

UNITED STATES OF AMERICA
IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MICHIGAN, SOUTHERN DIVISION

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CLERK
DISTRICT COURT
WESTERN DISTRICT OF MICH

BY 

UNITED STATES OF AMERICA,

Plaintiff,

No. 1:04-CR-165

vs.

Hon. Chief Judge Bell

JANET MAVIS MARCUSSE,
DAVID REX ALBRECHT,
GEORGE TERRANCE BESSER,
DIANE RENAE BOSS,
WESLEY MYRON BOSS,
DONALD MAYNARD BUFFIN, JR.,
WILLIAM EDWARD FLYNN and
JEFFERY ALAN VISSER,

SUPERSEDING INDICTMENT

Defendants.

The Grand Jury charges:

COUNTS 1 - 39
(Mail Fraud)

Introduction

1. At all times relevant to this Superseding Indictment, Defendant Janet Mavis Marcusse was a resident of Kent and Allegan Counties, in the Southern Division of the Western District of Michigan and other places unknown to the Grand Jury. Janet Mavis Marcusse represented herself to be a successful investment and financial advisor, with access to secret investment opportunities, not available to the general public. Janet Mavis Marcusse operated an investment company called Access Financial Group.

2. At all times relevant to this Superseding Indictment, Defendant George Terrance Besser was a resident of Macomb County, Michigan and other places unknown to the Grand

Jury. George Terrance Besser represented himself as a partner to Defendant Janet Mavis Marcusse in the business, Access Financial Group.

3. At all times relevant to this Superseding Indictment, Defendant Diane Renae Boss was a resident of Ottawa County, in the Southern Division of the Western District of Michigan. Diane Renae Boss was the assistant to Janet Mavis Marcusse and office manager of Access Financial Group from approximately July 1998 to April 2001.

4. At all times relevant to this Superseding Indictment, Defendant Wesley Myron Boss was a resident of Kent and Ottawa Counties, in the Southern Division of the Western District of Michigan. Wesley Myron Boss was a salesman and a sales manager for Access Financial Group from approximately August 1999 to April 2001.

5. Diane Renae Boss and Wesley Myron Boss were married on December 11, 1999.

6. At all times relevant to this Superseding Indictment, Defendant Donald Maynard Buffin, Jr. was a resident of Kent and Ottawa Counties, in the Southern Division of the Western District of Michigan. Donald Maynard Buffin, Jr. was a salesman, sales manager and the office manager of Access Financial Group from approximately January 1999 to April 2001, and April 2001 to December 2001.

7. At all times relevant to this Superseding Indictment, Defendant Jeffery Alan Visser was a resident of Kent County, Michigan and the state of Missouri. Jeffery Alan Visser was a salesman, a sales manager and an office manager of Access Financial Group at various times from approximately October 1999 to November 2001.

8. At all times relevant to this Superseding Indictment, Defendant William Edward Flynn was a resident of Marinette County, Wisconsin. William Edward Flynn was the boyfriend

to Defendant, Janet Mavis Marcusse, and a promoter for Access Financial Group.

9. At all times relevant to this Superseding Indictment Defendant David Rex Albrecht was a resident of Kent County, Michigan. David Rex Albrecht was a promoter for Access Financial Group, receiving finder's fees for steering clients to Access Financial Group.

The Scheme

10. Beginning on or about January 1, 1998, and continuing to the time of this Superseding Indictment, in the Southern Division of the Western District of Michigan, and elsewhere, the Defendants,

JANET MAVIS MARCUSSE,
DAVID REX ALBRECHT,
GEORGE TERRANCE BESSER,
DIANE RENAE BOSS,
WESLEY MYRON BOSS,
DONALD MAYNARD BUFFIN, JR.,
WILLIAM EDWARD FLYNN and
JEFFERY ALAN VISSER,

devised and operated, and participated in devising and operating a scheme to defraud and to obtain money from others by means of false and fraudulent pretenses, representations and promises. The scheme is further described as follows:

11. The Defendants organized, operated and promoted an investment business, which was called Access Financial Group. The Defendants represented to potential clients and investors that Access Financial Group was a successful investment organization with a history of returning large profits to clients. The Defendants further represented that Access Financial Group had connections and access to little known, high-yield investment opportunities in world markets, which were not available to the general public. The Defendants further represented to

potential investors, and later to actual investors, that Access Financial Group was so successful that it could pay investors out of earnings, a monthly return of 3% or more on principal invested. Defendants further represented to investors that an additional amount of earnings of 17% or more per month was added to their principal and that the investors' original principal was guaranteed and was not at risk. The Defendants further represented to investors that their principal would be kept in a guaranteed account in a major world bank.

12. The Defendants further represented to investors that an investor could choose to leave the program at any time and their principal would be returned in full.

13. The representations made by the Defendants were false and fraudulent, in that Access Financial Group had no history of earning large profits, had no connection to any legitimate financial investment entity or organizations, and did not maintain investors' principal investments in a safe, guaranteed account in a major world bank.

14. It was further part of the scheme that the Defendants represented to investors that an investor with a retirement account could transfer the retirement account to Access Financial Group, and that Access Financial Group could and would begin payments on the account, which would not be taxable.

15. The Defendants further represented to investors that an investor could receive non-taxable, early pay-outs on a retirement account by transferring their retirement account to Access Financial Group and by purchasing from Access Financial Group and by setting up an entity called a church chapter. The Defendants falsely and fraudulently represented that by paying taxable retirement account withdrawals, from retirement accounts transferred to Access Financial Group to a church chapter organization controlled by the investor, such payments

would be non-taxable.

16. Between January 1998 and December 2001, Defendants collected approximately \$20,686,075.00 from approximately 577 investors.

