steven Mellides, 52 Cedar Drive, Massapequa, New York, 11758, enclosing check number 865149J in the amount of \$27,800, payable to Steven Mellides, K.M., and First National Bank of Pennsylvania, which was payment for the demolition and debris removal of the residential building located at 2004 Lynn Haven Court, Mt. Juliet, Tennessee.
3	Between 5/14/10 and 5/19/10	A mailing from State Farm Fire and Casualty Company located at 2500 Memorial Boulevard, Murfreesboro, Tennessee 37131, to Steven Mellides, 52 Cedar Drive, Massapequa, New York, 11758, enclosing check number 866941J, in the amount of \$554,887.28, payable to Steven Mellides, K.M., and First National Bank of Pennsylvania, and check number 866942J, in the amount of \$2,764.03, payable to Steven Mellides and K.M., which was for the fire damage to the residential building and the personal property inside the residential building located at 2004 Lynn Haven Court, Mt. Juliet, Tennessee.

In violation of Title 18, United States Code, Sections 1341 and 2.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES:

On or about December 12, 2009, in the Middle District of Tennessee, the defendants, **STEVEN MELLIDES** and **JOHN FISHER**, maliciously damaged and destroyed, by means of fire, the residential building located at 2004 Lynn Haven Court, Mt. Juliet, Tennessee, used in interstate commerce.

In violation of Title 18, United States Code, Sections 844(i) and 2.

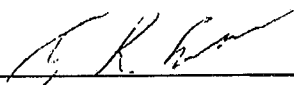
FORFEITURE ALLEGATION

1. The allegations contained in this Indictment are re-alleged and incorporated by reference as if fully set forth in support of this forfeiture.
2. Upon conviction of any of the offenses in violation of 18 U.S.C. § 1341 alleged in Counts Two through Three of this indictment (mail fraud) , **STEVEN MELLIDES** and **JOHN FISHER**, jointly and severally, shall forfeit to the United States, pursuant to Title 18, United States Code Section 981(a)(1)(C) and Title 28 United States Code, Section 2461, any property which constitutes or is derived from proceeds traceable to a violation of Title 18, United States Code, Section 1341, including, but not limited to, a money judgment in the amount of at least \$585,451.31 as proceeds of the violations.
3. Upon conviction of the offense in violation of Title 18, United States Code, Section 844 set forth in Count Four of this Indictment (arson), the defendants, **STEVEN MELLIDES** and **JOHN FISHER**, jointly and severally, shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 982(a)(2)(B), any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of such violation(s), and pursuant to Title 18, United States Code, Section 844(c) and Title 28, United States Code, Section 2461(c), any explosive materials involved or used or intended to be used in the violation(s), including, but not limited to, a money judgment in the amount of at least \$585,451.31 as proceeds of the violations.
4. If, as a result of any act or omission of **STEVEN MELLIDES** and **JOHN FISHER** any property subject to forfeiture:

- a. cannot be located upon exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been comingled with other property, which cannot be divided without difficulty,

the United States shall be entitled to forfeiture of substitute property, and it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of **STEVEN MELLIDES** and **JOHN FISHER**, up to the value listed above as subject to forfeiture.

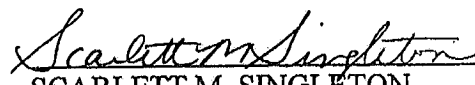
A TRUE BILL



FOREPERSON



DAVID RIVERA
ACTING UNITED STATES ATTORNEY



SCARLETT M. SINGLETON
ASSISTANT UNITED STATES ATTORNEY

UNITED STATES DISTRICT COURT

for the
Middle District of Tennessee

United States of America
v.
Steven Mellides
62 Cedar Drive
Massapequa, NY 11758

Case No. 3:13-00091 Judge Campbell

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
(name of person to be arrested) Steven Mellides
who is accused of an offense or violation based on the following document filed with the court:

- Indictment Superseding Indictment Information Superseding Information Complaint
- Probation Violation Petition Supervised Release Violation Petition Violation Notice Order of the Court

This offense is briefly described as follows:

18:371 Conspiracy (Count 1)
18:1341 and 18:2 Mail fraud (Counts 2 and 3)
18:844(l) and 18:2 Arson (Count 4)

Date: 05/15/2013

Ann E. Schwarz
Issuing officer's signature

City and state: Nashville, Tennessee

Ann E. Schwarz, Criminal Docketing Supervisor
Printed name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____

Date: _____

Arresting officer's signature

Printed name and title

UNITED STATES DISTRICT COURT

for the

Middle District of Tennessee

United States of America

v.

John Fisher
3149 Crosswood Drive
Nashville, TN 37214

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Case No. 3:13-00091 Judge Campbell

Defendant

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To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay

(name of person to be arrested) John Fisher

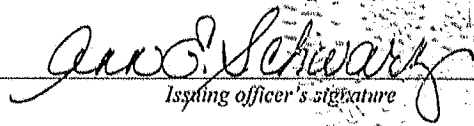
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- Indictment
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- Information
- Superseding Information
- Complaint
- Probation Violation Petition
- Supervised Release Violation Petition
- Violation Notice
- Order of the Court

This offense is briefly described as follows:

18:371 Conspiracy (Count 1)
18:1341 and 18:2 Mail fraud (Counts 2 and 3)
18:844(l) and 18:2 Arson (Count 4)

Date: 05/15/2013



Issuing officer's signature

City and state: Nashville, Tennessee

Ann E. Schwarz, Criminal Docketing Supervisor

Printed name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____

Date: _____

Arresting officer's signature

Printed name and title