



Department of Justice

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Rochester Man Sentenced For Producing False Military Id Cards And Making False Statements

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ROCHESTER, N.Y. U.S. Attorney William J. Hochul, Jr. announced that Mark Alan Kelly, 55 of Rochester, NY, who was convicted of producing and using counterfeit military ID cards and making false statements to federal agents, was sentenced to three months in federal prison to be followed by 36 months supervised release by U.S. District Court Judge Frank P. Geraci. The defendant was also ordered to perform 300 hours of community service at the Rochester Veterans Outreach Center and purchase 500 American Flags, which he was ordered to place at the graves of veterans in Mt. Hope Cemetery.

Assistant U.S. Attorney Craig R. Gestring, who is handling the case, stated that Kelly repeatedly lied about being an Officer in the United States Navy. Kelly would regularly wear Naval uniforms around town as well as to work, where he falsely told his employer that he was working at area Reserve Centers after his shift. Kelly lied about being on active duty when he rented an apartment in Rochester and received a military discount on his rent as well as other financial benefits as a result of his false statements.

Kelly's landlord became suspicious about Kelly's military affiliation when his first month's rent check bounced. She also had a friend, who was a former United States Marine Corps Officer, who questioned the many ribbons and awards displayed on Kelly's uniforms which included the Silver Star and a Bronze Star awarded for Valor. Kelly also wore Naval Flight Officer's Wings. They confronted Kelly in June of 2014 in the presence of a Rochester Police Officer and Kelly presented a forged, but authentic looking military Common Access Card to support his false personation.

In addition to wearing a Navy uniform around town, the defendant also regularly wore full dress naval uniforms at Veterans and ceremonial events. This included a memorial for a fallen Marine killed in Afghanistan in August 2014, where Kelly presented a flag to the Marine's parents. At today's

sentencing, Judge Geraci also ordered Kelly to write a letter of apology to the fallen Marine's parents.

The defendant's conduct came to the attention of the Naval Criminal Investigative Service (NCIS) who began a criminal investigation after getting a tip from the defendant's landlord. During the investigation, NCIS Agents from Naval Weapons Station Earle traveled to Rochester to interview witnesses. In September 2014, Kelly was interviewed by NCIS Agents and he made several false material statements. Kelly lied to the agents about his status with the Navy, his rank, his dates of service, and the characterization of his discharge. Each time agents confronted Kelly about his false statements, he would change his story to try to alter the facts to mislead the agents.

At the time agents interviewed Kelly, he was wearing a naval uniform without rank insignia or ribbons. He initially claimed he liked wearing the unmarked uniform because it was comfortable. However, Agents noticed that his uniform shirt had fresh holes consistent with recent wearing of rank insignia and a rack of ribbons. When confronted, Kelly produced a rack of ribbons which he took off before meeting with the agents. The rack contained 28 ribbons including awards for service in Iraq and Afghanistan, as well as for his service in support of Operation Desert Storm and the liberation of Kuwait. Kelly also had several Navy uniforms in his apartment including a Navy Dress Blue Uniform, a Dress White Uniform, and a Digital Pattern Camouflage Uniform.

Investigators also recovered several false military ID cards in various stages of production from the defendant's place of employment.

The sentencing is the culmination of an investigation by Special Agents of the Naval Criminal Investigative Service, under the direction of Special Agent in Charge Leo Lamont, NCIS Northeast Field Office.