

**UNITED STATES OF AMERICA
NATIONAL CREDIT UNION ADMINISTRATION
NATIONAL CREDIT UNION ADMINISTRATION BOARD**

In the Matter of)

Jessica Franco,)

Former Loan Officer)

Navy Army Federal Credit Union)

Corpus Christi, Texas)

) Docket No. 09-0037 - R4

ORDER OF PROHIBITION

Pursuant to Section 206(i)(1)(C) of the Federal Credit Union Act ("FCUA"), 12 U.S.C. §1786(i)(1)(C), you are hereby notified that you are prohibited from participating in any manner in the affairs of any federally insured credit union. This prohibition results from your conviction for activities you engaged in during your affiliation with Navy Army Federal Credit Union in Corpus Christi, Texas.

This prohibition is effective immediately upon service. In accordance with Section 206(g)(7)(A) of the FCUA, 12 U.S.C. § 1786(g)(7)(A), this Order shall constitute a prohibition from further participation in any manner in the affairs of any federally insured financial institution, or other entity identified therein, without the written permission of the appropriate federal regulatory agency. This Order has been issued based upon the following information: You were convicted of Aiding and Abetting a False Statement on a Federal Credit Union Loan or Credit Application pursuant to 18 U.S.C. §§ 8 and 1014. On June 24, 2009, you were sentenced by the United States District Court for the Southern District of Texas to five years of probation and ordered to pay a \$2,000 fine in addition to a \$100 assessment.

You committed the offense to which you were convicted in your capacity as former loan officer for Navy Army Federal Credit Union. Due to the nature of the offense to which you were convicted, your continued participation in the affairs of any federally insured credit union may pose a threat to the interests of credit union members and may threaten to impair public confidence in the credit union involved.

NOTICE OF HEARING

Pursuant to Section 206(i)(3), of the FCUA, 12 U.S.C. § 1786(i)(3), you may request in writing, within thirty days of service of this Order, an opportunity for a hearing at which you may present evidence and argument that your continued participation in the affairs of any federally insured credit union would not, or would not be likely to, pose a threat to the interests of that credit union's members or threaten to impair public confidence in the credit union. Pursuant to 12 C.F.R. § 747.306, your request must state with particularity the relief desired, the grounds, and must include, when available, supporting evidence.

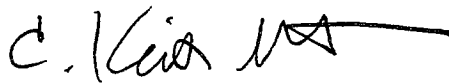
Any such request shall be sent to: Secretary of the Board, National Credit Union Administration, 1775 Duke Street, Alexandria, Virginia 22314-3428, with a copy sent to Trial Attorney Kevin Tuininga at the same address. The hearing will be held in the Washington, D.C. metropolitan area, in accordance with Subpart D of Part 747 of the National Credit Union Administration's Rules and Regulations, 12 C.F.R. § 747.301 *et. seq.* You may appear at the hearing personally, through counsel, or personally with counsel. The proceedings will be recorded and you will be entitled to a transcript after payment of the costs thereof. Witnesses may be called at the discretion of the NCUA Board. If witnesses are permitted, you may cross examine any witnesses called by the NCUA's enforcement staff, and they in turn may cross-examine any witnesses called by

you. The Presiding Officer of the hearing will make his or her recommendations to the NCUA Board, where possible, within ten business days following the close of the record.

PENALTY FOR VIOLATION OF ORDER OF PROHIBITION

Pursuant to Section 206(k)(2) of the FCUA, 12 U.S.C. § 1786(k)(2), any violation of this Order may subject you to a civil money penalty. In addition, pursuant to Section 206(l) of the Federal Credit Union Act, 12 U.S.C. § 1786(l), any violation of this Order is a felony offense that is punishable by imprisonment of up to five years and a fine of up to \$1,000,000.