17. The Defendants used the investors' own funds to pay the promised monthly checks to investors. The Defendants falsely and fraudulently represented to investors that the source of the funds for these monthly payments was the huge profit being earned by Access Financial Group, thereby falsely leading the investors to believe that their investment had actually returned a profit.

18. The Defendants prepared and mailed newsletters to all investors, which falsely reported to the investors that Access Financial Group was successfully conducting financial activities which were generating profits and that the investors' principal was safely placed in a guaranteed account, free from risk.

19. The Defendants also generated and mailed to investors an accounting statement, which falsely stated that the investors' individual principal had generated interest earned of 17% per month, in addition to the 3% monthly income they had received in the mail.

20. Instead of keeping the investors' principal safe from risk, as they represented, the Defendants: (1) used the investors' funds to pay the monthly checks to the investors for the purpose of promoting and concealing the scheme; and (2) converted the balance of the investors' funds to their own use and the use of others.

21. When no more investors' funds were available to pay the investors, the Defendants continued to deceive the investors by making false representations about the financial activities of Access Financial Group, knowing that: (1) the investors' funds had not been placed in a certificate of deposit, or any other safe account in a financial institution; (2) the investors'

funds had been used to pay the monthly checks; and (3) the investors' funds had been used to pay for personal expenses and purchases of the Defendants.

Mailings in Execution of Scheme

On or about the dates listed below, in Kent and Ottawa Counties, the Defendants, having devised and participated in the above-described scheme to defraud and to obtain money, for the purpose of executing and promoting the scheme, did knowingly cause to be sent, delivered and moved by the United States Postal Service, from the Western District of Michigan, according to the direction thereon, mail matter described as follows:

Count	Date of Mailing	Matter Mailed	Amount of Check	Payee/Recipient
1	10/21/99	Check #1755	\$450.00	T.E.B.
2	11/20/99	Check #1913	\$450.00	T.E.B.
3	03/25/00	Check #2891	\$8,027.52	Stewardship Ministries/J.B.
4	04/25/00	Check #3133	\$8,027.52	Stewardship Ministries/J.B.
5	05/25/00	Check #3390	\$8,027.52	Stewardship Ministries/J.B.
6	06/25/00	Check #3667	\$8,027.52	Stewardship Ministries/J.B.
7	05/25/00	Check #3486	\$4,800.00	G.J. or S.J.
8	06/25/00	Check #3768	\$4,800.00	G.J. or S.J.
9	07/25/00	Check #4067	\$4,800.00	G.J. or S.J.
10	10/25/00	Check #5022	\$4,800.00	Seeker's/G.J. or S.J.
11	11/25/00	Check #5380	\$4,800.00	Seeker's/G.J. or S.J.
12	08/25/00	Check #4392	\$3,900.00	Out Reach Ministry/D.K.
13	09/25/00	Check #4706	\$3,900.00	Out Reach Ministry/D.K.
14	11/25/00	Check #5399	\$3,900.00	Out Reach Ministry/D.K.
15	12/20/00	Check #10177	\$3,900.00	Out Reach Ministry/D.K.

16	02/23/01	Check #10653	\$3,900.00	Out Reach Ministry/D.K.
17	03/23/01	Check #11101	\$3,900.00	Out Reach Ministry/D.K.
18	12/20/99	Check #2255	\$3,000.00	Servant's Heart/S.K.
19	01/20/00	Check #2506	\$3,000.00	Servant's Heart/S.K.
20	03/25/00	Check #2988	\$3,000.00	Servant's Heart/S.K.
21	01/20/00	Check #2533	\$2,400.00	C.M.
22	02/25/00	Check #2765	\$2,400.00	C.M.
23	03/25/00	Check #3021	\$2,400.00	C.M.
24	04/25/00	Check #3267	\$2,400.00	C.M.
25	06/25/00	Check #3820	\$2,400.00	C.M.
26	11/25/00	Check #5482	\$1,050.00	R.R.
27	12/20/00	Check #10264	\$1,050.00	R.R.
28	02/23/01	Check #10748	\$1,050.00	R.R.
29	03/23/01	Check #11199	\$1,050.00	R.R.
30	05/25/00	Check #3588	\$6,000.00	P.S. or J.S.
31	06/25/00	Check #3872	\$6,000.00	P.S. or J.S.
32	10/25/00	Check #5155	\$6,000.00	P.S. or J.S.
33	04/25/00	Check #3335	\$4,950.00	R.W.
34	07/25/00	Check #4208	\$4,950.00	Children's Hope/R.W. & K.W.
35	08/25/00	Check #4519	\$4,950.00	Children's Hope/R.W. & K.W.
36	09/25/00	Check #4838	\$4,950.00	Children's Hope/R.W. & K.W.
37	06/25/00	Check #3825	\$450.00	R.N. or D.N.
38	07/25/00	Check #4129	\$450.00	R.N. or D.N.
39	08/25/00	Check #4438	\$450.00	R.N. or D.N.

18 U.S.C. § 1341

18 U.S.C. § 2

Sentencing Factors

Counts 1 - 39

(Mail Fraud - Guidelines, Effective November 1, 1998)

The Grand Jury finds:

1. The cumulative loss to the victims exceeded \$20 million but was less than \$40 million. USSG § 2F1.1(b)(1)(Q); Application Note 7.
2. The offense involved more than minimal planning or a scheme to defraud more than one victim. USSG § 2F1.1(b)(2).
3. The offense involved sophisticated means. USSG § 2F1.1(b)(5)(C).
4. The offense caused reasonably foreseeable physical or psychological harm or severe emotional trauma. USSG § 2F1.1; Application Note 11(c).
5. The offense involved the knowing endangerment of the solvency of one or more victims. USSG § 2F1.1; Application Note 11(f).
6. Defendants Janet Mavis Marcusse and George Terrance Besser were leaders or organizers of a criminal activity that involved five or more participants or was otherwise extensive. USSG § 3B1.1(a).
7. Defendants Diane Renae Boss, Donald Maynard Buffin, Jr., and Jeffery Alan Visser were managers or supervisors of criminal activity that involved five or more participants or was otherwise extensive. USSG § 3B1.1(b).
8. Defendant Janet Mavis Marcusse abused the position of private trust in a manner that significantly facilitated the commission or concealment of the offense. USSG § 3B1.3

