

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

UNITED STATES OF AMERICA

CR. NO.:

2:16 cr 115

18 U.S.C. §1349

18 U.S.C. §1348

18 U.S.C. §371

18 U.S.C. §1001(a)(2)

18 U.S.C. §2

18 U.S.C. §1956(a)(3)(B)

18 U.S.C. § 981(a)(1)(C)

18 U.S.C. § 982(a)(1)

28 U.S.C. § 2461(c)

vs.

BRYON SCOTT KEY

RONDALD L. WHEET

INDICTMENT

THE GRAND JURY CHARGES:

GENERAL ALLEGATIONS

At times relevant to this Indictment:

1. The Securities and Exchange Commission ("SEC") is an independent agency of the United States of America charged with enforcing the securities laws of the United States, which is designed to provide the investing public with full disclosure of all material facts regarding the offer, purchase and sale of securities. Under federal securities laws, securities, including stock, must be registered with the SEC prior to the offer or sale, unless exempt from such registration. Securities are registered by the filing of a registration statement on one of several SEC forms.

2. One of the forms in which companies may register securities is SEC Form S-8, which registers stock issued to employee benefit plans. That form may also be used to register

stock issued to consultants or advisors of the company, but only if the consultant or advisor provides *bona fide* services to the registrant and the services are not in connection with the offer or sale of securities in a capital-raising transaction.

3. Revolutions Medical Corporation (“RMCP”) is a Nevada corporation with its principal office in Charleston, South Carolina.

4. From approximately May 2008 until approximately February 2011, RMCP’s stock was quoted on the Over the Counter Electronic Bulletin Board System (“OTCBB”) under the symbol “RMCP.” In approximately February 2011, RMCP’s stock started being quoted on the “OTCQB” platform of the OTC Market Groups, Inc. under the symbol “RMCP.”

5. **BRYON SCOTT KEY** is the Investor Relations Representative and Assistant Sales Manager of RMCP.

6. **RONDALD L. WHEET** is the Chairman and Chief Executive Officer of RMCP.

COUNT ONE

(18 U.S.C. §1349-Conspiracy to Commit Securities Fraud)

7. The allegations at paragraphs 1 through 6 are re-alleged and incorporated herein.

8. From at least as early as in or about August 2010, and continuing through at least in or about July 2013, in the District of South Carolina, and elsewhere, the defendants, **BRYON SCOTT KEY** and **RONDALD L. WHEET**, did knowingly and willfully combine, conspire, confederate, agree and reach a tacit understanding with each other to commit an offense against the United States, namely, Securities Fraud, in violation of Title 18, United States Code, Section 1348.

OBJECT OF THE CONSPIRACY

9. It was an object of the conspiracy that the defendants, **BRYON SCOTT KEY**

and **RONDALD L. WHEET**, did knowingly and intentionally execute a scheme and artifice (a) to defraud persons in connection with securities of an issuer with a class of securities that was registered under Section 12 of the Securities Exchange Act of 1934, to wit, the common stock of RMCP, and (b) to obtain, by means of materially false and fraudulent pretenses and representations, and promises, money and property in connection with the purchase and sale of securities of an issuer with a class of securities that was registered under Section 12 of the Securities Exchange Act of 1934, to wit, the common stock of RMCP.

MANNER AND MEANS OF THE CONSPIRACY

10. It was a part of the conspiracy that the defendants, **BRYON SCOTT KEY** and **RONDALD L. WHEET**, did cause RMCP to fraudulently issue shares of RMCP stock to others using Form S-8. To create the appearance that the shares issued qualified for registration on Form S-8, the defendants, **BRYON SCOTT KEY** and **RONDALD L. WHEET**, prepared and caused the preparation of false and fraudulent consulting agreements between RMCP and the recipients of these shares, purporting to obligate these recipients to perform services, as required in the registration statement, in exchange for "registered" RMCP shares.

11. It was further part of the conspiracy that the defendants, **BRYON SCOTT KEY** and **RONDALD L. WHEET**, did cause RMCP to fraudulently issue shares of RMCP stock to others using Form S-8, including in the following instances, among others:

a. On or about August 2, 2010, pursuant to a fraudulent consulting agreement signed and issued by defendant **RONDALD L. WHEET**, RMCP issued 40,000 shares of stock to Individual A for \$10,000.

b. On or about August 10, 2010, pursuant to a fraudulent consulting agreement signed and issued by defendant **RONDALD L. WHEET**, RMCP issued 20,000 shares of stock

to Individual B for \$5,000.

c. On or about August 27, 2010, pursuant to a fraudulent consulting agreement signed and issued by defendant **RONDALD L. WHEET**, RMCP issued 50,000 shares of stock to Individual C for \$12,500.

d. On or about March 30, 2011, pursuant to a fraudulent consulting agreement signed and issued by defendant **RONDALD L. WHEET**, RMCP issued 100,000 shares of stock to Individual D for \$25,000.

