

Judge Zilly

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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

LYNN DEVIN,

Defendant.

NO. CR03-00187Z

INFORMATION

(Felony)

THE UNITED STATES ATTORNEY CHARGES THAT:

COUNT 1

(Conspiracy to Commit Visa Fraud)

1. Beginning in about January 1997, and continuing through about December 2001, at Seattle, within the Western District of Washington and elsewhere, LYNN DEVIN, and others known and unknown to the Grand Jury, knowingly conspired to possess, obtain, and receive immigrant visas, knowing that such visas were procured by means of a false claim and statement, and otherwise procured by fraud and unlawfully obtained, in violation of Title 18, United States Code, Section 1546(a).

OBJECT OF THE CONSPIRACY

2. It was the object of the conspiracy that in order to expedite the adoption process for Cambodian children to United States families and to enhance their profits, members of the conspiracy would falsely represent to the United States Department of State ("State Department") and the Immigration & Naturalization Service ("INS") the fact that adopted children were orphans, and would falsely represent the identity of adopted children.

MANNER AND MEANS OF THE CONSPIRACY

3. It was part of the conspiracy that the defendant would recruit prospective adoptive parents in the United States to utilize Seattle International Adoptions ("SIA") to adopt Cambodian children, whom members of the conspiracy falsely represented were abandoned or "true orphans."

4. It was further a part of the conspiracy that members of the conspiracy would charge each adoptive parent in the United States between approximately \$10,500 and \$11,500 for Immigrant Visas for adopted Cambodian children.

5. It was further part of the conspiracy that members of the conspiracy would utilize fictitious documentation which provided that adopted Cambodian children traveling to the United States were orphans, knowing that such representations were false, in order to obtain Immediate Relative Visas for Cambodian children to enter the United States.

6. It was further part of the conspiracy that members of the conspiracy would utilize fictitious documentation which provided false identities for adopted Cambodian children, in order to obtain Immediate Relative Visas for the Cambodian children to enter the United States.

OVERT ACTS

1  
2           7.     During and in furtherance of the conspiracy, within the Western  
3 District of Washington and elsewhere, one or more of the conspirators committed  
4 one or more of the following overt acts, among others:

***Immediate Relative Visa for DAR***

5  
6           (1)     In about November 1997, defendant LYNN DEVIN told  
7 Adoptive Parent #1 that an abandoned five-month-old boy, referred to hereinafter  
8 as "DAR" (the first three letters of the boy's Cambodian name), was currently  
9 available at a Cambodian orphanage.

10           (2)     On or about November 10, 1997, defendant LYNN DEVIN  
11 caused Adoptive Parent #1 to wire transfer \$4,500 to a co-conspirator in Phnom  
12 Penh, Cambodia.

13           (3)     On or about December 29, 1997, a co-conspirator delivered  
14 DAR to Adoptive Parent #1 at the WOVA Sihanoukville Orphanage.

15           (4)     On or about December 31, 1997, in Phnom Penh, after  
16 Adoptive Parent #1 told a co-conspirator that Adoptive Parent #1 no longer  
17 wanted to adopt DAR, the co-conspirator encouraged Adoptive Parent #1 to  
18 make a false representation on State Department Form 230 and INS Form I-600,  
19 to wit, that Adoptive Parent #1 intended for DAR to join Adoptive Parent #1 in the  
20 United States as an immediate relative.

21           (5)     On or about December 31, 1997, co-conspirators caused the  
22 State Department to issue an Immediate Relative Visa to DAR, based upon false  
23 information contained in State Department Form 230 and INS Form I-600.

24           (6)     On or about December 31, 1997, defendant LYNN DEVIN told  
25 Adoptive Parent #2 that Adoptive Parent #1 had given DAR to a co-conspirator in  
26 Cambodia, and that DAR was currently available to immigrate to the United  
27 States.

1 (7) On or about January 6, 1998, defendant LYNN DEVIN caused  
2 Adoptive Parent #2 to wire transfer \$8,500 to a co-conspirator in Phnom Penh,  
3 Cambodia.

4 (8) On or about January 6, 1998, defendant LYNN DEVIN caused  
5 Adoptive Parent #2 to pay an agency fee of \$1,250 in relation to the adoption of  
6 DAR.