COUNT 40
(Conspiracy to Commit Mail Fraud)

From on or about January 1, 1998, to the date of this Superseding Indictment, in the Southern Division of the Western District of Michigan, and elsewhere, the Defendants,

JANET MAVIS MARCUSSE,
DAVID REX ALBRECHT,
GEORGE TERRANCE BESSER,
DIANE RENAE BOSS,
WESLEY MYRON BOSS,
DONALD MAYNARD BUFFIN, JR.,
WILLIAM EDWARD FLYNN and
JEFFERY ALAN VISSER,

did knowingly combine, conspire and agree together, and with one or more of the other Defendants, to commit an offense against the United States, that is, the crime of mail fraud, in violation of 18 U.S.C. § 1341.

Manner and Methods

From on or about January 1, 1998, to the time of this Superseding Indictment, the Defendants operated and promoted an investment fraud scheme as described in paragraphs 1 - 21 of Counts 1-39 of this Superseding Indictment, which paragraphs are incorporated by reference.

Overt Acts

In furtherance of the conspiracy and to promote their investment scheme, one or more of the Defendants performed the following overt acts:

1. From on or about May 1, 1998 to on or about October 31, 2001, Defendants Janet Mavis Marcusse, George Terrance Besser, Wesley Myron Boss, Diane Renae Boss, Donald Maynard Buffin, Jr., and Jeffery Alan Visser mailed to investors, monthly checks and returns, which were falsely represented to be part of the "profits" being generated by Access Financial

Group.

a. In May of 1998, approximately 3 investors received a monthly “profit” check and payments through the United States Postal Service, which amounted to approximately \$26,396.44.

b. In June of 1998, approximately 5 investors received a monthly “profit” check and payments through the United States Postal Service, which amounted to approximately \$10,640.00.

c. In July of 1998, approximately 4 investors received a monthly “profit” check and payments through the United States Postal Service, which amounted to approximately \$25,728.49.

d. In August of 1998, approximately 1 investor received a monthly “profit” check and payment through the United States Postal Service, which amounted to approximately \$1,410.00.

e. In September of 1998, approximately 3 investors received a monthly “profit” check and payments through the United States Postal Service, which amounted to approximately \$28,154.61.

f. In October of 1998, approximately 7 investors received a monthly “profit” check and payments through the United States Postal Service, which amounted to approximately \$35,350.00.

g. In November of 1998, approximately 9 investors received a monthly “profit” check and payments through the United States Postal Service, which amounted to approximately \$105,735.00

h. In December of 1998, approximately 7 investors received a monthly “profit” check and payments through the United States Postal Service, which amounted to approximately \$16,825.00.

i. In January of 1999, approximately 8 investors received a monthly “profit” check and payments through the United States Postal Service, which amounted to approximately \$16,450.00.

j. In February of 1999, approximately 17 investors received a monthly “profit” check and payments through the United States Postal Service, which amounted to approximately \$63,850.00.

k. In March of 1999, approximately 38 investors received a monthly “profit” check and payments through the United States Postal Service, which amounted to approximately \$51,378.77.

l. In April of 1999, approximately 55 investors received a monthly “profit” check and payments through the United States Postal Service, which amounted to approximately \$131,542.30.

m. In May of 1999, approximately 76 investors received a monthly “profit” check and payments through the United States Postal Service, which amounted to approximately \$256,885.92.

n. In June of 1999, approximately 71 investors received a monthly “profit” check and payments through the United States Postal Service, which amounted to approximately \$378,971.37.

o. In July of 1999, approximately 79 investors received a monthly “profit”

check and payments through the United States Postal Service, which amounted to approximately \$89,284.00.

p. In August of 1999, approximately 93 investors received a monthly “profit” check and payments through the United States Postal Service, which amounted to approximately \$163,163.19.

q. In September of 1999, approximately 104 investors received a monthly “profit” check and payments through the United States Postal Service, which amounted to approximately \$198,312.50.

r. In October of 1999, approximately 158 investors received a monthly “profit” check and payments through the United States Postal Service, which amounted to approximately \$402,835.28.

s. In November of 1999, approximately 178 investors received a monthly “profit” check and payments through the United States Postal Service, which amounted to approximately \$259,085.22.

t. In December of 1999, approximately 188 investors received a monthly “profit” check and payments through the United States Postal Service, which amounted to approximately \$203,356.04.

u. In January of 2000, approximately 199 investors received a monthly “profit” check and payments through the United States Postal Service, which amounted to approximately \$218,105.06.

v. In February of 2000, approximately 119 investors received a monthly “profit” check and payments through the United States Postal Service, which amounted to

approximately \$274,096.22.

w. In March of 2000, approximately 274 investors received a monthly “profit” check and payments through the United States Postal Service, which amounted to approximately \$273,009.04.

x. In April of 2000, approximately 200 investors received a monthly “profit” check and payments through the United States Postal Service, which amounted to approximately \$245,669.61.

y. In May of 2000, approximately 244 investors received a monthly “profit” check and payments through the United States Postal Service, which amounted to approximately \$318,451.41.

z. In June of 2000, approximately 314 investors received a monthly “profit” check and payments through the United States Postal Service, which amounted to approximately \$369,649.46.

aa. In July of 2000, approximately 264 investors received a monthly “profit” check and payments through the United States Postal Service, which amounted to approximately \$357,261.73.