e. On or about April 1, 2011, pursuant to a fraudulent consulting agreement signed and issued by defendant **RONDALD L. WHEET**, RMCP issued 100,000 shares of stock to Individual E/Individual E's company for \$25,000.

f. On or about April 8, 2011, pursuant to a fraudulent consulting agreement signed and issued by defendant **RONDALD L. WHEET**, RMCP issued 150,000 shares of stock to Individual F for \$37,500.

g. On or about April 13, 2011, pursuant to a fraudulent consulting agreement signed and issued by defendant **RONDALD L. WHEET**, RMCP issued 380,000 shares of stock to defendant **BRYON SCOTT KEY**, using the name of Individual G, as a nominee, for \$95,000.

h. On or about April 19, 2011, pursuant to a fraudulent consulting agreement signed and issued by defendant **RONDALD L. WHEET**, RMCP issued 200,000 shares of stock to Individual H for \$50,000.

i. On or about April 26, 2011, pursuant to a fraudulent consulting agreement signed and issued by defendant **RONDALD L. WHEET**, RMCP issued 50,000 shares of stock to Individual I for \$12,500.

j. On or about May 24, 2011, pursuant to a fraudulent consulting agreement signed

and issued by the defendant **RONDALD L. WHEET**, RMCP issued 100,000 shares of stock to Individual J for \$25,000.

k. On or about May 25, 2011, pursuant to a fraudulent consulting agreement signed and issued by the defendant **RONDALD L. WHEET**, RMCP issued 50,000 shares of stock to Individual K for \$12,500.

12. It was further part of the conspiracy that the defendants, **BRYON SCOTT KEY** and **RONDALD L. WHEET**, on the following dates, did cause RMCP to file Form S-1A's with the SEC, which forms falsely stated and represented that shares of RMCP had been issued to numerous consultants for services rendered pursuant to consultant agreements: August 8, 2011; September 23, 2011; November 3, 2011; June 1, 2012; January 29, 2013; and July 19, 2013.

All in violation of Title 18, United States Code, Section 1349.

COUNT TWO
(18 U.S.C. §1348-Securities Fraud)

THE GRAND JURY FURTHER CHARGES:

13. The allegations at paragraphs 1 through 6 and 9 through 12 are re-alleged and incorporated herein.

14. From at least as early as in or about August 2010, and continuing through at least in or about July 2013, in the District of South Carolina, and elsewhere, the defendants, **BRYON SCOTT KEY** and **RONDALD L. WHEET**, did knowingly and intentionally execute a scheme and artifice (a) to defraud persons in connection with securities of an issuer with a class of securities that was registered under Section 12 of the Securities Exchange Act of 1934, to wit, the common stock of RMCP, and (b) to obtain, by means of materially false and fraudulent pretenses and representations, and promises, money and property in connection with the purchase and sale

of securities of an issuer with a class of securities that was registered under Section 12 of the Securities Exchange Act of 1934, to wit, the common stock of RMCP.

In violation of Title 18, United States Code, Section 1348.

COUNT THREE
(18 U.S.C. §371-Conspiracy to Defraud the SEC)

THE GRAND JURY FURTHER CHARGES:

15. The allegations at paragraphs 1 through 6 and 9 through 12 are re-alleged and incorporated herein.

16. From at least as early as in or about August 2010, and continuing through at least in or about July 2013, in the District of South Carolina, and elsewhere, the defendants, **BRYON SCOTT KEY** and **RONDALD L. WHEET**, did knowingly and willfully combine, conspire, confederate, agree and reach a tacit understanding with each other to defraud the United States.

OBJECT OF THE CONSPIRACY

17. It was an object of the conspiracy that the defendants, **BRYON SCOTT KEY** and **RONDALD L. WHEET**, did knowingly and willfully conspire for the purpose of interfering with and obstructing the lawful government functions of the SEC.

MANNER AND MEANS OF THE CONSPIRACY

18. It was a part of the conspiracy that the defendants, **BRYON SCOTT KEY** and **RONDALD L. WHEET**, would by deceit, craft, trickery, and dishonest means, defraud the United States by interfering with and obstructing the lawful government functions of the SEC, as described in paragraphs 10 through 12 of this Indictment.

OVERT ACTS

19. In furtherance of the conspiracy and to accomplish the objects thereof, the

defendants, **BRYON SCOTT KEY** and **RONDALD L. WHEET**, committed the following overt acts, among others, in the District of South Carolina and elsewhere:

a. On or about November 3, 2011, RMCP filed a Form S-1A with the SEC, which form falsely stated and represented that shares of RMCP had been issued to numerous consultants for services rendered pursuant to consultant agreements.

b. On or about April 13, 2011, pursuant to a fraudulent consulting agreement signed and issued by defendant **RONDALD L. WHEET**, RMCP issued 380,000 shares of stock to defendant **BRYON SCOTT KEY**, using the name of Individual G, as a nominee, for \$95,000.

All in violation of Title 18, United States Code, Section 371.