7 (9) On or about January 10, 1998, a co-conspirator entered the  
8 United States at the Honolulu International Airport with DAR.

9 (10) On or about January 10, 1998, a co-conspirator gave DAR to  
10 Adoptive Parent #2 at the Honolulu International Airport.

11 ***Immediate Relative Visa for SOP***

12 (11) On or about October 1, 1998, defendant LYNN DEVIN told  
13 Adoptive Parent #3 that an abandoned infant boy ("SOK") was currently available  
14 for adoption at a Cambodian orphanage.

15 (12) On or about October 1, 1998, defendant LYNN DEVIN caused  
16 Adoptive Parent #3 to pay an agency fee of \$1,500 in relation to the adoption of  
17 SOK.

18 (13) On or about October 1, 1998, defendant LYNN DEVIN caused  
19 Adoptive Parent #3 to wire transfer \$5,500 to a co-conspirator in relation to the  
20 adoption of SOK.

21 (14) In about November 1998, a co-conspirator delivered SOK to  
22 Adoptive Parent #3 at the Kompong Speu Orphanage.

23 (15) In about November 1998, a co-conspirator informed Adoptive  
24 Parent #3 that she would be willing to replace SOK, who Adoptive Parent #3  
25 believed was ill, with a one-year-old boy ("SOP").

26 (16) In about November 1998, a co-conspirator delivered SOP to  
27 Adoptive Parent #3 in Phnom Penh, Cambodia.

1 (17) On or about November 10, 1998, a co-conspirator completed  
2 a portion of State Department Form 230 and INS Form I-600 for Adoptive  
3 Parent #3, using the biographical data of SOK for SOP.

4 (18) On or about November 13, 1998, defendant LYNN DEVIN and  
5 co-conspirators caused the State Department to issue an Immediate Relative  
6 Visa to SOP, based upon the false information contained in State Department  
7 Form 230 and INS Form I-600.

8 ***Immediate Relative Visa for VOL***

9 (19) On or about October 26, 1998, defendant LYNN DEVIN told  
10 Adoptive Parent #4 that a two-month-old abandoned infant girl ("HEN") was  
11 currently available for adoption at a Cambodian orphanage.

12 (20) On or about October 29, 1998, defendant LYNN DEVIN  
13 caused Adoptive Parent #4 to pay an agency fee of \$1,500 to SIA in relation to  
14 the adoption of HEN.

15 (21) On or about October 29, 1998, defendant LYNN DEVIN  
16 caused Adoptive Parent #4 to wire transfer \$5,500 to a co-conspirator in relation  
17 to the adoption of HEN.

18 (22) On or about November 17, 1998, defendant LYNN DEVIN  
19 caused Adoptive Parent #4 to wire transfer \$3,500 to a co-conspirator as an  
20 orphanage donation fee in relation to the adoption of HEN.

21 (23) On or about December 2, 1998, a co-conspirator, knowing that  
22 HEN was ill, told Adoptive Parent #4 that she would substitute another baby girl  
23 ("VOL") for HEN.

24 (24) On or about December 3, 1998, a co-conspirator completed  
25 a portion of State Department Form 230 and INS Form I-600 for Adoptive  
26 Parent #4, using the biographical data of HEN for VOL.

1 (25) On or about December 4, 1998, defendant LYNN DEVIN and  
2 other co-conspirators caused the State Department to issue an Immediate  
3 Relative Visa to VOL, based upon the false information contained in State  
4 Department Form 230 and INS Form I-600.

5 ***Immediate Relative Visa for SEI***

6 (26) On or about October 7, 1998, defendant LYNN DEVIN told  
7 Adoptive Parent #5 that a two-month-old boy ("SEI") was currently available for  
8 adoption at a Cambodian orphanage

9 (27) On or about October 7, 1998, defendant LYNN DEVIN caused  
10 Adoptive Parent #5 to wire transfer \$5,500 to a co-conspirator in relation to the  
11 adoption of SEI.

12 (28) On or about October 7, 1998, defendant LYNN DEVIN caused  
13 Adoptive Parent #5 to pay an agency fee of \$2,500 in relation to the adoption of  
14 SEI.

15 (29) In about the first week of November 1998, defendant LYNN  
16 DEVIN attempted to inform Adoptive Parent #5 that SEI had recently died in  
17 Cambodia.

