



Department of Justice

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FOR IMMEDIATE RELEASE
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CHARLOTTE, NC - Francisco Fernandez, of Charlotte was arrested this morning on a federal criminal complaint filed on January 9, 2008 in U.S. District Court in Charlotte alleging theft, embezzlement or misapplication by a bank officer. Fernandez was arrested without incident by agents of the U.S. Secret Service today in Charlotte. Fernandez made his initial appearance before U.S. Magistrate Judge Carl Horn today and was ordered detained in federal custody pending a detention hearing now set for Tuesday, January 15, 2008 at 9:30 a.m. in U.S. Magistrate Judge's Court in Charlotte.

U.S. Attorney Gretchen Shappert is joined by U.S. Secret Service Special Agent in Charge Russell Nelson in making today's announcement.

According to official court documents, it is alleged that from July 2007 through December 2007, Fernandez while employed as an officer of Bank of America, embezzled the sum of approximately \$457,384.79. Fernandez allegedly gave one of Bank of America's customers, Key Bank, of Kansas City, MO, his own personal Bank of America checking account number for Key Bank to wire payments into instead of the correct Bank of America account number to which these payments should have been wired.

If convicted on the charge in the complaint, Fernandez faces a maximum statutory penalty of 30 years in prison and a \$1 million fine (18 U.S.C. Section 656). A defendant arrested on a federal criminal complaint which charges a felony has the right to have the matter presented to a grand jury for consideration.

Assistant U.S. Attorney Dana Washington will handle the prosecution for the government.

A defendant is entitled to a presumption of innocence under the law, and the government has the burden of proving every element of the charges beyond a reasonable doubt.

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