bb. In August of 2000, approximately 289 investors received a monthly “profit” check and payments through the United States Postal Service, which amounted to approximately \$291,402.06.

cc. In September of 2000, approximately 256 investors received a monthly “profit” check and payments through the United States Postal Service, which amounted to approximately \$311,940.41.

dd. In October of 2000, approximately 290 investors received a monthly “profit” check and payments through the United States Postal Service, which amounted to approximately \$387,371.86.

ee. In November of 2000, approximately 413 investors received a monthly “profit” check and payments through the United States Postal Service, which amounted to approximately \$492,303.94.

ff. In December of 2000, approximately 367 investors received a monthly “profit” check and payments through the United States Postal Service, which amounted to approximately \$347,872.98.

gg. In January of 2001, approximately 162 investors received a monthly “profit” check and payments through the United States Postal Service, which amounted to approximately \$141,224.66.

hh. In February of 2001, approximately 162 investors received a monthly “profit” check and payments through the United States Postal Service, which amounted to approximately \$235,258.53.

ii. In March of 2001, approximately 394 investors received a monthly “profit” check and payments through the United States Postal Service, which amounted to approximately \$541,515.84.

jj. In April of 2001, approximately 230 investors received a monthly “profit” check and payments through the United States Postal Service, which amounted to approximately \$150,019.46.

kk. In May of 2001, approximately 184 investors received a monthly “profit”

check and payments through the United States Postal Service, which amounted to approximately \$265,894.31.

ii. In June of 2001, approximately 107 investors received a monthly “profit” check and payments through the United States Postal Service, which amounted to approximately \$262,411.98.

iii. In July of 2001, approximately 16 investors received a monthly “profit” check and payments through the United States Postal Service, which amounted to approximately \$36,519.74.

iiii. In August of 2001, approximately 15 investors received a monthly “profit” check and payments through the United States Postal Service, which amounted to approximately \$38,711.18.

v. In September of 2001, approximately 22 investors received a monthly “profit” check and payments through the United States Postal Service, which amounted to approximately \$102,004.36.

vi. In October of 2001, approximately 7 investors received a monthly “profit” check and payments through the United States Postal Service, which amounted to approximately \$6,447.71.

2. The Defendants Janet Mavis Marcusse, George Terrance Besser, Wesley Myron Boss, Diane Renae Boss, Donald Maynard Buffin, Jr., and Jeffery Alan Visser composed and mailed newsletters to the investors, which falsely and fraudulently described the financial activities of Access Financial Group, and which contained false representations and promises regarding the investors’ principal investment.

- a. In or about June 1999, a newsletter was sent to investors from Access Financial Group through the United States Postal Service.
- b. In or about September 7, 1999, a newsletter was sent to investors from Access Financial Group through the United States Postal Service.
- c. In or about October 1999, a newsletter was sent to investors from Access Financial Group through the United States Postal Service.
- d. In or about December 20, 1999, a newsletter was sent to investors from Access Financial Group through the United States Postal Service.
- e. In or about February 2000, a newsletter was sent to investors from Access Financial Group through the United States Postal Service.
- f. In or about March 2000, a newsletter was sent to investors from Access Financial Group through the United States Postal Service.
- g. In or about June 2000, a newsletter was sent to investors from Access Financial Group through the United States Postal Service.
- h. In or about September 2000, a newsletter was sent to investors from Access Financial Group through the United States Postal Service.
- i. In or about November 2000, a newsletter was sent to investors from Access Financial Group through the United States Postal Service.
- j. In or about December 2000, a newsletter was sent to investors from Access Financial Group through the United States Postal Service.
- k. In or about January 2001, a newsletter was sent to investors from Access Financial Group through the United States Postal Service.

l. In or about January 2001, an updated newsletter was sent to investors from Access Financial Group through the United States Postal Service.

m. In or about March 25, 2001, a newsletter was sent to investors from Access Financial Group through the United States Postal Service.

n. In or about April 2001, a newsletter was sent to investors from Access Financial Group through the United States Postal Service.

o. In or about May 2001, a newsletter was sent to investors from Access Financial Group through the United States Postal Service.

p. In or about July 3, 2001, a newsletter was sent to investors from Access Financial Group through the United States Postal Service.

q. In or about September 2001, an updated a newsletter was sent to investors from Access Financial Group through the United States Postal Service.

r. In or about October 2001, a newsletter was sent to investors from Access Financial Group through the United States Postal Service.

s. In or about November 2001, a newsletter was sent to investors from Access Financial Group through the United States Postal Service.

t. In or about August 2002, a newsletter was sent to investors from Access Financial Group through the United States Postal Service.

u. In or about October 23, 2002, a newsletter was sent to investors from Access Financial Group through the United States Postal Service.

3. From on or about September 20, 1999 to September 18, 2001, Defendant David Rex Albrecht received commissions from the investors' funds for promoting the Access

Financial Group's fraudulent investment scheme in the approximate total amount of \$98,383.26.

4. From on or about November 24, 1999 to July 6, 2000, Defendant Wesley Myron Boss received commissions from the investors' funds for promoting the Access Financial Group's fraudulent investment scheme in the approximate total amount of \$173,758.13.

5. From on or about May 14, 1999 to December 18, 2001, Defendant Donald Maynard Buffin, Jr. received commissions from the investors' funds for promoting the Access Financial Group's fraudulent investment scheme in the approximate total amount of \$255,135.44.

6. From on or about October 29, 1999 to June 14, 2002, Defendant Jeffery Alan Visser received commissions from the investors' funds for promoting the Access Financial Group's fraudulent investment scheme in the approximate total amount of \$232,376.87.

7. On or about February 15, 1999, Defendant William Edward Flynn purchased a personal residence and 70 acres of land in Crivitz, Wisconsin, paying for it, in part, with investors' funds.