18 (30) In about the first week of November 1998, a co-conspirator  
19 delivered an unknown child ("UNK") to Adoptive Parent #5 in Cambodia.

20 (31) In about the first week of November 1998, a co-conspirator  
21 caused Adoptive Parent #5 to pay an orphanage donation fee of \$3,500.

22 (32) In about November 1998, a co-conspirator completed a portion  
23 of State Department Form 230 and INS Form I-600 for Adoptive Parent #5, using  
24 the biographical data of SEI when in fact she knew that it was UNK, a different  
25 infant than was being petitioned for an Immediate Relative Visa by Adoptive  
26 Parent #5.

1 (33) On or about November 10, 1998, defendant LYNN DEVIN and  
2 other co-conspirators caused the State Department to issue an Immediate  
3 Relative Visa to UNK, based upon the false information contained in State  
4 Department Form 230 and INS Form I-600.

5 ***Immediate Relative Visa for CHAN***

6 (34) On or about November 2, 1998, defendant LYNN DEVIN  
7 told Adoptive Parent #6 that an infant girl ("VOL") was currently available for  
8 adoption at a Cambodian orphanage.

9 (35) On or about November 9, 1998, defendant LYNN DEVIN  
10 caused Adoptive Parent #6 to wire transfer \$5,500 to a co-conspirator in relation  
11 to the adoption of VOL.

12 (36) On or about November 13, 1998, defendant LYNN DEVIN  
13 caused Adoptive Parent #6 to pay an agency fee of \$1,500 in relation to the  
14 adoption of VOL.

15 (37) On or about January 10, 1999, a co-conspirator, knowing that  
16 VOL had already been adopted by Adoptive Parent #6, faxed defendant LYNN  
17 DEVIN a medical report for a six-month-old female ("CHAN").

18 (38) On or about January 20, 1999, a co-conspirator delivered  
19 CHAN to Adoptive Parent #6, and completed a portion of State Department Form  
20 230 and INS Form I-600 for Adoptive Parent #6, using the biographical data of  
21 VOL for CHAN.

22 (39) On or about January 20, 1999, a co-conspirator caused  
23 Adoptive Parent #6 to pay an orphanage donation fee of \$3,500 in relation to the  
24 adoption of CHAN.

25 (40) On or about January 21, 1999, defendant LYNN DEVIN and  
26 other co-conspirators caused the State Department to issue an Immediate  
27 Relative Visa to CHAN, based upon the false information contained in State  
28 Department Form 230 and INS Form I-600.

***Immediate Relative Visa for THEA***

1  
2 (41) On or about February 11, 1999, defendant LYNN DEVIN told  
3 Adoptive Parent #7 that a one-month-old abandoned infant girl ("VIM") was  
4 currently available for adoption at a Cambodian orphanage.

5 (42) On or about March 5, 1999, defendant LYNN DEVIN caused  
6 Adoptive Parent #7 to wire transfer \$5,500 to a co-conspirator in relation to the  
7 adoption of VIM.

8 (43) On or about March 25, 1999, defendant LYNN DEVIN caused  
9 Adoptive Parent #7 to pay an agency fee of \$2,500 in relation to the adoption of  
10 VIM.

11 (44) On or about June 2, 1999, defendant LYNN DEVIN had a  
12 phone conversation with Adoptive Parent #7 concerning the feasibility of  
13 completing an adoption of a four-month-old infant girl ("THEA") using VIM's  
14 identity and Cambodian documents.

15 (45) On or about June 9, 1999, a co-conspirator delivered THEA to  
16 Adoptive Parent #7 at an unknown Cambodian residence.

17 (46) On or about June 14, 1999, a co-conspirator caused Adoptive  
18 Parent #7 to pay an orphanage donation fee of \$3,500.

19 (47) On or about June 14, 1999, a co-conspirator completed a  
20 portion of State Department Form 230 and INS Form I-600 for Adoptive  
21 Parent #7, using the biographical data of VIM when in fact she knew that it was  
22 THEA, a different infant than was being petitioned for an Immediate Relative Visa  
23 by Adoptive Parent #7.

24 (48) On or about June 15, 1999, defendant LYNN DEVIN and other  
25 co-conspirators caused the State Department to issue an Immediate Relative  
26 Visa to THEA, based upon the false information contained in State Department  
27 Form 230 and INS Form I-600.



