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Attorneys for Plaintiff

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF PIMA**

STATE OF ARIZONA,
Plaintiff,

v.

NICHOLAS JOHN MILLER (001),
Counts 1-35

[REDACTED] (002),
Counts 26, 28, 30, 32, 34-35

Defendants.

FILED
GARY L. HARRISON
CLERK, SUPERIOR COURT

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CLERK OF THE
SUPERIOR COURT
J. HOCKERSON, DEP

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D. WANDELL, DEPUTY

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Case No: **CR20242860-001**

94 SGJ 190

INDICTMENT

CHARGING VIOLATIONS OF:

COUNTS 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21: ORGANIZED RETAIL THEFT, a Class 4 Felony, in violation of A.R.S. § 13-1819(A)(1);

COUNTS 6, 15, 22: TRAFFICKING IN STOLEN PROPERTY IN THE SECOND DEGREE, a Class 3 Felony in violation of A.R.S. § 13-2307(A);

COUNTS 23, 24, 25: THEFT, a Class 3 Felony in violation of A.R.S. § 13-1802;

R2A

COUNTS 26, 28, 30, 32: MONEY LAUNDERING IN THE SECOND DEGREE, a Class 3 Felony in violation of A.R.S. § 13-2317(B)(1);

COUNTS 27, 29, 31, 33: FRAUDULENT SCHEMES AND ARTIFICES, a Class 2 Felony in violation of , A.R.S. § 13-2310

COUNT 34: ILLEGALLY CONDUCTING AN ENTERPRISE, a Class 3 Felony, in violation of A.R.S. § 13-2312(B);

COUNT 35: CONSPIRACY, a Class 2 Felony, in violation of A.R.S. § 13-1003.

The State Grand Jury accuses **NICHOLAS JOHN MILLER (001) and ALLISON SUE HUNT (002)**, charging on this 5th day of August, 2024, that in or from Pima County, Arizona:

COUNT ONE
ORGANIZED RETAIL THEFT, A CLASS 4 FELONY

On or about February 21, 2024, **NICHOLAS JOHN MILLER (001)**, acting alone or in conjunction with another person(s) removed merchandise from a retail establishment, Fry's Food Store #117, without paying the purchase price with the intent to resell or trade the merchandise for money or for other value, in violation of A.R.S. §§ 13-1819(A)(1), 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-801.

COUNT TWO
ORGANIZED RETAIL THEFT, A CLASS 4 FELONY

On or about February 22, 2024, **NICHOLAS JOHN MILLER (001)**, acting alone or in conjunction with another person(s) removed merchandise from a retail establishment, Walmart store #5031, without paying the purchase price with the intent to resell or trade the merchandise

for money or for other value, in violation of A.R.S. §§ 13-1819(A)(1), 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-801.

COUNT THREE
ORGANIZED RETAIL THEFT, A CLASS 4 FELONY

On or about February 22, 2024, **NICHOLAS JOHN MILLER (001)**, acting alone or in conjunction with another person(s) removed merchandise from a retail establishment, Fry's Food Store #117, without paying the purchase price with the intent to resell or trade the merchandise for money or for other value, in violation of A.R.S. §§ 13-1819(A)(1), 13-1819(A)(2), 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-801.

COUNT FOUR
ORGANIZED RETAIL THEFT, A CLASS 4 FELONY

On or about February 22, 2024, **NICHOLAS JOHN MILLER (001)**, acting alone or in conjunction with another person(s) removed merchandise from a retail establishment, Fry's Food Store #689, without paying the purchase price with the intent to resell or trade the merchandise for money or for other value, in violation of A.R.S. §§ 13-1819(A)(1), 13-1819(A)(2), 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-801.