8. From on or about October 27, 1999 to on or about July 5, 2000, Defendant William Edward Flynn used investors' funds in the amount of \$115,622.00 to construct a bar known as "Billy's Night Club" in Marinette County, Wisconsin.

9. On or about October 29, 1999, Defendant William Edward Flynn used investors' funds in the amount of \$64,295.89 toward the purchase of a different bar, known as "Cheeks" and located in Marinette County, Wisconsin.

10. On or about December 22, 1999, Defendant William Edward Flynn purchased a 1969 Cessna 337D airplane, paying for it, in part, with investors' funds.

11. On or about June 2, 2000, Defendant William Edward Flynn purchased a different airplane, a 1978 Cessna Turbo 310 R2 aircraft, paying for it, in part, with investors' funds.

12. On or about May 3, 2001, Defendant William Edward Flynn purchased another airplane, a 2001 American Champion Super Decathlon aircraft, paying for it, in part, with investors' funds.

13. On or about March 4, 1999, Defendant David Rex Albrecht opened an account at Charles Schwab, a financial institution, in the name of American Heritage Church, d/b/a Reach Out. Between March 19, 1999 and July 12, 1999, approximately \$52,528.00 of investor funds were deposited into the Defendant's account, which the Defendant converted to his own use and the use of others.

14. On or about September 16, 1999, Defendant David Rex Albrecht opened an account at Independent Bank in the name of Reach Out. Between September 23, 1999 and September 18, 2001, approximately \$161,053.66 of investor funds were deposited into the Defendant's account, which the Defendant converted to his own use and the use of others.

15. On or about October 4, 1999, Defendant Donald Maynard Buffin, Jr. opened an account at Comerica Bank in the name of Access Business Consultants. Between October 8, 1999 and March 21, 2001, approximately \$169,703.67 of investor funds were deposited into the Defendant's account, which the Defendant converted to his own use and the use of others.

16. On or about January 12, 2001, Defendant Donald Maynard Buffin, Jr. opened an account at Fifth Third Bank in the name of His Will Ministries. Between January 12, 2001 and December 19, 2001, approximately \$62,893.86 of investor funds were deposited into the

Defendant's account, which the Defendant converted to his own use and the use of others.

17. On or about June 14, 2000, Defendant Jeffery Alan Visser opened an account at Standard Federal Bank in the name of Parkside Ministries. Between August 31, 2000, and January 11, 2002, approximately \$175,621.48 of investor funds were deposited into the Defendant's account, which the Defendant converted to his own use and the use of others.

18 U.S.C. § 371

Sentencing Factors
Count 40
(Guidelines Effective November 1, 2001)

The Grand Jury finds:

1. The loss to victims is more than \$7 million, but less than \$20 million. USSG § 2B1.1(b)(1)(K).
2. The offense involved 50 or more victims. USSG § 2B1.1(b)(2)(B).
3. The offense involved sophisticated means. USSG § 2B1.1(b)(8)(C).
4. The offense caused or risked substantial non-monetary harm. USSG § 2B1.1; Application Note 15(A)(ii).
5. The offense involved a substantial amount of interest of any kind, finance charges, late fees, penalties, amounts based on an agreed-upon return or rate of return, or similar costs, not included in the determination of loss for purposes of sentencing factor number one above. USSG § 2B1.1; Application Note 15(A)(iii).
6. The offense endangered the solvency or financial security of one or more victims. USSG § 2B1.1; Application Note 15(A)(v).
7. Defendants Janet Mavis Marcusse and George Terrance Besser were leaders or organizers of a criminal activity that involved five or more participants or was otherwise extensive. USSG § 3B1.1(a).
8. Defendants Diane Renae Boss, Donald Maynard Buffin, Jr., and Jeffery Alan Visser were managers or supervisors of criminal activity that involved five or more participants or was otherwise extensive. USSG § 3B1.1(b).
9. Defendant Janet Mavis Marcusse abused a position of private trust in a manner that significantly facilitated the commission or concealment of a crime. USSG § 3B1.3.

10. Defendants Janet Mavis Marcusse, William Edward Flynn and Jeffery Alan Visser willfully obstructed or impeded, or attempted to obstruct or impede, the administration of justice during the course of the investigation, and the obstructive conduct related to the Defendants' offense of conviction and relevant conduct. USSG § 3C1.1.

COUNT 41
(Conspiracy to Commit Money Laundering)

From on or about January 1, 1998, to on or about the date of this Superseding Indictment, in the Southern Division of the Western District of Michigan, and elsewhere, the Defendants,

JANET MAVIS MARCUSSE,
DAVID REX ALBRECHT,
GEORGE TERRANCE BESSER,
DIANE RENAE BOSS,
WESLEY MYRON BOSS,
DONALD MAYNARD BUFFIN, JR.,
WILLIAM EDWARD FLYNN and
JEFFERY ALAN VISSER,

did knowingly combine, conspire and agree together and with one or more of the other Defendants to commit certain money laundering offenses, and to conduct financial transactions affecting interstate commerce, namely: 1). Lulling payments of monthly checks to investors; 2). Deposits into and withdrawals from bank accounts controlled and used by the Defendants, containing victims' funds; and 3). Deposits of victims' funds into and withdrawal of funds from bank accounts controlled and used by the Defendants in the names of purported church chapters, all such transactions having involved the proceeds of a specified unlawful activity,

a. With the intent to promote the carrying on of the specified unlawful activity, knowing that the property involved in the financial transaction represented the proceeds of some form of unlawful activity; and

b. Knowing that the transaction was designed in whole or in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, while knowing that the property involved in the financial transactions represented the proceeds of some form of specified unlawful activity.

In furtherance of this conspiracy and to accomplish its objectives, the Defendants committed and caused to be committed, the overt acts as set forth in Count 40 and Counts 43-82 of this Superseding Indictment.