***Immediate Relative Visa for DAL***

1  
2 (49) On or about June 11, 1999, a co-conspirator conducted a  
3 physical exam on a three-month-old baby girl ("KOL") in Cambodia.

4 (50) On or about June 14, 1999, defendant LYNN DEVIN told  
5 Adoptive Parent #8 that KOL was currently available for adoption at a Cambodian  
6 orphanage.

7 (51) On or about June 14, 1999, defendant LYNN DEVIN caused  
8 Adoptive Parent #8 to pay an agency fee of \$2,500 in relation to the adoption of  
9 KOL.

10 (52) On or about June 15, 1999, defendant LYNN DEVIN caused  
11 Adoptive Parent #8 to wire transfer \$5,500 to a co-conspirator in relation to the  
12 adoption of KOL.

13 (53) On or about June 15, 1999, defendant LYNN DEVIN caused  
14 Adoptive Parent #8 to sign a "Child Acceptance and Medical Release" for a child  
15 named "KOL."

16 (54) On or about August 23, 1999, a co-conspirator conducted a  
17 physical exam on a one-month-old baby girl ("DAL").

18 (55) On or about August 24, 1999, a co-conspirator instructed  
19 Adoptive Parent #8 how to complete a portion of State Department Form 230 and  
20 INS Form I-600 for KOL.

21 (56) On or about August 25, 1999, a co-conspirator informed  
22 Adoptive Parent #8 that she would be willing to replace KOL with DAL on the  
23 condition that DAL assumed the identity of KOL.

24 (57) On or about August 27, 1999, defendant LYNN DEVIN  
25 witnessed a "Child Acceptance and Medical Release" form being signed by  
26 Adoptive Parent #8 in Cambodia that contained the name "KOL a/k/a DAL."  
27  
28

1 (58) On or about August 30, 1999, a co-conspirator completed a  
2 portion of State Department Form 230 and INS Form I-600, using the  
3 biographical data of KOL when in fact she knew that it was DAL, a different infant  
4 than was being petitioned for an Immediate Relative Visa by Adoptive Parent #8.

5 (59) On or about August 30, 1999, defendant LYNN DEVIN and  
6 other co-conspirators caused the State Department to issue an Immediate  
7 Relative Visa to DAL, based upon the false information contained in State  
8 Department Form 230 and INS Form I-600.

9 (60) On or about August 31, 1999, a co-conspirator caused  
10 Adoptive Parent #8 to pay an orphanage donation fee of \$3,500.

11 ***Immediate Relative Visa for VEH***

12 (61) On or about June 11, 1999, a co-conspirator conducted a  
13 physical exam on a six-day-old baby boy ("VIT").

14 (62) On or about June 14, 1999, defendant LYNN DEVIN told  
15 Adoptive Parent #9 that VIT was currently available for adoption at a Cambodian  
16 orphanage

17 (63) On or about June 15, 1999, defendant LYNN DEVIN caused  
18 Adoptive Parent #9 to wire transfer \$5,500 to a co-conspirator in relation to the  
19 adoption of VIT.

20 (64) On or about June 17, 1999, defendant LYNN DEVIN caused  
21 Adoptive Parent #9 to pay an agency fee of \$2,500 in relation to the adoption of  
22 VIT.

23 (65) On or about the first week of July 1999, defendant LYNN  
24 DEVIN informed Adoptive Parent #9 that VIT had died.

25 (66) On or about July 6, 1999, a co-conspirator faxed defendant  
26 LYNN DEVIN a copy of test results for a ten-day-old baby boy ("VEH").  
27  
28

1 (67) On or about July 13, 1999, a co-conspirator faxed defendant  
2 LYNN DEVIN a copy of VEH's medical exam that the co-conspirator had  
3 performed on July 12, 1999.

4 (68) During July 1999, defendant LYNN DEVIN had several  
5 phone conversations with Adoptive Parent #9 concerning the feasibility of  
6 completing an adoption of VEH using VIT's identity and Cambodian documents.

7 (69) On or about October 18, 1999, a co-conspirator delivered VEH  
8 to Adoptive Parent #9 at the WOVA Cham Chao Orphanage.

9 (70) On or about October 19, 1999, a co-conspirator caused  
10 Adoptive Parent #9 to pay an orphanage donation fee of \$3,500.