COUNT FIVE
ORGANIZED RETAIL THEFT, A CLASS 4 FELONY

On or about February 23, 2024, **NICHOLAS JOHN MILLER (001)** removed merchandise from a retail establishment, Walmart #5031, without paying the purchase price with the intent to resell or trade the merchandise for money or for other value in violation of A.R.S. §§ 13-1819(A)(1), 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-801

COUNT SIX
TRAFFICKING IN STOLEN PROPERTY IN THE SECOND DEGREE,
A CLASS 3 FELONY

From on or about February 20, 2024 to on or about February 22, 2024, **NICHOLAS JOHN MILLER (001)** recklessly trafficked in the property of another that has been stolen, to wit: body and health care products taken from Arizona and mailed to Robert Kedzior in exchange for payment, in violation of A.R.S. §§ 13-2307(A), 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-801, 13-804, 13-811, 13-2313, 13-2314.

COUNT SEVEN
ORGANIZED RETAIL THEFT, A CLASS 4 FELONY

On or about March 5, 2024, **NICHOLAS JOHN MILLER (001)**, acting alone or in conjunction with another person(s) removed merchandise from a retail establishment, Walmart #1218, without paying the purchase price with the intent to resell or trade the merchandise for money or for other value, in violation of A.R.S. §§ 13-1819(A)(1), 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-801.

COUNT EIGHT
ORGANIZED RETAIL THEFT, A CLASS 4 FELONY

On or about March 5, 2024, **NICHOLAS JOHN MILLER (001)**, acting alone or in conjunction with another person(s) removed merchandise from a retail establishment, Target #1960, without paying the purchase price with the intent to resell or trade the merchandise for money or for other value, in violation of A.R.S. §§ 13-1819(A)(1), 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-801.

COUNT NINE
ORGANIZED RETAIL THEFT, A CLASS 4 FELONY

On or about March 6, 2024, **NICHOLAS JOHN MILLER (001)**, acting alone or in conjunction with another person(s) removed merchandise from a retail establishment, Walmart #5031, without paying the purchase price with the intent to resell or trade the merchandise for money or for other value, in violation of A.R.S. §§ 13-1819(A)(1), 13-1819(A)(2), 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-801.

COUNT TEN
ORGANIZED RETAIL THEFT, A CLASS 4 FELONY

On or about March 6, 2024, **NICHOLAS JOHN MILLER (001)**, acting alone or in conjunction with another person(s) removed merchandise from a retail establishment, Target #854, without paying the purchase price with the intent to resell or trade the merchandise for money or for other value, in violation of A.R.S. §§ 13-1819(A)(1), 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-801.

COUNT ELEVEN
ORGANIZED RETAIL THEFT, A CLASS 4 FELONY

On or about March 6, 2024, **NICHOLAS JOHN MILLER (001)**, acting alone or in conjunction with another person(s) removed merchandise from a retail establishment, Walmart #1218, without paying the purchase price with the intent to resell or trade the merchandise for money or for other value, in violation of A.R.S. §§ 13-1819(A)(1), 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-801.

COUNT TWELVE
ORGANIZED RETAIL THEFT, A CLASS 4 FELONY

On or about March 6, 2024, **NICHOLAS JOHN MILLER (001)**, acting alone or in conjunction with another person(s) removed merchandise from a retail establishment, Target #363, without paying the purchase price with the intent to resell or trade the merchandise for money or for other value, in violation of A.R.S. §§ 13-1819(A)(1), 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-801.

COUNT THIRTEEN
ORGANIZED RETAIL THEFT, A CLASS 4 FELONY

On or about March 6, 2024, **NICHOLAS JOHN MILLER (001)**, acting alone or in conjunction with another person(s) removed merchandise from a retail establishment, Fry's Store #621, without paying the purchase price with the intent to resell or trade the merchandise for money or for other value, in violation of A.R.S. §§ 13-1819(A)(1), 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-801.

COUNT FOURTEEN
ORGANIZED RETAIL THEFT, A CLASS 4 FELONY

On or about March 6, 2024, **NICHOLAS JOHN MILLER (001)**, acting alone or in conjunction with another person(s) removed merchandise from a retail establishment, Target Store #1432, without paying the purchase price with the intent to resell or trade the merchandise for money or for other value, in violation of A.R.S. §§ 13-1819(A)(1), 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-801.

