

FOR IMMEDIATE RELEASE

From: Eric M. Hoffman, Delaware County Prosecuting Attorney
Jeff Stanley, Delaware County Chief Deputy Sheriff
Ed Carroll, Delaware County Auditor
Jan Smoot, Delaware County Recorder
Date: July 17, 2025

PROTECT YOURSELF FROM PROPERTY FRAUD

Muncie Indiana – On July 16, 2025, the Delaware County Sheriff's Department arrested Phoenix Hile (DOB 3/20/1999) for the following criminal offenses: Fraud, a Level 4 Felony, Theft, a Level 5 Felony, Burglary, a Level 5 Felony, Forgery, a Level 5 Felony, Unauthorized entry of a motor vehicle, a Level 6 Felony and Possession of Methamphetamine, a Level 6 Felony. A copy of the affidavit of Probable Cause for Arrest is attached. Once the case and investigation are complete, it will be sent to Delaware County Prosecutor Eric Hoffman for the filing of formal criminal charges. It is important to remember that any accusation that someone has committed a crime, an arrest and/or the filing of a criminal charge is simply an allegation and is not evidence of guilt. All suspects are presumed innocent unless and until proven guilty beyond a reasonable doubt at trial.

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According to the FBI, property and mortgage fraud is the fastest-growing white-collar crime in the United States. Unfortunately, it has become all too easy for a criminal to record a fraudulent deed, making it appear as if they own YOUR home. Once this step is complete, they can use your home as collateral on a mortgage -- or even attempt to sell your home to an unsuspecting buyer. Property and mortgage fraud can be accomplished in several ways such as merely forging your signature and a fake or unscrupulous notary; or, using a fake power of attorney document to execute the fake documents without your consent or knowledge. This can cost property owners their property, money, and peace of mind. Fraudulent transfer of someone's real estate can have devastating consequences for both the owner and the transferee, as well as for other parties involved in the real estate transaction.

Although this type of crime is rare in Indiana, it is on the rise nationwide. By being vigilant and informed, you can protect yourself and your property from fraudsters. The Delaware County Recorder's office has taken a proactive step to provide you with one tool for staying ahead of criminals who prey on property owners. For most people, their property is the biggest investment they will ever make. Let us help protect your property with a FREE [Property Fraud Alert](https://propertyfraudalert.com) (PFA) system. You can sign up for this FREE service by self-registering at <https://propertyfraudalert.com> or by calling the Delaware County Recorder's office

at 765-747-7804 to sign up. Attached is a flyer that contains more information on Property Fraud Alert.

After you have signed up, this FREE program will alert you via email, text, or phone call, if a document that includes your name is recorded in the Delaware County Recorder's Office. Property Fraud Alert is an online subscription service offered to the public that allows them to have their name monitored within the Delaware County Recorder's office in order to track possible fraudulent recordings that affects their property. The threat of mortgage fraud and identity theft crimes continue to rise, and all too often victims of these types of fraudulent activities are unaware their homes or identity have been stolen. While Property Fraud Alert does not prevent fraud from happening; it provides an early warning system for property owners to take appropriate actions should they determine possible fraudulent activity has taken place. It's simple! Just enter your personal and/or business name and you will be notified when a document is recorded with your name match.

If you own real estate, we strongly urge you to enroll in the Property Fraud Alert system. A fraudulent transfer can be challenged and reversed by a court, which means that the property can be restored to the original owner. A fraudulent transfer can also result in civil or criminal penalties, such as fines, damages, restitution, or imprisonment. If you are alerted to a fraudulent action against your real property, it is important to act quickly.

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SIGN UP FOR FREE

PROPERTY FRAUD LERT



PROPERTY FRAUD LERT

PROPERTY FRAUD occurs when someone records a fraudulent document in the county land records office, making it look like they own your home or property.



PROPERTY FRAUD ALERT

is a notification service that alerts subscribers against the possibilities of fraudulent activity being committed against their property.

SIGN UP FOR FREE by visiting PropertyFraudAlert.com, by scanning the QR code with your phone camera, or call the Property Fraud Alert Hotline at 800-728-3858.



Choose how you want to be notified!



Register in English or Spanish
Regístrese en inglés o español

Delaware County Recorder's Office
765-747-7804

STATE OF INDIANA)
DELAWARE COUNTY)

IN THE DELAWARE COUNTY COURT SYSTEM
2025 TERM

AFFIDAVIT OF PROBABLE CAUSE FOR ARREST WITHOUT WARRANT

COMES NOW: Matthew L Kubiak, a police officer of the Delaware County Sheriff's Office, and being first duly sworn upon oath, deposes and says that the following described person was arrested, without Warrant upon the charge(s) and circumstances herein after stated, and makes this affidavit for the purpose of establishing probable cause for said arrest.

