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## **LAKE CHARLES, LOUISIANA ATTORNEY SENTENCED FOR AGGRAVATED IDENTITY THEFT**

*Defendant ordered to pay \$43,594.94 in restitution*

**Lake Charles, Louisiana** . . . United States Attorney Donald W. Washington announced that **BYRLYNE VAN DYKE**, a former attorney practicing in Lake Charles, Louisiana, was sentenced today in United States District Court by U.S. District Judge Patricia Minaldi to spend 24 months in prison, followed by one year of supervised release, and also ordered to pay \$43,594.94 in restitution. VAN DYKE pleaded guilty in November 2008 to one count of aggravated identity theft. The aggravated identity theft statute carries a mandatory term of two years in prison.

An investigation by the FBI and the Louisiana Attorney General's Office revealed that beginning in 2004, while practicing law in Lake Charles, Louisiana, VAN DYKE, through the course of her law practice, obtained detailed financial information on a number of clients and former employees and used this information to acquire credit cards which she used to satisfy her gambling debts and for numerous day-to-day transactions, including items for her children and tires for her automobile. The credit cards bore the names of those from whom she stole the identification

information. MS. VAN DYKE plead guilty to aggravated identify theft. Aggravated identify theft occurs when a person is committing a specific federal crime such as wire fraud, and uses another person's identity while committing the wire fraud. VAN DYKE committed wire fraud through the use of a telephone, obtaining Western Union wire transfers and applying for an online loan application.

VAN DYKE's law license was suspended in 2005. VAN DYKE is scheduled to report to the Bureau of Prisons to begin serving her sentence on March 16, 2009.

U. S. Attorney Donald Washington stated: "By position, oath and responsibility, lawyers are bound to obey the law and serve as examples for others. This defendant broke the law and now faces the consequences. Hopefully, this prosecution will serve to remind us all that no person is above the law. This office will vigorously prosecute those who use the rights and privileges of a license to practice law to violate the law."

Sentencing in federal court is determined by the discretion of federal judges and the governing statute. Parole has been abolished in the federal system.

This case was investigated by the Federal Bureau of Investigation and the Louisiana Attorney General's Office. The case was prosecuted by Assistant U. S. Attorney James T. McManus.

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