

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA)
)
) No.
)
JACQUELINE CRUZ) Violation: Title 18, United States Code,
) Section 1341

COUNT ONE

The SPECIAL MARCH 2013 GRAND JURY charges:

1. At times material to this indictment:

 a. Defendant JACQUELINE CRUZ was employed at American Escrow LLC, an escrow company with offices at 404 North May Street, Chicago, Illinois.

 b. Defendant CRUZ's duties at American Escrow included, among other things, accounting, management of customer accounts, issuing company checks, and overseeing the payment of customers' real estate taxes and private mortgage insurance.

 c. Defendant CRUZ maintained control over bank accounts at Chase Bank in the name of American Escrow.

 d. Defendant CRUZ maintained control over a bank account in her own name at TCF Bank.

2. Beginning no later than May 3, 2005, and continuing until at least March 23, 2009, in the Northern District of Illinois, Eastern Division, and elsewhere,

JACQUELINE CRUZ,

defendant herein, devised, intended to devise, and participated in a scheme to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and by concealment of material facts, which scheme is further described below.

3. It was part of the scheme that defendant CRUZ obtained approximately \$412,000 from American Escrow during the course of her employment by writing approximately 122 checks from American Escrow's Chase bank account to be payable to defendant CRUZ, knowing that these checks were unauthorized and that she was not entitled to the funds.

4. It was further part of the scheme that when defendant CRUZ fraudulently wrote the checks to herself from American Escrow's Chase bank account, she either forged the signature of American Escrow's president on the checks or signed the checks herself. Defendant CRUZ knew she was not authorized to sign the president's name or her name on those checks and that she was not entitled to the funds.

5. It was further part of the scheme that defendant CRUZ, knowing that she was not entitled to the fraudulent checks, deposited the checks into her personal bank account at TCF Bank and spent the money on her personal expenses, including mortgage payments, car payments, restaurants, and other entertainment-related expenses.

6. It was further part of the scheme that defendant CRUZ concealed the scheme from American Escrow customers by mailing and causing to be mailed false escrow account activity statements, which included account balances for the customers that defendant knew were false

because the amounts did not account for the money that CRUZ improperly diverted by writing the fraudulent checks.

7. It was further part of the scheme that defendant CRUZ did misrepresent, conceal, and hide, and caused to be misrepresented, concealed, and hidden, acts done in furtherance of the scheme and the purpose of those acts.

8. It was further part of the scheme that as a result of her false and fraudulent pretenses, representations, promises, and concealment of material facts, defendant CRUZ obtained at least approximately \$412,000 from American Escrow and caused losses in at least that amount.

9. On or about March 6, 2009, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

JACQUELINE CRUZ,

defendant herein, for the purpose of executing the scheme to defraud, knowingly caused to be deposited, to be sent and delivered by U.S. mail, according to the direction thereon, an envelope containing an Escrow Account Activity Detail statement from American Escrow addressed to Individual A at an address in Lebanon, Indiana;

In violation of Title 18, United States Code, Section 1341.

COUNT TWO

The SPECIAL MARCH 2013 GRAND JURY further charges:

1. The allegations in paragraphs 1 through 8 of Count One of this indictment are incorporated here.

2. On or about March 23, 2009, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

JACQUELINE CRUZ,

defendant herein, for the purpose of executing the scheme to defraud, knowingly caused to be deposited, to be sent and delivered by U.S. mail, according to the direction thereon, an envelope containing an Escrow Account Activity Detail statement from American Escrow addressed to Individual B at an address in Bethel Park, Pennsylvania;

In violation of Title 18, United States Code, Section 1341.

COUNT THREE

The SPECIAL MARCH 2013 GRAND JURY further charges:

1. The allegations in paragraphs 1 through 8 of Count One of this indictment are incorporated here.

2. On or about March 23, 2009, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

JACQUELINE CRUZ,

defendant herein, for the purpose of executing the scheme to defraud, knowingly caused to be deposited, to be sent and delivered by U.S. mail, according to the direction thereon, an envelope containing an Escrow Account Activity Detail statement from American Escrow addressed to Individual C at an address in McKees Rocks, Pennsylvania;

In violation of Title 18, United States Code, Section 1341.

FORFEITURE ALLEGATION

The SPECIAL MARCH 2013 GRAND JURY further charges:

1. The allegations of Counts One through Three of this Indictment are incorporated here for the purpose of alleging forfeiture 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).

2. As a result of the offenses charged in Counts One through Three of this Indictment,

JACQUELINE CRUZ,

defendant herein, shall forfeit to the United States any and all right, title, and interest she has in any property, real and personal, which is derived from proceeds traceable to the offenses in Counts One through Three.

3. The interests of defendant subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C) as incorporated by Title 28, United States Code, Section 2461(c), include but are not limited to approximately \$412,623.

4. If, as a result of any act or omission by the defendant, any of the forfeitable property described above:

- 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,

the United States shall be entitled to forfeiture of substitute property under the provisions of Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

All pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c).

A TRUE BILL:

FOREPERSON

UNITED STATES ATTORNEY