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FirstBank Sued After Former Employee Allegedly Drained Dead Man's Checking Account

The estate of John Lindy Steward has filed a lawsuit against FirstBank, alleging negligence after former bank teller Shantenysa Victor allegedly embezzled over \$200,000 from Steward's account following his death.

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Firstbank building in Orange Grove, St. Croix, and Shantenysa Victor. By. V.I. CONSORTIUM/VIPD

ST. CROIX — The estate of a deceased USVI resident is suing FirstBank for allegedly refusing to refund over \$200,000 that was stolen by a rogue employee, according to court documents.

The complaint, which was filed on Friday, details a dispute between FirstBank and the estate of John Lindy Steward, who died in April 2021. Mr. Steward had a checking and savings account with FirstBank. When he died, his checking account balance stood at just over \$200,000, the lawsuit claims.

Mr. Steward's will appointed Reverend Arlington Chaseau of the Sunny Isle Baptist Church as the executor of his estate. The church was also the beneficiary of the late man's estate, including the money in his bank accounts. According to the lawsuit, Mr. Chaseau informed FirstBank of Mr. Steward's death in early May of 2021, bringing a certified copy of the death certificate along. The bank reportedly accepted the certificate, and thus the death of their client was placed on file.

This meant that Mr. Steward's accounts were supposed to have been “frozen,” according to the purported internal policy of the bank.

After informing the bank of Mr. Steward's death, the civil complaint says Mr. Chaseau did not attempt to access the estate's accounts for approximately 2 years, for various reasons. In that time, he did not receive any monthly bank statements for the account, either. However in late December, he received five email notifications of transactions declined for insufficient funds.

Those notifications prompted a trip to the bank in early January 2024. There, Mr. Chaseau was reportedly told that Mr. Steward's checking account had a balance of less than \$100, and thus pending debits were being rejected. He was also reportedly informed that despite Mr. Steward's death certificate being on file, the account had never been frozen or placed on hold, and had been consistently debited starting in May 2021 – the month Mr. Chaseau first informed the bank that Mr. Steward had died. FirstBank reportedly admitted that the debits were “potentially fraudulent” and Reverend Chaseau concluded that visit by submitting a hand-written complaint. The bank reportedly promised to investigate.

After being formally appointed executor of Mr. Steward's estate in May 2024, Mr. Chaseau sought and obtained bank statements for the checking account from 2021 to 2024. Those statements revealed that the debits began in September 2022 – ACH transfers to an unknown Banco Popular account, and payments on a Discover credit card. The ACH transfers occurred weekly, starting at \$500 and increasing to increments of \$3000 and \$4000, while the credit card payments were approximately twice a month, starting at \$200 and growing to one and two thousand dollars at a time. Mr. Steward did not have a Discover credit card, the lawsuit says. Neither was there any authority for anyone to access the checking account after Mr. Steward's death. When he officially became executor of the estate, Mr. Chaseau did not authorize any use of the funds in the account, either. Nevertheless, over the span of about a year, all Mr. Steward's money was gone.

After sending Mr. Chaseau the statement which reflected the extent of the unauthorized transfers, FirstBank reportedly refused to initiate an investigation until Mr. Chaseau filed a police report, despite their earlier promises. According to the lawsuit, the Baptist Revered duly reported the matter to law enforcement in June 2024, and the bank began their probe a month later.

In November of that year, reportedly a month behind schedule, the bank informed Mr. Chaseau that the missing funds had likely been stolen by a former employee. The suspect, 31-year-old Shantenysa Victor, [who was arrested in January](#), had allegedly been siphoning money from Mr. Steward's account since her hiring as a bank teller in 2017—embezzling approximately \$450,000 in total, with nearly half of that amount taken after Mr. Steward's death, according to court documents.

The lawsuit claims that FirstBank's failure to properly supervise its employees resulted in the teller being able to gain unlawful access to Mr. Stewart's account. Their failure to freeze the deceased man's accounts also facilitated the teller's crimes, the complaint alleges, as did their retention of her as an employee for years after she allegedly began stealing from customers in 2017. The bank's failure to conduct a timely investigation and failure to reimburse Mr. Stewart's account are also improper, the lawsuit claims.

Mr. Chaseau has charged the bank with a violation of the Electronic Funds Transfer Act, breach of contract, breach of implied duty of good faith and fair dealing, respondeat superior to their former employee's misconduct, negligence in the hiring, retention, training and supervision of their rogue employee, general negligence and gross negligence as well.

On these seven causes of action, the lawsuit seeks compensatory and punitive damages, as well as costs and fees on behalf of the plaintiff. FirstBank is yet to file an answer to the complaint.

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