18 U.S.C. § 1956(a)(1)(A)(i)

18 U.S.C. § 1956(a)(1)(B)(i)

18 U.S.C. § 1956(h)

Sentencing Factors
Count 41
(Guidelines Effective November 1, 2001)

1. The amount of funds laundered was more than \$20,000,000.00, USSG 2S1.1(a); 2B1.1(b)(1)(L).
2. The offense involved sophisticated laundering. USSG 2S1.1(b)(3)
3. Defendants Janet Mavis Marcusse and George Terrance Besser were leaders or organizers of a criminal activity that involved five or more participants or was otherwise extensive. USSG § 3B1.1(a).
4. Defendants Diane Renae Boss, Donald Maynard Buffin, Jr., and Jeffery Alan Visser were managers or supervisors of criminal activity that involved five or more participants or was otherwise extensive. USSG § 3B1.1(b).
5. Defendant Janet Mavis Marcusse abused a position of private trust in a manner that significantly facilitated the commission or concealment of a crime. USSG § 3B1.3.
6. Defendants Janet Mavis Marcusse, William Edward Flynn and Jeffery Alan Visser willfully obstructed or impeded, or attempted to obstruct or impede, the administration of justice during the course of the investigation, and the obstructive conduct related to the Defendants' offense of conviction and relevant conduct. USSG § 3C1.1.

COUNT 42
(Conspiracy to Defraud the United States)

From on or about January 1, 1998, to on or about the date of this Superseding Indictment, in the Southern Division of the Western District of Michigan, and elsewhere, the Defendants,

JANET MAVIS MARCUSSE,
DAVID REX ALBRECHT,
GEORGE TERRANCE BESSER,
DIANE RENAE BOSS,
WESLEY MYRON BOSS,
DONALD MAYNARD BUFFIN, JR.,
WILLIAM EDWARD FLYNN and
JEFFERY ALAN VISSER,

did knowingly combine, conspire and agree together and with one or more of the other Defendants to defraud the United States for the purpose of impeding, impairing, obstructing and defeating the lawful governmental functions of the Internal Revenue Service of the Treasury Department in the ascertainment, computation, assessment and collection of revenue, that is, income taxes.

The manner and means by which the Defendants conspired to defraud the United States and the Overt Acts committed by one or more of the Defendants to effect the object of the conspiracy are as follows:

Manner and Means

1. The Grand Jury incorporates by reference Counts 1-39 (mail fraud), Count 40 (mail fraud conspiracy), Count 41 (conspiracy to commit money laundering), and Counts 43-82 (money laundering).
2. The Defendants paid themselves and others large commission salaries and other payments from victims' funds and did not keep accurate and complete records of the payments.
3. The Defendants set up more than 20 different bank accounts into which they

placed the investors' funds.

4. The Defendants opened and used non-interest bearing checking accounts in the name of "church chapters" to receive and spend victims' funds for personal expenses.

5. The Defendants failed to report to the Internal Revenue Service the salaries and commissions they paid themselves from the victims' funds.

6. The Defendants failed to report to the Internal Revenue Service the moneys they received from victims' funds with which they paid personal expenses.

7. The Defendants failed to file the appropriate employee and payroll tax information, failed to issue Forms 1099 or W-2, and failed to keep accurate and normal books and records of the victims' funds.

8. The Defendants conducted financial transactions with victims' funds in a manner so as to hide the source and the amount or nature of funds received for the purpose of evading the payment of appropriate income taxes.

Overt Acts

9. The Grand Jury incorporates by reference, Counts 1-41 and Counts 43-82 of this Superseding Indictment.

18 U.S.C. § 371

Sentencing Factors
Count 42
(Guidelines Effective November 1, 2001)

The Grand Jury finds:

1. The tax loss is more than \$1,500,000.00 USSG 2T4.1
2. The Defendants failed to report income exceeding \$10,000.00 in any year from criminal activity. USSG 2T1.1(b)(1)(I).
3. The offense involved sophisticated means. USSG 2T1.1(b)(2).
4. Defendants Janet Mavis Marcusse and George Terrance Besser were leaders or organizers of a criminal activity that involved five or more participants or was otherwise extensive. USSG § 3B1.1(a).
5. Defendants Diane Renae Boss, Donald Maynard Buffin, Jr., and Jeffery Alan Visser were managers or supervisors of criminal activity that involved five or more participants or was otherwise extensive. USSG § 3B1.1(b).
6. Defendant Janet Mavis Marcusse abused a position of private trust in a manner that significantly facilitated the commission or concealment of a crime. USSG § 3B1.3.
7. Defendants Janet Mavis Marcusse, William Edward Flynn and Jeffery Alan Visser willfully obstructed or impeded, or attempted to obstruct or impede, the administration of justice during the course of the investigation, and the obstructive conduct related to the Defendants' offense of conviction and relevant conduct. USSG § 3C1.1.

COUNTS 43-57
(Money Laundering)

Introduction

The Grand Jury incorporates by reference, Counts 1-41 of this Superseding Indictment. The Defendants wrote checks and sent them to investors, falsely representing that the checks were from the profits being generated by Access Financial Group.

From on or about the dates listed below, in the Southern Division of the Western District of Michigan, and elsewhere, the Defendants,

JANET MAVIS MARCUSSE,
DAVID REX ALBRECHT,
GEORGE TERRANCE BESSER,
DIANE RENAE BOSS,
WESLEY MYRON BOSS,
DONALD MAYNARD BUFFIN, JR.,
WILLIAM EDWARD FLYNN and
JEFFERY ALAN VISSER,

did knowingly and willfully conduct financial transactions affecting interstate commerce, that is the issuance of checks which involved the proceeds of a specified unlawful activity, that is, mail fraud, with the intent to promote the carrying on of the specified unlawful activity, and that while conducting and attempting to conduct such financial transactions, knew that the property involved in the financial transactions, as described in the Counts listed below, represented the proceeds of some form of unlawful activity.