NAME OF ARRESTEE: Phoenix Hile D.O.B. 03/20/1999

ADDRESS OF ARRESTEE: 2417 S Hoyt Ave, Muncie, Indiana 47302

DATE OF ARREST: 07/16/2025 TIME OF ARREST: 10:07 AM ☒ PM ☐

CHARGES: <u>Fraud</u>	a class <u>4</u>	Felony <input checked="" type="checkbox"/>	Misdemeanor <input type="checkbox"/>
<u>Theft</u>	a class <u>5</u>	Felony <input checked="" type="checkbox"/>	Misdemeanor <input type="checkbox"/>
<u>Burlary</u>	a class <u>5</u>	Felony <input checked="" type="checkbox"/>	Misdemeanor <input type="checkbox"/>
<u>Forgery</u>	a class <u>6</u>	Felony <input checked="" type="checkbox"/>	Misdemeanor <input type="checkbox"/>
<u>Unauthorized entry of a motor vehicle</u>	a class <u>6</u>	Felony <input checked="" type="checkbox"/>	Misdemeanor <input type="checkbox"/>
<u>Possession of Methamphetamine</u>	a class <u>6</u>	Felony <input checked="" type="checkbox"/>	Misdemeanor <input type="checkbox"/>

The basis and reasons why this officer believes that said arrestee committed the aforesaid offense(s) in Delaware County, State of Indiana, are as follows:

On 7/14/2025 Deputies took a report from the Delaware County Recorder, Jan Smoot. Ms. Smoot said that Phoenix Hile came to the County Building and had all of the "proper" documents needed to transfer a deed into his name which included a notarized Quitclaim Deed. The deed was for the property of 4601 W Eaton Wheeling Pike, Delaware County Indiana. Jan later stated that the actual owner of the property, Carol Tell came in and said that she received a call from a Realtor interested in selling the property. Jan and Carol tell went over the paperwork provided by Phoenix and determined that Carol never sold the property to Phoenix. Jan determined that Phoenix had fraudulently acquired the deed.

I affirm under penalty of perjury that the foregoing is true and accurate to the best of my information and belief.

DATE: 07/16/2025 Officer: SGT Matthew L Kubiak #436

JUDICIAL DETERMINATION

The undersigned, being a judicial officer of Delaware County, and having reviewed the foregoing affidavit, now determines that probable cause existed for the arrest of said arrestee, and now fixes bail in the penal sum of \$ 70,000 - Cash or Surety (2x prior)

Dated: 7/17/25 Signed: Judi A Call Title: Col Judge

PRE-INITIAL HEARING INFORMATION

Pre-initial Hearing Date: _____ Charges to be filed by Date: _____ Time: _____

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NARRATIVE CONTINUED:

On 7/16/2025 Carol Tell called dispatch to report that someone was on her property. When Deputies arrived on scene Phoenix was found in the barn to the west of the residence on the property. I arrived on scene and spoke Paul Tell. Paul said that he did not sign any paperwork and didn't sell the property. I also spoke with Phoenix about the property. Phoenix would not tell me how much he had "bought" the property for but said that he got it from the city. Phoenix had a copy of a "Indiana Quitclaim Deed". Phoenix said that there was a property dispute going on. Phoenix didn't know who they were [Paul/Carol Tell] and that he acquired it "through the city". Phoenix said that how he came into the property was personal and he didn't want to disclose it. Phoenix said that if there is a problem he can leave and figure out who owns the property through court. Phoenix said that he didn't sign the document on anyone's behalf because he can't write cursive. Phoenix was told he was going to be trespassed from the residence until we could figure out what was going on. Phoenix said that he needed to get his tools he had. Phoenix walked over to a vehicle that appeared disabled and parked on the property. Phoenix said that he was getting his tools and reached into the hatch area of a maroon minivan. Phoenix said that the van was already "unlocked". I asked Phoenix if he owned the car and he said that it was already on the property and that "possession is 9/10ths of the law".

I then called Elizabeth Rozelle whom notarized the Quitclaim Deed. Elizabeth said that Phoenix came in around July 7th or 9th. Elizabeth was directed by Phoenix to add Carol and Paul's names to the Quitclaim Deed. Elizabeth said that she probably shouldn't have done that. Elizabeth had never met Phoenix before. It was later confirmed that Paul nor Carol were present for the Notary. It was determined that the notary for the deed to 4601 W Eaton Wheeling Pike was fraudulent making the transfer of the property null and void.

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NARRATIVE CONTINUED:

Phoenix, who was waiting with Cpl Wyatt in a patrol car was asked out of the vehicle. I then placed Phoenix in handcuffs. Per a search incident to arrest completed by Cpl Wyatt, a plastic bag containing 2 grams of a crystal rock like material was located in the pocket of the pants worn by Phoenix. Phoenix immediately stated that the pants were not his when the bag was pulled out of the pocket. The crystal rock like material was not field tested due the potential presence of a hazardous substance including fentanyl however due to my training and experience as law enforcement officer I believe this material to be methamphetamine.

In summary; Phoenix was inside of a barn on a property of another person which he had fraudulently acquired and had documents created to portray him as the owner of. The value of the property is estimated to be \$181,700 according to valuation records. Phoenix in essence, stole the property from Paul and Carol Tell by means of fraud and forgery. Phoenix had also entered the motor vehicle of another person while in the commission of the above listed crimes. As such Phoenix was arrested and remanded to the Delaware County Jail for the above listed crimes including Burglary, Theft, Fraud, Forgery, Unauthorized Entry of a Motor Vehicle, and Possession of Methamphetamine.