11 (71) On or about October 19, 1999, a co-conspirator completed  
12 a portion of State Department Form 230 and INS Form I-600 for Adoptive  
13 Parent #9, using the biographical data of VIT when in fact the co-conspirator  
14 knew that it was VEH, a different infant than was being petitioned for an  
15 Immediate Relative Visa by Adoptive Parent #9.

16 (72) On or about October 20, 1999, defendant LYNN DEVIN and  
17 other co-conspirators caused the State Department to issue an Immediate  
18 Relative Visa to VEH, based upon the false information contained in State  
19 Department Form 230 and INS Form I-600.

20 ***Immediate Relative Visa for DARI***

21 (73) On or about January 19, 2000, a co-conspirator conducted a  
22 physical examination of a one-month-old boy in Cambodia ("SER").

23 (74) On or about January 24, 2000, defendant LYNN DEVIN told  
24 Adoptive Parent #10 that SER was currently available for adoption at a  
25 Cambodian orphanage.

26 (75) On or about February 7, 2000, defendant LYNN DEVIN  
27 caused Adoptive Parent #10 to pay an agency fee of \$2,500 in relation to the  
28 adoption of SER.

1 (76) On or about February 16, 2000, defendant LYNN DEVIN  
2 caused Adoptive Parent #10 to wire transfer \$5,500 to a co-conspirator in relation  
3 to the adoption of SER.

4 (77) On or about February 27, 2000, a co-conspirator conducted a  
5 physical examination of a two-month boy in Cambodia ("DARI").

6 (78) On or about March 3, 2000, defendant LYNN DEVIN had a  
7 phone conversation with Adoptive Parent #10 concerning the feasibility of  
8 completing an adoption of DARI using SER's identity and Cambodian documents.

9 (79) On or about March 15, 2000, defendant LYNN DEVIN caused  
10 Adoptive Parent #10 to fax a notarized "Child Acceptance & Medical Release" to  
11 Seattle International Adoptions that listed the name of the child that Adoptive  
12 Parent #10 was planning to adopt in Cambodia as, "SER, formerly known as  
13 DARI."

14 (80) On or about March 21, 1999, a co-conspirator delivered DARI  
15 to Adoptive Parent #10 at the WOVA Cham Chao Orphanage.

16 (81) On or about March 21, 2000, a co-conspirator advised  
17 Adoptive Parent #10 how to complete State Department Form 230 using the  
18 biographical data of SER when in fact she knew that it was DARI, a different  
19 infant than was being petitioned for an Immediate Relative Visa by Adoptive  
20 Parent #10.

21 (82) On or about March 21, 2000, a co-conspirator caused  
22 Adoptive Parent #10 to pay an orphanage donation fee of \$3,500.

23 (83) On or about March 23, 2000, defendant LYNN DEVIN and  
24 other co-conspirators caused the State Department to issue an Immediate  
25 Relative Visa to DARI, based upon the false information contained in State  
26 Department Form 230.

***Immediate Relative Visa for PHO***

1  
2 (84) On or about October 6, 2000, a co-conspirator told Adoptive  
3 Parent #11 that a healthy baby girl ("KES") born on February 7, 2000, was  
4 currently available for adoption at a Cambodian orphanage.

5 (85) On or about October 16, 2000, a co-conspirator conducted a  
6 physical examination of a six-week-old girl ("PHO") in Cambodia.

7 (86) On or about October 20, 2000, a co-conspirator sent  
8 defendant LYNN DEVIN a fax that contained the message that KES was  
9 "definitely not an infant girl" and that they needed a replacement child.

10 (87) On or about October 22, 2000, a co-conspirator faxed  
11 defendant LYNN DEVIN a report marked "True Physical Exam Report" for PHO  
12 that contained a handwritten message that PHO had been renamed KES since  
13 the paperwork had already been started.

14 (88) On or about October 24, 2000, defendant LYNN DEVIN  
15 caused Adoptive Parent #11 to wire transfer \$5,500 to a co-conspirator in relation  
16 to the adoption of KES.

17 (89) On or about October 27, 2000, defendant LYNN DEVIN  
18 caused Adoptive Parent #11 to pay an agency fee of \$1,500 in relation to the  
19 adoption of KES.