COUNT FIFTEEN
TRAFFICKING IN STOLEN PROPERTY IN THE SECOND DEGREE, A
CLASS 3 FELONY

On or about March 7, 2024, **NICHOLAS JOHN MILLER (001)** recklessly trafficked in the property of another that has been stolen, to wit: leaving retail stores with unpaid merchandise, and shipping it to Robert Kedzior in exchange for payment, in violation of A.R.S. §§ 13-2307(A), 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-801, 13-804, 13-811, 13-2313, 13-2314.

COUNT SIXTEEN
ORGANIZED RETAIL THEFT, A CLASS 4 FELONY

On or about March 7, 2024, **NICHOLAS JOHN MILLER (001)**, acting alone or in conjunction with another person(s) removed merchandise from a retail establishment, Walmart #3861, without paying the purchase price with the intent to resell or trade the merchandise for money or for other value, in violation of A.R.S. §§ 13-1819(A)(1), 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-801.

COUNT SEVENTEEN
ORGANIZED RETAIL THEFT, A CLASS 4 FELONY

On or about March 7, 2024, **NICHOLAS JOHN MILLER (001)**, acting alone or in conjunction with another person(s) removed merchandise from a retail establishment, Target #2365, without paying the purchase price with the intent to resell or trade the merchandise for money or for other value, in violation of A.R.S. §§ 13-1819(A)(1), 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-801.

COUNT EIGHTEEN
ORGANIZED RETAIL THEFT, A CLASS 4 FELONY

On or about March 5, 2024, **NICHOLAS JOHN MILLER (001)**, acting alone or in conjunction with another person(s) removed merchandise from a retail establishment, Walmart #4451, without paying the purchase price with the intent to resell or trade the merchandise for money or for other value, in violation of A.R.S. §§ 13-1819(A)(1), 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-801.

COUNT NINETEEN
ORGANIZED RETAIL THEFT, A CLASS 4 FELONY

On or about March 8, 2024, **NICHOLAS JOHN MILLER (001)** removed merchandise from a retail establishment, Walmart #2777, without paying the purchase price with the intent to resell or trade the merchandise for money or for other value, in violation of A.R.S. §§ 13-1819(A)(1), 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-801.

COUNT TWENTY
ORGANIZED RETAIL THEFT, A CLASS 4 FELONY

On or about March 9, 2024, **NICHOLAS JOHN MILLER (001)** removed merchandise from a retail establishment, Fry's Store #117, without paying the purchase price with the intent to resell or trade the merchandise for money or for other value, in violation of A.R.S. §§ 13-1819(A)(1), 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-801

COUNT TWENTY-ONE
ORGANIZED RETAIL THEFT, A CLASS 4 FELONY

On or about March 9, 2024, **NICHOLAS JOHN MILLER (001)** removed merchandise from a retail establishment, Fry's Store #689, without paying the purchase price with the intent to resell or trade the merchandise for money or for other value, in violation of A.R.S. §§ 13-1819(A)(1), 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-801.

COUNT TWENTY-TWO
TRAFFICKING IN STOLEN PROPERTY IN THE SECOND DEGREE, A
CLASS 3 FELONY

On or about March 11, 2024, **NICHOLAS JOHN MILLER (001)** recklessly trafficked in the property of another that has been stolen, to wit: leaving retail stores with unpaid merchandise, and shipping it to Robert Kedzior in exchange for payment, in violation of A.R.S. §§ 13-2307(A), 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-801, 13-804, 13-811, 13-2313, 13-2314.

COUNT TWENTY-THREE
THEFT, A CLASS 3 FELONY

From on or about January 7, 2023 through on or about July 24, 2024, **NICHOLAS JOHN MILLER (001)** committed theft, to wit: removing \$5,785,82 worth of merchandise from Walmart without paying for it, in violation of A.R.S. § 13-1802, 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-801.