Count	Date	Item	Amount
43	12/20/99	Check	\$3,300.00
44	12/20/99	Check	\$3,000.00
45	01/20/00	Check	\$2,400.00
46	01/20/00	Check	\$3,000.00
47	05/25/00	Check	\$4,800.00

48	05/25/00	Check	\$6,000.00
49	10/25/00	Check	\$4,800.00
50	11/25/00	Check	\$1,050.00
51	12/20/00	Check	\$1,050.00
52	02/23/01	Check	\$1,050.00
53	03/23/01	Check	\$3,900.00
54	03/23/01	Check	\$1,500.00
55	06/05/01	Check	\$1,720.00
56	06/05/01	Check	\$3,200.00
57	07/25/01	Check	\$1,184.00

18 U.S.C. § 1956(a)(1)(A)(i)

18 U.S.C. § 2

COUNT 58
(Money Laundering)

Introduction

The Grand Jury incorporates by reference, Counts 1-41 of this Superseding Indictment.

In or about April of 2000, Janet Mavis Marcusse purchased a home on Allegan Lake, located in Allegan County, Michigan for the sum of \$347,000.00. Defendants Janet Mavis Marcusse and Diane Renae Boss used victims' funds from the Access Financial Group bank accounts toward the down payment on the home and to pay the monthly payments for the mortgage on the home.

On or about April 14, 2000, in the Southern Division of the Western District of Michigan, and elsewhere, the Defendants,

JANET MAVIS MARCUSSE and
DIANE RENAE BOSS,

did knowingly engage in a monetary transaction by, through and to a financial institution, affecting interstate commerce, in criminally derived property of a value greater than \$10,000.00, that is, a check in the amount of \$69,400.00 used to make a down payment on Janet Mavis Marcusse's home on Allegan Lake, in Allegan County, Michigan, such property having been derived from a specified unlawful activity, that is, mail fraud.

18 U.S.C. § 1957

18 U.S.C. § 2

COUNTS 59-65
(Money Laundering)

Introduction

The Grand Jury incorporates by reference, Counts 1-41 of this Superseding Indictment. On the following dates listed, the Defendants Diane Renae Boss and Wesley Myron Boss, received victims' funds which they used to purchase goods and services and to pay personal expenses.

On or about the following dates, in the Southern Division of the Western District of Michigan, and elsewhere, the Defendants,

DIANE RENAE BOSS and
WESLEY MYRON BOSS,

did knowingly engage in monetary transactions by, through and to a financial institution, affecting interstate commerce, in criminally derived property of a value greater than \$10,000.00, such monetary transaction and property, as described below, having been derived from a specified unlawful activity, that is, mail fraud.

Count	Date	Monetary Transaction	Amount
59	03/11/00	Check to purchase travel trailer	\$11,800.00
60	05/11/00	Check to the State of Michigan	\$47,729.09
61	06/29/00	Check for partial payment of residence	\$54,258.62
62	07/08/00	Check for the purchase of 2000 Pontiac Firebird	\$26,020.84
63	08/25/00	Check for landscaping services	\$36,901.50
64	02/01/01	Check from Sanctuary Ministries payable to Heavenly Sight	\$15,673.73
65	03/23/01	Check from Sanctuary Ministries payable to Heavenly Sight	\$31,405.98

18 U.S.C. § 1957
18 U.S.C. § 2

COUNTS 66-68
(Money Laundering)

Introduction

The Grand Jury incorporates by reference, Counts 1-41 of this Superseding Indictment.

On or about January 12, 2001, Defendant, Donald Maynard Buffin, Jr., opened a checking account in the name of a church chapter, "His Will Ministries", and, thereafter, used the account to deposit funds received from Access Financial Group victims, which funds he used to pay personal expenses.

On or about the following dates, in the Southern Division of the Western District of Michigan, and elsewhere, the Defendant,

DONALD MAYNARD BUFFIN, JR.,

did knowingly conduct financial transactions, as listed below, affecting interstate commerce, which involved the proceeds of a specified unlawful activity, that is, mail fraud, knowing that the transactions were designed in whole, and in part, to conceal and disguise the nature, location, source, ownership and control of the proceeds and, while conducting the financial transactions, knowing that the property involved in the financial transactions represented the proceeds of some form of unlawful activity.

Count	Date	Financial Transaction	Amount
66	01/12/01	Deposit of a check into His Will Ministries account	\$4,000.00
67	11/29/01	Deposit of a check into His Will Ministries account	\$2,000.00
68	12/19/01	Deposit of a check into His Will Ministries account	\$4,000.00

18 U.S.C. § 1956(a)(1)(B)(i)
18 U.S.C. § 2

COUNTS 69-71
(Money Laundering)

Introduction

The Grand Jury incorporates by reference, Counts 1-41 of this Superseding Indictment.

On or about June 14, 2000, Defendant Jeffery Alan Visser opened a checking account in the name of "Parkside Ministries" and, thereafter, used it to deposit funds received from Access Financial Group victims, which funds he used to pay personal expenses.

On or about the following dates, in the Southern Division of the Western District of Michigan, and elsewhere, the Defendant,

JEFFERY ALAN VISSER,

did knowingly conduct financial transactions, as listed below, affecting interstate commerce, which involved the proceeds of a specified unlawful activity, that is, mail fraud, knowing that the transactions were designed in whole, and in part, to conceal and disguise the nature, location, source, ownership and control of the proceeds, and while conducting the financial transactions, knowing that the property involved in the financial transactions represented the proceeds of some form of unlawful activity.