20 (90) On or about November 8, 2000, a co-conspirator informed  
21 Adoptive Parent #11 that PHO was going to be substituted for KES, and that the  
22 date of birth would be switched to July 2, 2000.

23 (91) On or about December 11, 2000, a co-conspirator delivered  
24 PHO to Adoptive Parent #11 at the WOVA Cham Chao Orphanage.

25 (92) On or about December 11, 2000, a co-conspirator caused  
26 Adoptive Parent #11 to pay an orphanage donation fee of \$3,500.

1 (93) On or about December 11, 2000, a co-conspirator advised  
2 Adoptive Parent #11 how to complete a portion of State Department Form 230  
3 and INS Form I-600, using the biographical data of KES when in fact she knew  
4 that it was PHO, a different infant than was being petitioned for an Immediate  
5 Relative Visa by Adoptive Parent #11.

6 (94) On or about December 13, 2000, defendant LYNN DEVIN and  
7 other co-conspirators caused the State Department to issue an Immediate  
8 Relative Visa to PHO, based upon the false information contained in State  
9 Department Form 230 and INS Form I-600.

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

11 FORFEITURE

12 8. Upon conviction of the offense alleged in Count 1 of this Information,  
13 defendant LYNN DEVIN, and others known and unknown, shall forfeit to the  
14 United States of America, pursuant to Title 18, United States Code, Section  
15 982(a)(6)(A), any and all property, real or personal, constituting, derived from, or  
16 traceable to, the proceeds obtained, directly or indirectly, from the commission of  
17 the offense, including a sum of money equal to \$109,250.00 in United States  
18 currency.

19 9. If any of the property described above as being subject to forfeiture  
20 as a result of any act or omission of the defendant:

- 21 a. cannot be located upon the exercise of due  
22 diligence;
- 23 b. has been transferred or sold to, or  
24 deposited with, a third person;
- 25 c. has been placed beyond the jurisdiction of  
26 the Court;
- 27 d. has been substantially diminished in value; or
- 28 e. has been commingled with other property  
which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code,

1 Section 853(p), as incorporated by Title 18, United States Code, Section  
2 982(b)(1), to seek forfeiture of any other property of said defendant up to the  
3 value of the above forfeitable property.

4 COUNT 2

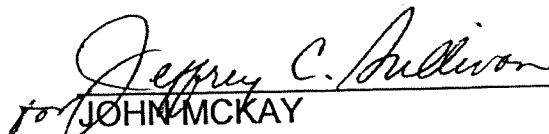
5 (Conspiracy to Launder Money)

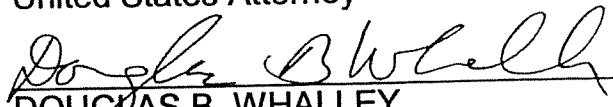
6 1. The allegations set forth in Count One of this Indictment are re-  
7 alleged and incorporated herein by reference.

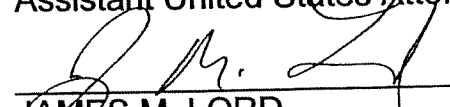
8 2. Beginning in about 1997, and continuing through about December  
9 2001, in the Western District of Washington and elsewhere, defendant LYNN  
10 DEVIN, and others known and unknown to the Grand Jury, knowingly conspired  
11 to transport, transmit, and transfer funds, and to cause other persons to do so,  
12 from a place in the United States to a place outside the United States, with the  
13 intent to promote the carrying on of specified unlawful activity, to wit, acts  
14 chargeable as visa fraud under Title 18, United States Code, Section 1546, in  
15 violation of Title 18, United States Code, Section 1956(a)(2)(A).

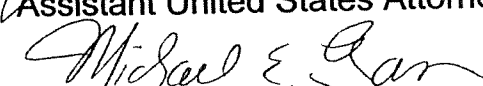
16 All in violation of Title 18, United States Code, Section 1956(h).

17 DATED this 10th day of December, 2003.

18  
19   
20 JOHN MCKAY  
United States Attorney

21   
22 DOUGLAS B. WHALLEY  
Assistant United States Attorney

23  
24   
25 JAMES M. LORD  
Assistant United States Attorney

26   
27 MICHAEL E. BARR  
Trial Attorney, Domestic Security Section  
28 Department of Justice