

2 charged with fraud in credit card use

By Bob Sklar
staff writer

A tip from a concerned Holiday Inn clerk helped undercover officers nab two men suspected of using two credit cards allegedly stolen from a Farmington Hills couple to run up more than \$3,500 in purchases.

In addition to clothing, police confiscated small amounts of suspected cocaine and marijuana from the suspects' rooms at the Holiday Inn of Farmington Hills, 38123 10 Mile. Laboratory tests of the substances are pending, said Farmington Hills Police Sgt. Albert Havner.

Havner said he thought the suspects planned to keep some of the new clothing for themselves.

"But they didn't remove a lot of the tags," he said. "That would make me believe they would play the return game to get cash in hand. That's very common. In fact, it's also common to wear new clothing with the tags on for

a few days, then play the return game."

ARRAIGNED TUESDAY before District Judge Michael Hand of Farmington were Wayne Mundy, 24, and Thomas Lloyd Scott, 22, both of Farmington Hills.

Mundy pleaded not guilty to one count of retaining a credit card without consent of the cardholder and one count of use of a credit card without consent of the cardholder. Scott stood mute to one count of retaining a credit card without consent of the cardholder. The penalty upon conviction for each felony is four years in prison or a \$2,000 fine.

Hand set bond for Mundy at \$10,000 cash surety, but remanded him to the Oakland County Jail on a parole violation. Bond for Scott was set at \$1,000 cash surety. A preliminary examination is pending in 17th District Court, Farmington Hills Detective Jane Kolas said.

MEMBERS OF Farmington Hills' Special Operations Patrol Team (SPOT) made the arrests at 3:15 a.m. Tuesday.

"We got a call from the hotel clerk, who indicated there were six to eight people who had checked in Sunday and who had paid for three rooms with a VISA card," Havner said.

The clerk told Havner when she became suspicious about the group, she ran a computer check and found the cards were flagged, "indicating fraudulent use," Havner said.

The cards were renewals sent to a Farmington Hills couple March 3. But the couple never received them, Havner said.

THE SUSPECTS allegedly used the cards to buy men's and women's clothing from such stores as Hudson's, Sears, Tom McLean, the Tannery, Havner said.

At the Holiday Inn, the suspects allegedly ran up a bill that covered two nights' lodging, telephone use and room

service that included alcoholic beverages, Havner said.

Only Mundy and Scott were charged, Havner said, "because we couldn't connect the others to actual possession or use of the cards."

"There's a chance, after our investigation is complete, that we may seek additional charges," Havner added.

Ruling brings reaction

Continued from Page 1

ing technicalities in a warrant, that "should be the responsibility of the prosecutors who write warrants and the judges who sign them."

"The prosecutors and judges are the ones who go to law school. They should know the law better than an officer. That's why they review all requests for warrants. It's unfair to have a police officer left holding the bag over a technical error."

White, in his opinion, stated the ruling might reduce the number of borderline warrants, in turn reducing the likelihood that the officer's request for a warrant will be premature."

FRANK LAUBOFF, Farmington Department of Public Safety director, wasn't as critical of the ruling. "We're required to be as good as we can be. And we always try to do that," he said.

"The ruling relates to when an officer was obviously in error," he said. "An officer should always use common sense and be diligent to assure he's arresting the proper person and for proper cause. We strive to be correct in everything we do, especially in an arrest, where the liability is much higher."

"That's why we take extra precautions on any warrant. The biggest problem is when we make arrests for other agencies. We spend extra time and effort cross-checking identities to make sure, in our minds, we did as much as possible to arrest the correct person and for proper cause."

Lauboff said "a prosecutor and judge are only acting off information provided to them. So it stands to reason that if an officer provides them with false or

fictitious information, the fault should lie there. That's what the Supreme Court is reacting to. What you're dealing with is almost malicious intent, where an officer brings forth information he knew was false."

Lauboff sees the ruling perhaps encouraging additional lawsuits. "Any time this kind of ruling is brought into the public's eye, it seems to create additional awareness," he said.

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