Count	Date	Financial Transaction	Amount
69	06/14/00	Deposit of a check into Parkside Ministries account	\$6,000.00
70	11/30/00	Deposit of a check into Parkside Ministries Account	\$13,050.00
71	12/18/01	Deposit of a check into Parkside Ministries account	\$5,000.00

18 U.S.C. § 1956(a)(1)(B)(i)
18 U.S.C. § 2

COUNTS 72-76
(Money Laundering)

Introduction

The Grand Jury incorporates by reference, Counts 1-41 of this Superseding Indictment.

On or about September 16, 1999, Defendant David Rex Albrecht opened a checking account in the name of "Reach Out" and, thereafter, used it to deposit funds received from Access Financial Group victims, which funds he used to pay personal expenses.

On or about the following dates, in the Southern Division of the Western District of Michigan, and elsewhere, the Defendant,

DAVID REX ALBRECHT,

did knowingly conduct financial transactions, as listed below, affecting interstate commerce, which involved the proceeds of a specified unlawful activity, that is, mail fraud, knowing that the transactions were designed in whole, and in part, to conceal and disguise the nature, location, source, ownership and control of the proceeds, and while conducting the financial transactions, knowing that the property involved in the financial transactions represented the proceeds of some form of unlawful activity.

Count	Date	Financial Transaction	Amount
72	01/07/00	Deposit of a check into the Reach Out Account	\$13,440.21
73	03/27/00	Deposit of a check into the Reach Out Account	\$8,552.52
74	05/25/00	Deposit of a check into the Reach Out Account	\$6,000.00
75	06/01/00	Deposit of a check into the Reach Out Account	\$3,941.20
76	08/13/01	Deposit of a check into the Reach Out Account	\$5,254.94

18 U.S.C. § 1956(a)(1)(B)(i)

18 U.S.C. § 2

COUNTS 77-80
(Money Laundering)

Introduction

The Grand Jury incorporates by reference, Counts 1-41 of this Superseding Indictment.

On or about the dates listed below, in the Southern Division of the Western District of Michigan, and elsewhere, the Defendant,

WILLIAM EDWARD FLYNN,

did knowingly engage in monetary transactions by, through and to a financial institution, affecting interstate commerce, in criminally derived property of a value greater than \$10,000.00, such monetary transaction and property, as described below, having been derived from a specified unlawful activity, that is, mail fraud.

Count	Date	Monetary Transaction	Amount
77	10/29/99	Check to purchase a bar	\$58,053.01
78	04/13/00	Check to pay for the construction of a bar	\$11,622.00
79	06/09/00	Check to pay for construction of a bar	\$50,000.00
80	07/05/00	Check to pay for construction of a bar	\$33,000.00

18 U.S.C. § 1957

18 U.S.C. § 2

COUNTS 81-82
(Money Laundering)

Introduction

The Grand Jury incorporates by reference, Counts 1-41 of this Superseding Indictment.

On or about May 14, 2000, Defendant William Edward Flynn purchased a 1978 Cessna airplane and used funds from the Access Financial Group victims to make the down payment and the purchase payments for the airplane. On or about the dates listed below, in the Southern Division of the Western District of Michigan, and elsewhere, the Defendants,

JANET MAVIS MARCUSSE and
WILLIAM EDWARD FLYNN,

did knowingly conduct financial transactions, as listed below, affecting interstate commerce, which involved the proceeds of a specified unlawful activity, that is, mail fraud, knowing that the transactions were designed in whole, and in part, to conceal and disguise the nature, location, source, ownership and control of the proceeds, and while conducting the financial transactions, knew that the property involved in the financial transactions represented the proceeds of some form of unlawful activity.

Count	Date	Financial Transaction	Amount
81	04/27/00	Check for airplane down payment	\$5,000.00
82	11/02/01	Check for airplane loan payment	\$2,336.16

18 U.S.C. § 1956(a)(1)(B)(i)

18 U.S.C. § 2

COUNT 83
(Forfeiture Allegations)

As the result of committing the offense of mail fraud in violation of 18 U.S.C. § 1341, alleged in Counts 1-39 of the Superseding Indictment, which counts are hereby realleged and incorporated by reference, Defendants,

JANET MAVIS MARCUSSE,
DAVID REX ALBRECHT,
GEORGE TERRANCE BESSER,
DIANE RENAE BOSS,
WESLEY MYRON BOSS,
DONALD MAYNARD BUFFIN, JR.,
WILLIAM EDWARD FLYNN and
JEFFERY ALAN VISSER,

shall forfeit to the United States pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offense, including but not limited to the following:

1. MONEY JUDGMENT

A sum of money equal to \$10,000,000.00 in United States currency, representing the amount of proceeds obtained as a result of the offense of mail fraud, for which the defendant's are jointly and severally liable.

2. SUBSTITUTE ASSETS

Pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b), each of the Defendants shall forfeit substitute property, up to the value of the above property described in the preceding paragraph, if, by any act or omission of the Defendants, the property described in the preceding paragraph, or any portion thereof,

1. Cannot be located upon the exercise of due diligence;
2. Has been transferred, sold to or deposited with a third party;
3. Has been placed beyond the jurisdiction of the court;
4. Has been substantially diminished in value; or

5. Has been commingled with other property which cannot be divided without difficulty.

All in accordance with Title 18, United States Code, Section 981(a)(1)(C), and Rule 32.2(a),

Federal Rules of Criminal Procedure.

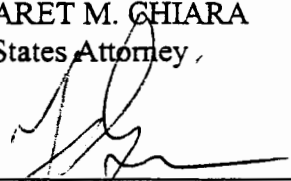
18 U.S.C. § 981(a)(1)(C)
28 U.S.C. § 2461(c)
18 U.S.C. § 1341

A TRUE BILL

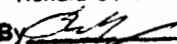


GRAND JURY FOREPERSON

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