National Credit Union Administration

By 
C. Keith Morton, Regional Director, Region IV
National Credit Union Administration

Dated: 8/12/09

UNITED STATES DISTRICT COURT
Southern District of Texas
Holding Session in Corpus Christi

UNITED STATES OF AMERICA
V.
JESSICA FRANCO

JUDGMENT IN A CRIMINAL CASE

CASE NUMBER: 2:08CR00761-009

USM NUMBER: 42704-279

Charles Cecil Starcher
Defendant's Attorney

See Additional Aliases.

THE DEFENDANT:

- pleaded guilty to count(s) Five on February 5, 2009
- 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. § 1014 and 18 J.S.C. § 2	Aiding and Abetting a False Statement on Federal Credit Union Loan or Credit Application	04/19/2007	5

See Additional Counts of Conviction.

The defendant is sentenced as provided in pages 2 through 5 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.

June 24, 2009
Date of Imposition of Judgment

Janis Graham Jack
Signature of Judge

JANIS GRAHAM JACK
UNITED STATES DISTRICT JUDGE
Name and Title of Judge

July 6, 2009
Date

DEFENDANT: **JESSICA FRANCO**
 CASE NUMBER: **2:08CR00761-009**

PROBATION

The defendant is hereby sentenced to probation for a term of: 5 years.

See Additional Probation Terms.

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 placement on probation and at least two periodic drug tests hereafter, as determined by the court. (*for offenses committed on or after September 13, 1994*)

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 register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (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 probation 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

See Special 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: JESSICA FRANCO
CASE NUMBER: 2:08CR00761-009

SPECIAL CONDITIONS OF SUPERVISION

DRUG SURVEILLANCE: The defendant shall submit to periodic urine surveillance and/or breath saliva and skin tests for the detection of drug abuse as directed by the probation officer. The defendant will incur costs associated with such detection efforts based on ability to pay as determined by the probation officer.

ACCESS TO FINANCIAL RECORDS/NEW CREDIT PROHIBITION: The defendant is required to provide the probation officer access to any requested financial information. If a fine or restitution amount has been imposed, the defendant is prohibited from incurring new credit charges or opening additional lines of credit without approval of the probation officer, unless the defendant is in compliance with the fine or restitution payment schedule.

NIGHTTIME RESTRICTION: Throughout the period of probation, the defendant shall be restricted to her home each night from 12 midnight to 6 am each night, unless other specific arrangements are made with the probation officer.

DEFENDANT: JESSICA FRANCO
CASE NUMBER: 2:08CR00761-009

Judgment -- Page 4 of 5

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	\$2,000.00	

See Additional Terms for Criminal Monetary Penalties.

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 payees 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>
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See Additional Restitution Payees.

TOTALS	\$ 0.00	\$ 0.00	
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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:

Based on the Government's motion, the Court finds that reasonable efforts to collect the special assessment are not likely to be effective. Therefore, the assessment is hereby remitted.

Payments for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or before September 13, 1994, but before April 23, 1996.

DEFENDANT: JESSICA FRANCO
ASE NUMBER: 2:08CR00761-009

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:

- Lump sum payment of \$ _____ due immediately, balance due
 - not later than _____, or
 - in accordance with C, D, E, or F below; or
- Payment to begin immediately (may be combined with C, D, or F below); or
- Payment in equal _____ installments of \$ _____ over a period of _____, to commence _____ days after the date of this judgment; or
- Payment in equal _____ installments of \$ _____ over a period of _____, to commence _____ days after release from imprisonment to a term of supervision; or
- Payment during the term of supervised release will commence within _____ 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
- Special instructions regarding the payment of criminal monetary penalties:
Make all payments payable to: U.S. District Clerk, 1133 N Shoreline Blvd Ste 208, Corpus Christi, TX 78401.
The special assessment and fine are due and payable immediately.

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

Case Number
Defendant and Co-Defendant Names
(including defendant number)

Total Amount

Joint and Several Amount

Corresponding Payee, if appropriate

See Additional Defendants and Co-Defendants Held Joint and Several.

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:

See Additional Forfeited Property.

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.