COUNT TWENTY-FOUR
THEFT, A CLASS 3 FELONY

From on or about January 7, 2024 through on or about July 24, 2024, **NICHOLAS JOHN MILLER (001)** committed theft, to wit: removing \$7,822.48 worth of merchandise from Fry's without paying for it, in violation of A.R.S. § 13-1802, 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-801

COUNT TWENTY-FIVE
THEFT, A CLASS 3 FELONY

From on or about July 28, 2023 through on or about April 30, 2024, **NICHOLAS JOHN MILLER (001)** committed theft, to wit: removing \$7,327.95 worth of merchandise from Target without paying for it, in violation of A.R.S. § 13-1802, 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-801

COUNT TWENTY-SIX
MONEY LAUNDERING IN THE SECOND DEGREE, A CLASS 3 FELONY

From January 1, 2021 to December 31, 2021, **NICHOLAS JOHN MILLER (001)** and/or [REDACTED] (**002**) committed money laundering by acquiring or maintaining an interest in, transacting, transferring, transporting, receiving or concealing the existence or nature of racketeering proceeds knowing or having reason to know that they are the proceeds of an offense, in violation of A.R.S. § 13-2317(B)(1), 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-801, 13-804, 13-811, 13-2313, 13-2314.

COUNT TWENTY-SEVEN
FRAUDULENT SCHEMES AND ARTIFICES, A CLASS 2 FELONY

From on or about January 1, 2021 to on or about December 31, 2021, **NICHOLAS JOHN MILLER (001)** pursuant to a scheme or artifice to defraud, knowingly obtained a benefit by means of false pretenses, representations, promises, or material omissions, to wit: being paid over \$100,000 by Robert Kedzior for shipment of stolen products in violation of A.R.S. §§ 13-2310(A) and (C), 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-801.

COUNT TWENTY-EIGHT
MONEY LAUNDERING IN THE SECOND DEGREE, A CLASS 3 FELONY

From January 1, 2022 to December 31, 2022, **NICHOLAS JOHN MILLER (001)** and/or [REDACTED] **(002)** committed money laundering by acquiring or maintaining an interest in, transacting, transferring, transporting, receiving or concealing the existence or nature of racketeering proceeds knowing or having reason to know that they are the proceeds of an offense, in violation of A.R.S. § 13-2317(B)(1), 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-801, 13-804, 13-811, 13-2313, 13-2314.

COUNT TWENTY-NINE
FRAUDULENT SCHEMES AND ARTIFICES, A CLASS 2 FELONY

From on or about January 1, 2022 to on or about December 31, 2022, **NICHOLAS JOHN MILLER (001)** Pursuant to a scheme or artifice to defraud, knowingly obtained a benefit by means of false pretenses, representations, promises, or material omissions, to wit: being paid over \$100,000 by ROBERT KEDZIOR for shipment of stolen products in violation of A.R.S. §§ 13-2310(A) and (C), 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-801.

COUNT THIRTY
MONEY LAUNDERING IN THE SECOND DEGREE, A CLASS 3 FELONY

From January 1, 2023 to December 31, 2023 **NICHOLAS JOHN MILLER (001)** and/or [REDACTED] **(002)** committed money laundering by acquiring or maintaining an interest in, transacting, transferring, transporting, receiving or concealing the existence or nature of racketeering proceeds knowing or having reason to know that they are the proceeds of an offense in violation of A.R.S. § 13-2317(B)(1), 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-801, 13-804, 13-811, 13-2313, 13-2314.

COUNT THIRTY-ONE
FRAUDULENT SCHEMES AND ARTIFICES, A CLASS 2 FELONY

From on or about January 1, 2023 to on or about December 31, 2023, **NICHOLAS JOHN MILLER (001)** pursuant to a scheme or artifice to defraud, knowingly obtained a benefit by means of false pretenses, representations, promises, or material omissions, to wit: being paid over \$100,000 by Robert Kedzior for shipment of stolen products, in violation of A.R.S. §§ 13-2310(A) and (C), 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-801.

COUNT THIRTY-TWO
MONEY LAUNDERING IN THE SECOND DEGREE, A CLASS 3 FELONY

From January 1, 2024 to July 24, 2024 **NICHOLAS JOHN MILLER (001)** and/or [REDACTED] **(002)** committed money laundering by acquiring or maintaining an interest in, transacting, transferring, transporting, receiving or concealing the existence or nature of racketeering proceeds knowing or having reason to know that they are the proceeds of an offense, in violation of A.R.S. § 13-2317(B)(1), 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-801, 13-804, 13-811, 13-2313, 13-2314.

