UNITED STATES OF AMERICA

NATIONAL CREDIT UNION ADMINISTRATION

NATIONAL CREDIT UNION ADMINISTRATION BOARD

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Tommie A. West

An Institution Affiliated Party and Person Participating in the Affairs of the Bartow Employees Federal Credit Union Adairsville, Georgia

Docket No. 98-0901III

ORDER OF PROHIBITION

Pursuant to Section 206(i)(1) of the Federal Credit Union Act, 12 U.S.C. §1786(i)(1), you are hereby notified that you are prohibited from participating in any manner in the affairs of any federally insured credit union. This prohibition results from activities you engaged in during your affiliation with Bartow Employees Federal Credit Union. This prohibition is effective immediately upon service. In accordance with Section 206(g)(7)(A) of the Federal Credit Union Act, 12 U.S.C. §1786(g)(7)(A), this Order shall constitute a prohibition from further participation in any manner in the affairs of any federally insured financial institution, or other entity identified therein, without the written permission of the appropriate federal regulatory agency. This Order has been issued based upon the following information.

You pleaded guilty to one count of Title 18, United States Code, section 657, embezzlement from a financial institution. You were sentenced on May 17, 1996, by the U.S. District Court for the Northern District of Georgia, to imprisonment for forty-

two (42) months, followed by supervised release for three years, and ordered to pay restitution in the amount of \$900,000. A copy of the Judgment in a Criminal Case, dated May 20, 1996, is attached to this Order as Attachment 1 and is incorporated by reference herein. Because an appeal has not been filed within the time specified by the Federal Rules of Appellate Procedure, your conviction is now final.

The offense of which you were convicted, embezzlement from a financial institution, was committed while you were employed as the manager of the Bartow Employees Federal Credit Union of Adairsville, Georgia. During the annual examination of Bartow Employees Federal Credit Union during October and November 1995, examiners noticed suspicious activity regarding various loans and share accounts. It appeared that a deficit of over \$2.7 million existed at the Bartow Employees Federal Credit Union. Further investigation concluded that you manipulated various accounts to remove money from the credit union. These funds were then used, among other things, to pay

expenses connected with your husband's automobile dealership and a horse farm, purchase a car for yourself, and purchase homes for certain of your children. As a result of your actions (and those of the loan officer), the credit union was rendered insolvent and ultimately was placed into liquidation. At the time of your criminal actions, Bartow Employees Federal Credit Union was a federally chartered and insured credit union.

The offense to which you pleaded guilty involves personal dishonesty and breach of trust. Your continued participation in the affairs of any federally insured credit union may pose a threat to the interests of credit union members and may threaten to impair public confidence in the credit union involved.

NOTICE OF HEARING

Pursuant to Section 206(i)(3), of the Federal Credit Union Act, 12 U.S.C. §1786(i)(3), you may request in writing, within thirty days of service of this Order, an opportunity for a hearing at which you may present evidence and argument that your continued participation in the affairs of any federally insured credit union would not, or would not be likely to, pose a threat to the interests of that credit union's members or threaten to impair public confidence in the credit union. Any such request should be sent to: Secretary of the Board, National Credit Union Administration, 1775 Duke Street, Alexandria, VA 22314-3428. This hearing will be held in the Washington, D.C. metropolitan area, or such other place as designated by the Board, in accordance with Subpart D of Part 747 of NCUA's Rules and Regulations, 12 C.F.R. §747.301 et seq,

PENALTY FOR VIOLATION OF ORDER OF PROHIBITION

Pursuant to Section 206(k)(2) of the Federal Credit Union Act, 12 U.S.C. §1786(k)(2), any violation of this Order may subject you to a Civil Money Penalty of up to \$1,000,000.00 a day for each day said violation continues. In addition, pursuant to Section 206(I) of the Federal Credit Union Act, 12 U.S.C. §1786(I), any violation of this Order is a felony offense that is punishable by imprisonment of up to five years and a fine of up to \$1,000,000.00.

Dated this <u>25th</u> day of August, 1998

National Credit Union Administration

by

/S/

ALONZO A. SWANN, III

Regional Director, Region III

National Credit Union Administration

CERTIFICATE OF SERVICE

This is to certify that I have served the foregoing Order of Prohibition in the Matter of Tommie A. West, by depositing the same with the U.S. Postal Service, certified mail, return receipt requested, addressed to Thomas D. Bever, Esq., Chilivis, Cochran, Larkins & Bever, LLP, 3127 Maple Drive, N.W., Atlanta, Georgia, 30305, attorney for Ms. West.

October 27, 1998	/S/
Date ####################################	n Meltzer
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