

INDICTMENT

Conspiracy §97-1-1
Embezzlement §97-23-19(d)
Fraudulent Statements §97-23-19(d)

CIRCUIT COURT NO. 20-52-EFP

FILED

THE STATE OF MISSISSIPPI

Circuit Court

FEB 04 2020

FIRST DISTRICT, HINDS COUNTY

ZACK WALLACE, CIRCUIT CLERK

January Term, A.D., 2020

First Judicial District

BY _____ D.C. of Hinds County

The Grand Jurors of the State of Mississippi, taken from the body of good and lawful persons of the First Judicial District of Hinds County, in the State of Mississippi, elected, impanelled, sworn and charged to inquire in and for said District, County and State aforesaid, in the name and by the authority of the State of Mississippi, upon their oath present: That

Nancy Whitten New

while acting in concert and/or aiding, assisting or encouraging another or others,
to-wit: Zachery Witten New, Ann McGrew and others known and unknown to the grand jury

In said District, County and State

COUNT I

on, about and between the 20th day of September 2018 and the 20th day of October 2019, in the county aforesaid and within the jurisdiction of this Court, the said defendant being a female human being above the age of eighteen (18) years, whose date of birth is July 29, 1952, did willfully, unlawfully, and feloniously entered into a conspiracy with Zachery Whitten New, Ann McGrew and others known and unknown to the grand jury, to commit the crime of embezzlement in violation of §97-23-19, To-wit: Nancy Whitten New conspired with Zachery Whitten New, Ann McGrew and others known and unknown to the grand jury, to convert funds received by the Mississippi Community Education Center, a private non-profit entity responsible for distributing public grant funds received from the State of Mississippi by transferring funds owned by the Mississippi Community Education Center, from a bank account owned by the Mississippi Community Education Center, through a series of multiple transaction, into bank accounts owned by New Learning, Inc, a private for profit company owned by Nancy Whitten New and Zachery Whitten New, all occurring within the jurisdiction of this court and in violation of Section 97-1-1 and Section 97-23-19, Mississippi Code Annotated (1972, as amended);

COUNT II

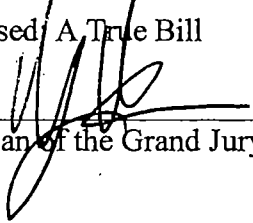
based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy Whitten New, being a female human being above the age of eighteen (18) years, whose date of birth is July 29, 1952, did, on or about and between the 20th day of September 2018 and the 20th day of October 2019, willfully, unlawfully, and feloniously embezzle, fraudulently secrete, conceal, or convert to her own use, or make way with, or secrete with intent to embezzle or convert to her own use, United States Funds, money, in a value in excess of

\$25,000.00, which United States Funds came into her possession and/or had been entrusted to Nancy Whitten New by virtue of her office, position, place, or employment, either in mass or otherwise, To-wit: Nancy Whitten New, while acting in concert and/or aiding, and assisting Zachary Whitten New, while serving as the Executive Director of the Mississippi Community Education Center, a private non-profit entity responsible for distributing public grant funds received from the State of Mississippi, transferred funds, in excess of two million dollars, \$2,000,000.00, the property of the Mississippi Community Education Center, from a bank account owned by the Mississippi Community Education Center, through a series of multiple transaction, into bank accounts owned by New Learning, Inc, a private for profit company owned by Nancy Whitten New and Zachery Whitten New and thus converting such monies to her own use, all occurring within the jurisdiction of this court and in violation of Section 97-23-19 (d), Mississippi Code Annotated (1972, as amended); and

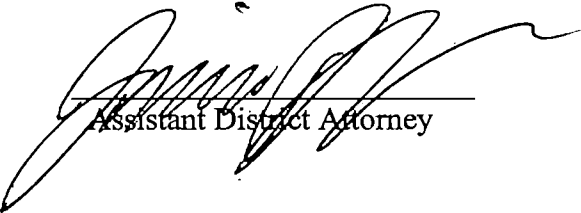
COUNT III

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy Whitten New, being a female human being above the age of eighteen (18) years, whose date of birth is July 29, 1952, did, on or about and between the 20th day of September 2018 and the 20th day of October 2019, willfully, unlawfully, and feloniously, with intent to defraud the State of Mississippi or any department, agency, office, board, commission, county, municipality or other subdivision of the state or local government, knowingly and willfully falsified, concealed or covered up by trick, scheme or device, a material fact, or made a false, fictitious and fraudulent statements or representations, or made or used any false writing or document knowing that the same contained false, fictitious an fraudulent statements or entries, To-wit: Nancy Whitten New, while acting in concert and/or aiding, and assisting Zachery Whitten New, Ann McGrew and others known and unknown to the grand jury, falsified documents, invoices, books, reports, ledgers, and accountings of the Mississippi Community Education Center, a private non-profit entity responsible for distributing public grant funds received from the State of Mississippi, at a time when she was in the position of Executive Director of the Mississippi Community Education Center, to conceal that she had embezzled in excess of two million dollars, \$2,000,000.00, from the Mississippi Community Education Center and converted such funds to her own use, all occurring within the jurisdiction of this court and in violation of Section 97-7-10, Mississippi Code Annotated (1972, as amended).

All of the above, Count I, Count II and Count III being contrary to the form of the statute in such cases made and provided, and against the peace and dignity of the State of Mississippi.

Endorsed/ A True Bill


Foreman of the Grand Jury



Assistant District Attorney