

Mail and court fraud as Phat K. Tran and Steven D. Silverstein. The first July payment had been made early and never returned creating duplicate payment under false representation of default.

From: michael gasio (gasio77@yahoo.com)

To: srandell@hbpd.org; hnguyen2@fbi.gov; kyphat@yahoo.com; clerk@stevensilverstein.com

Cc: helderppinheiro@gmail.com; aelkins@gmail.com

Date: Sunday, October 19, 2025 at 09:57 AM PDT

T67 – Forced Second Cashier’s Check (Duplicate Payment)

Evidence Summary

This page documents the issuance of a **second cashier’s check** on **April 22 2025** in the amount of **\$5,338.48**, payable to **Phat K. Tran and Steven D. Silverstein**. The first July payment had been made early and never returned. Despite proof of timely tender, the opposing parties refused to acknowledge receipt and required a new bank instrument “to make the record whole,” thereby compelling duplicate payment under false representation of default.

Attached Exhibit

Image source: T35a.png (original scanned cashier’s check and purchase record).

2/4

The UPS Store #4415
6941 ALLAN AVE
Huntington Beach, CA 92646-7121
714-950-5771

Terminal: POS415A Date: 4/22/2025
Employee: 207556 Time: 12:27 PM

ITEM NAME	QTY	PRICE	TOTAL
Ground Commercial	1	\$13.39	\$13.39
ADD			
Tax			(\$0.67)
NET/GRAND TOTAL			\$0.00
Tracking Number - 1Z601R00360699641			
Merch Evt Num			\$1.16
ADD	1	\$1.16	
Tax			(\$0.17)
Tot			\$0.07
Subtotal			\$13.71
Shipping/Other Charges			\$0.00
Total Tax			\$0.07
Total			\$13.78
Cards			\$13.78

Items Designated M are NOT eligible
for Returns, Refunds or Exchanges.

US Postal Rates are Subject to Surcharge.

View The UPS Store, Inc.'s privacy notice at
<https://www.theupsstore.com/privacy-policy>

Win a \$250 gift card
Tell us how we're doing for your chance to win a
\$250 Amazon road gift card. a \$100 Amazon card

12504224415A031182

Legal Basis for Classification

- **18 U.S.C. §1341 – Mail Fraud:** Each mailed or courier-delivered instrument issued on false premise constitutes an independent count (up to 30 years when a financial institution is involved).
- **18 U.S.C. §1344 – Bank Fraud:** Inducing a bank to issue a replacement cashier's check for a satisfied debt satisfies the "scheme to defraud a financial institution" element.
- **Cal. Penal Code §532:** Obtaining money or value by false pretenses, including duplicate collection for an obligation already paid.
- **Cal. Penal Code §115:** Filing or using any false instrument in court constitutes a felony; using the new check to sustain a false default count qualifies.

Supporting Precedents

- *People v. Ashley*, 42 Cal.2d 246 (1954) – Duplicate collection attempts after payment are theft by false pretenses.
- *United States v. Bortnovsky*, 879 F.2d 30 (2d Cir. 1989) – Multiple fraudulent instruments treated as continuing offenses.
- *United States v. Stavroulakis*, 952 F.2d 686 (2d Cir. 1992) – Bank involvement elevates the penalty tier to 30 years.

Interpretation

The re-issuance of a cashier's check after verified early payment demonstrates an intentional pattern of concealment and double-collection. Use of bank, courier, and court channels satisfies the required elements for **mail, wire, and bank fraud**. Each transmission, filing, or endorsement tied to this second check represents a discrete predicate act within the broader RICO sequence.

Evidence Index References

- **Primary Image:** T35a.png (this file)
- **Cross-Reference:** T22 – Court Communication on Replacement Request
- **Cross-Reference:** T18 – Proof of Early July Payment (bank confirmation)