COUNT THIRTY-THREE
FRAUDULENT SCHEMES AND ARTIFICES, A CLASS 2 FELONY

From on or about January 1, 2024 to on or about July 24, 2024, **NICHOLAS JOHN MILLER (001)** pursuant to a scheme or artifice to defraud, knowingly obtained a benefit by means of false pretenses, representations, promises, or material omissions, to wit: being paid by Robert Kedzior for shipment of stolen products, in violation of A.R.S. §§ 13-2310(A), 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-801.

COUNT THIRTY-FOUR
ILLEGALLY CONDUCTING AN ENTERPRISE, A CLASS 3 FELONY

From on or about February 1, 2021 to on or about July 25, 2024, **NICHOLAS JOHN MILLER (001)** and/or [REDACTED] (002) were employed by an enterprise, and conducted its affairs through racketeering, or participated directly or indirectly in an enterprise that he knew was being conducted through racketeering. The enterprise included, but was not limited to, Redfox Retail LLC., a group of persons associated in fact including but not limited to **NICHOLAS JOHN MILLER (001)** and [REDACTED] (002), Robert Kedzior and other known or unknown individuals. The alleged racketeering included, but is not limited to:

- Theft, in violation of A.R.S. §13-2301(D)(4)(b)(v)
- Trafficking in stolen property, in violation of A.R.S. § 13-2301(D)(4)(b)(xii)
- A scheme or artifice to defraud, in violation of A.R.S. § 13-2301(D)(4)(b)(xx)
- Money laundering, in violation of A.R.S. § 13-2301(D)(4)(b)(xxvi).

The alleged racketeering includes but is not limited to, the completed and attempted organized retail thefts, theft, trafficking in stolen property, scheme or artifice to defraud and money laundering described in Counts 1 through 33 of this indictment (which are incorporated herein by reference as if set forth in full), violation of A.R.S. §§ 13-2312(B) and (D), 13-2301, 13-108, 13-109, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-703, 13-801, 13-804, 13-811, 13-2313, 13-2314.

COUNT THIRTY-FIVE
CONSPIRACY, A CLASS 2 FELONY

From on or about February 1, 2021 to on or about July 25, 2024, **NICHOLAS JOHN MILLER (001) and/or [REDACTED] (002)** with the intent to promote or aid in the commission of an offense, did agree with one or more persons, including but not limited to **NICHOLAS JOHN MILLER (001) and/or [REDACTED] (002)** and/or others known and/or unknown, that at least one of them or another person would engage in conduct constituting the offenses of:

- **ORGANIZED RETAIL THEFT**, in violation of A.R.S. § 13-1819(A)(1);
- **THEFT**, in violation of A.R.S. § 13-1802;
- **TRAFFICKING IN STOLEN PROPERTY IN THE SECOND DEGREE**, in violation of A.R.S. § 13-2307;
- **MONEY LAUNDERING IN THE SECOND DEGREE**, in violation of A.R.S. § 13-2317(B)(1);
- **FRAUDULENT SCHEMES AND ARTIFICES**, in violation of A.R.S. § 13-2310

in furtherance of this conspiracy and to effect the foregoing objects thereof, these defendants and their co-conspirators did commit numerous overt acts, including but not limited to: the overt acts described in Counts 1 through 33 of this indictment (which are incorporated herein by reference as if set forth in full), in violation of A.R.S. §§ 13-1003, 13-1802, 13-1819, 13-2310, 13-2307, 13-2317, 13-108, 13-109, 13-301, 13-302, 13-304, 13-701, 13-702, 13-703, 13-801, 13-804, 13-811, 13-2313, 13-2314.

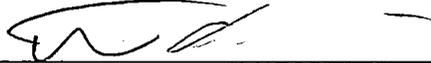
CR20242860-001

Pursuant to A.R.S. § 21-425, the Grand Jurors find that the offenses described above were committed in Pima County, Arizona.

A True Bill
(A "True Bill")

KRISTIN K. MAYES
ATTORNEY GENERAL
STATE OF ARIZONA

Dated: 5 Aug 2024



MATTHEW MCCRAY
Assistant Attorney General



Foreperson of the Grand Jury