COUNT FOUR
(18 U.S.C. § 1001(a)(2) – False Statement)

THE GRAND JURY FURTHER CHARGES:

20. The allegations at paragraphs 1 through 6 and 9 through 11 are re-alleged and incorporated herein.

21. On or about September 23, 2011, in the District of South Carolina and elsewhere, the defendants, **BRYON SCOTT KEY** and **RONDALD L. WHEET**, as principals, as aiders and abettors, and co-participants in a jointly undertaken criminal activity, did willfully and knowingly make a materially false, fictitious, and fraudulent statement and representation in a matter within the jurisdiction of the executive branch of the Government of the United States, by filing a Form S-1A with the SEC, which form stated and represented that shares of RMCP had been issued to numerous consultants for services rendered pursuant to consultant agreements. The statements and representations were false because, as **BRYON SCOTT KEY** and **RONDALD L. WHEET** then and there knew, no such services had in fact been rendered, the

consultant agreements were a sham, and no shares of stock were issued pursuant to any consultant agreement.

In violation of Title 18, United States Code, Sections 1001(a)(2) and 2.

COUNT FIVE
(18 U.S.C. §1956(a)(3)(B)-Money Laundering)

THE GRAND JURY FURTHER CHARGES:

22. The allegations at paragraphs 1 through 6 and 9 through 12 are re-alleged and incorporated herein.

23. On or about May 30, 2014, in the District of South Carolina, and elsewhere, the defendant, **BRYON SCOTT KEY**, did knowingly conduct and attempt to conduct a financial transaction affecting interstate or foreign commerce involving \$13,000 in U.S. currency represented to be the proceeds of a specified unlawful activity, with intent to conceal and disguise the nature, location, source, ownership, and control of property believed to be proceeds of specified unlawful activity.

In violation of Title 18, United States Code, Section 1956(a)(3)(B).

COUNT SIX
(18 U.S.C. §1956(a)(3)(B)-Money Laundering)

THE GRAND JURY FURTHER CHARGES:

24. The allegations at paragraphs 1 through 6 and 9 through 12 are re-alleged and incorporated herein.

25. On or about August 6, 2014, in the District of South Carolina, and elsewhere, the defendant, **BRYON SCOTT KEY**, did knowingly conduct and attempt to conduct a financial transaction affecting interstate or foreign commerce involving \$17,300 in U.S. currency represented to be the proceeds of a specified unlawful activity, with intent to conceal and

disguise the nature, location, source, ownership, and control of property believed to be proceeds of specified unlawful activity.

In violation of Title 18, United States Code, Section 1956(a)(3)(B).

FORFEITURE

A. SECURITIES FRAUD

1. Upon conviction to violate Title 18, United States Code, Sections 1348 and 1349 as charged in Counts 1-2 of this Indictment, the Defendants, **BRYON SCOTT KEY** and **RONDALD L. WHEET**, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any property, real or personal, which is involved in such violation or which constitutes or is derived from proceeds traceable to such property.

B. MONEY LAUNDERING

1. Upon conviction for violations of Title 18, United States Code, Sections 1956 as charged in Counts 5-6 of this Indictment, the Defendant, **BRYON SCOTT KEY**, shall forfeit to the United States any property, real or personal, constituting, derived from or traceable to proceeds the Defendant obtained directly or indirectly as a result of such offenses and any property, real or personal, involved in a transaction or attempted transaction in violation of 18 U.S.C. § 1956, as charged in the Indictment, or any property traceable to the offense, pursuant to 18 U.S.C. § 982(a)(1) and 28 U.S.C. § 2461(c).

C. The property subject to forfeiture includes, but is not limited to, the following:

A. Cash Proceeds/Money Judgment:

A sum of money equal to all proceeds the Defendants obtained, directly or indirectly, from the offenses charged in Counts 1-2 of the Indictment, that is, a minimum of

\$927,500.00 in United States currency, and all interest and proceeds traceable thereto, for which the Defendants are jointly and severally liable.

B. Cash Proceeds/Money Judgment:

A sum of money equal to all property involved in the money laundering offense charged in Counts 5-6 of the Indictment, that is, a minimum of \$30,300.00 in United States currency, and all interest and proceeds traceable thereto, for which the Defendant is liable.

SUBSTITUTE ASSETS

If any of the property described above, as a result of any act or omission of the

Defendants:

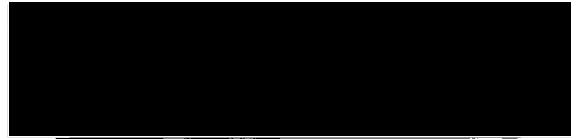
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States of America, pursuant to Title 21, United States Code, Section 853(p) as incorporated by 18 U.S.C. § 982 (b)(1), to seek forfeiture of any other property of the said Defendants up to the value of the above forfeitable property.

Pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and 982(a)(1) and Title 28,

United States Code, Section 2461(c).

A True BILL



FOREPERSON

Nathan C. Williams for
WILLIAM N. NETTLES (dhs)
UNITED STATES ATTORNEY