

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon.
	:	
v.	:	Crim. No. 15-
	:	
ANGEL ANGULO and	:	18 U.S.C. § 1349
CRYSTAL BANUELOS	:	18 U.S.C. § 1028A(a)(1)
	:	18 U.S.C. § 2

I N D I C T M E N T

The Grand Jury in and for the District of New Jersey, sitting at
Newark, charges:

COUNT ONE

(18 U.S.C. § 1349 – Conspiracy to Commit Bank Fraud)

1. At all times relevant to this Indictment:

Relevant Individuals and Entities

a. Defendant ANGEL ANGULO was a resident of Riverside,
California.

b. Defendant CRYSTAL BANUELOS was a resident of
Bloomington, California.

c. Michaels Stores, Inc. (“Michaels”) operated retail stores
throughout the United States, including locations throughout New Jersey, and
was headquartered in Texas.

d. The following banks were financial institutions, as that term
was defined in Title 18, United States Code, Section 20, whose deposits were
insured by the Federal Deposit Insurance Corporation (“FDIC”): U.S. Bank
National Association; BMO Harris Bank N.A.; Bank of America, N.A.; JPMorgan

Chase Bank, N.A.; TD Bank, N.A.; Beneficial Bancorp, Inc.; and Wells Fargo Bank, N.A. (collectively referred to as “Financial Institutions”).

The Conspiracy

2. From in or about April 2011 through in or about May 2011, in Essex County and Camden County, in the District of New Jersey and elsewhere, defendants

ANGEL ANGULO and
CRYSTAL BANUELOS

did knowingly and intentionally conspire and agree with each other and others to execute a scheme and artifice to defraud the Financial Institutions, and to obtain money, funds, assets, and other property owned by, and under the custody and control of, the Financial Institutions, by means of materially false and fraudulent pretenses, representations, and promises, contrary to Title 18, United States Codes, Section 1344.

The Object of the Conspiracy

3. It was the object of the conspiracy for defendant ANGULO, defendant BANUELOS, and others to enrich themselves by: installing devices on point of sale (“POS”) terminals at Michaels that acquired customers’ bank account and personal identification number (“PIN”) information (the “Stolen Account Information”); using this Stolen Account Information to produce counterfeit bank cards (“Counterfeit Cards”); and using the Counterfeit Cards and stolen PINs to withdraw funds from the compromised bank accounts.

The Manner and Means of the Conspiracy

4. It was part of the conspiracy that conspirators replaced approximately 88 POS terminals in 80 different stores operated by Michaels across 19 states, including in the District of New Jersey, with counterfeit POS devices that recorded and stored the Stolen Account Information from each swiped credit or debit card transaction.

5. It was further part of the conspiracy that each counterfeit POS device was equipped with wireless technology whereby conspirators wirelessly retrieved the Stolen Account Information without having to retrieve the counterfeit POS devices.

6. It was further part of the conspiracy that between in or about February 2011 and in or about April 2011, conspirators compromised approximately 94,000 debit and credit card account numbers from customers at a number of Michaels's locations across the United States, including in the District of New Jersey.

7. It was further part of the conspiracy that between in or about April 2011 and in or about May 2011, defendant ANGULO, defendant BANUELOS, and others obtained Counterfeit Cards with the corresponding PIN numbers written on them from other conspirators.

8. It was further part of the conspiracy that defendant ANGULO, defendant BANUELOS, and others subsequently used the Counterfeit Cards and

stolen PIN information at automated teller machines ("ATMs"), including ATMs located in the District of New Jersey, to withdraw funds from hundreds of compromised bank accounts.

9. It was further part of the conspiracy that on or about May 14, 2011, in the District of New Jersey, defendant ANGULO and defendant BANUELOS possessed approximately 179 Counterfeit Cards containing Stolen Account Information belonging to approximately 179 different individuals.

10. It was further part of the conspiracy that, using the manner and means described above, defendant ANGULO and defendant BANUELOS fraudulently obtained over \$420,000 from the Financial Institutions and attempted to obtain at least an additional \$129,000 from the Financial Institutions.

In violation of Title 18, United States Code, Section 1349.

COUNT TWO

(18 U.S.C. § 1028A(a)(1) - Aggravated Identity Theft)

1. The allegations set forth in paragraphs 1 and 3 through 10 of Count One of this Indictment are realleged and incorporated as if fully set forth herein.

2. On or about May 14, 2011, in Camden County, in the District of New Jersey and elsewhere, defendant

ANGEL ANGULO

did knowingly possess, and use, without lawful authority, a means of identification of another person, namely, a debit card number ending in XXXX-XXXX-XXXX-1969 and a corresponding PIN number, during and in relation to a felony violation of a provision contained in Chapter 63 of the United States Code, that is, conspiracy to commit bank fraud, in violation of Title 18, United States Code, Section 1349, charged in Count One of this Indictment.

In violation of Title 18, United States Code, Section 1028A(a)(1) and Title 18, United States Code, Section 2.

COUNT THREE

(18 U.S.C. § 1028A(a)(1) - Aggravated Identity Theft)

1. The allegations set forth in paragraphs 1 and 3 through 10 of Count One of this Indictment are realleged and incorporated as if fully set forth herein.

2. On or about May 14, 2011, in Camden County, in the District of New Jersey and elsewhere, defendant

CRYSTAL BANUELOS

did knowingly possess, and use, without lawful authority, a means of identification of another person, namely, a debit card number ending in XXXX-XXXX-XXXX-2868 and a corresponding PIN number, during and in relation to a felony violation of a provision contained in Chapter 63 of the United States Code, that is, conspiracy to commit bank fraud, in violation of Title 18, United States Code, Section 1349, charged in Count One of this Indictment.

In violation of Title 18, United States Code, Section 1028A(a)(1) and Title 18, United States Code, Section 2.

FORFEITURE ALLEGATIONS

1. The allegations contained in all paragraphs of Count One of this Indictment are hereby realleged and incorporated by reference for the purpose of noticing forfeitures pursuant to Title 18, United States Code, Section 982(a)(2)(A).

2. The United States hereby gives notice to the defendants charged in Count One of this Indictment that, upon conviction of the offenses charged in that count, the government will seek forfeiture, in accordance with Title 18, United States Code, Section 982(a)(2)(A), of any and all property, real or personal, that constitutes or is derived from proceeds traceable to the violation of Title 18, United States Code, Section 1349, alleged in Count One of this Indictment.

3. If by any act or omission of the defendant, any of the property subject to forfeiture described in paragraph 2 herein:

- 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 subdivided without difficulty,

the United States of America will be entitled to forfeiture of substitute property up to the value of the property described above in paragraph 2, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

A TRUE BILL,

FOREPERSON



PAUL J. FISHMAN
United States Attorney

CASE NUMBER: 15-

**United States District Court
District of New Jersey**

UNITED STATES OF AMERICA

v.

**ANGEL ANGULO and
CRYSTAL BANUELOS**

INDICTMENT FOR
18 U.S.C. § 1349
18 U.S.C. § 1028A(a)(1)
18 U.S.C. § 2

A True Bill,

Foreperson

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