
**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA : Hon. Steven C. Mannion
 :
 v. : Mag. No. 14-6080 (SCM)
 :
 ALPESHKUMAR PATEL and :
 VIJAYKUMAR PATEL : **CRIMINAL COMPLAINT**

I, Robert Sica, being duly sworn, state the following is true and correct to the best of my knowledge and belief:


SEE ATTACHMENT A

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

I further state that I am a Special Agent with the Federal Bureau of Investigation, and that this complaint is based on the following facts:

SEE ATTACHMENT B

continued on the attached page and made a part hereof.



Robert Sica, Special Agent
Federal Bureau of Investigations

Sworn to before me, and
subscribed in my presence

October 27, 2014 at
Newark, New Jersey

HONORABLE STEVEN C. MANNION
UNITED STATES MAGISTRATE JUDGE



Signature of Judicial Officer

ATTACHMENT A

From in or about September 2013 through in or about March 2014, in the District of New Jersey and elsewhere, defendants ALPESHKUMAR PATEL and VIJAYKUMAR PATEL did knowingly and intentionally conspire and agree with each other and others to devise a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and, for the purpose of executing such scheme and artifice to defraud, did transmit and cause to be transmitted by means of wire communications in interstate and foreign commerce, certain writings, signs, signals, pictures, and sounds, contrary to Title 18, United States Code, Section 1343.

ATTACHMENT B

I, Robert Sica, am a Special Agent with the Federal Bureau of Investigation ("FBI"). I am fully familiar with the facts set forth herein based on my own investigation, my conversations with other law enforcement officers, and my review of reports, documents, and other evidence. Because this complaint is being submitted for a limited purpose, I have not set forth each and every fact that I know concerning this investigation. Where statements of others are related herein, they are related in substance and in part unless otherwise indicated. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged.

Summary of the Criminal Conspiracy

1. The FBI is investigating an extortion scheme. Pursuant to the scheme, conspirators purchase prepaid reloadable debit cards and register them in a name other than the names of the conspirators. The conspirators then contact, typically by phone, victims, and, through threat or trickery, cause the victims to fund cards they control. The conspirators then sue the cards to fraudulently fund the prepaid debit cards. The conspirators then use the fraudulently funded prepaid debit cards to purchase money orders, which are, in turn, deposited into checking accounts. All of this is done quickly and before law enforcement or the victims can identify the conspirators or reverse the fraudulent transfers to the prepaid debit cards.

Background

2. At all times relevant to this complaint:

a. Green Dot Corporation ("Green Dot") was an entity that, among other things, sold prepaid reloadable debit cards ("Green Dot Cards"). Green Dot Cards, once funded, could be used to make purchases. In order to fund a Green Dot Card individuals using the cards were first required to register the card telephonically or on-line by providing, inter alia, a name, address, telephone number, date of birth and social security number.

b. There were several ways to fund a Green Dot Card. One involved the purchase of a MoneyPak card from retail stores such as Walgreens and CVS in amounts from \$20.00 up to \$500.00. Once purchased, the customer could, using a code (PIN number) on the back of the MoneyPak card, authorize a transfer of funds from the MoneyPak card to a prepaid debit card account. For instance, a customer that purchased a \$500 MoneyPak could provide the PIN code associated with their MoneyPak to an individual who had a Green Dot Card.

The Green Dot Card holder could then effect the transfer through Green Dot's website or by calling Green Dot's toll free number and providing both the Green Dot Card number and the MoneyPak PIN code. Because MoneyPaks could be purchased anonymously, they were favored by individuals engaged in criminal conduct.

The Investigation

3. On September 10, 2013, at 5:15 p.m., a retail store located in New Jersey received a telephone call from an unknown caller. The caller stated that there was a bomb in the store and that the store manager had five minutes to comply with the caller's demands or the bomb would detonate. The caller then demanded that the manager load 10 \$500 MoneyPaks and provide the caller with the associated PIN codes. In response, the manager provided the caller with the code for one \$500 MoneyPak. Prior to the manager providing any additional codes, law enforcement arrived at the store, instructed the manager to hang up the phone, and evacuated the building.

4. Law enforcement obtained the MoneyPak PIN code that the manager provided to the unknown caller. Green Dot records reveal that the \$500 associated with this code was transferred to an existing Green Dot Card. Records obtained from Green Dot further reveal that this Green Dot Card was purchased that same day at a CVS in Philadelphia, Pennsylvania.

5. Surveillance video obtained from that CVS shows defendant ALPEHKUMAR PATEL in the CVS at the approximate time when the Green Dot Card was purchased.

6. Records obtained from Green Dot further reveal that on September 10, 2013, the Green Dot Card in question was used to purchase two MoneyGram money orders at a Walmart in Pennsylvania. One money order was in the amount of \$948.00 and the other was in the amount of \$239.00. Video surveillance from the Walmart shows defendant VIJAYKUMAR PATEL purchasing these money orders.

7. Records obtained from MoneyGram reveal that the two money orders were deposited into a bank account at a bank in Philadelphia, Pennsylvania on September 11, 2013. The bank's video surveillance shows defendant VIJAYKUMAR PATEL depositing these money orders.

8. Between August 2013 and March 2014 numerous other retail stores received calls similar to the one discussed in paragraph three above. In a total of approximately twenty calls, MoneyPak PIN codes were provided to the callers.

These codes were linked to Green Dot Cards having a total value of approximately \$25,000.

9. On approximately five of these occasions the store receiving the call was able identify the calling number as a phone number ending in 5728 (the "5728 Number"). Records for the 5728 Number reveal that: (1) the calls were made using this number over the internet; and (2) at the times of the calls, the number was assigned an Internet Protocol ("IP") address that was located in India; (3) from 4:41 p.m. through 5:22 p.m. on September 10, 2013, the 5728 Number called the retail store referenced in paragraph three above on approximately four occasions.

10. As stated in paragraph eight, on approximately twenty occasions MoneyPak PIN codes were provided by various retailers in response to a call. The codes were then used to fund numerous Green Dot Cards. Green Dot records show that approximately 17 telephone numbers and 11 IP addresses were used to register or access information concerning these fraudulently funded Green Dot Cards.

11. Green Dot records further reveal that these 17 telephone numbers and 11 IP addresses were associated with approximately 2,500 additional Green Dot Cards that received in excess of \$5,800,000. Approximately \$250,000 of the more than \$5,800,000 was transferred to/from some these 2,500 Green Dot Cards in the New Jersey/Philadelphia area. The investigation has revealed that concerning the purchase of some of these Green Dot Cards:

A. defendant ALPESHKUMAR PATEL was in a CVS on September 10, 2013, at the approximate time when five Green Dot Cards were purchased (one of which was used in connection with the retail store call described above). Each card was purchased by putting the minimum \$10 on the card.

B. defendant VIJAYKUMAR PATEL was in a CVS on October 1, 2013, at the approximate time when ten Green Dot Cards were purchased. Each card was purchased by putting the minimum \$10 on the card.

C. defendant VIJAYKUMAR PATEL was in a CVS on October 28, 2013, at the approximate time when ten Green Dot Cards were purchased. Each card was purchased by putting the minimum \$10 on the card.

12. The investigation has also revealed that concerning the use of these Green Dot Cards to purchase money orders:

A. defendant ALPESHKUMAR PATEL was in a Walmart on September 5, 2013, at the approximate time when one of these Green Dot Cards, which was not registered in his name, was used to purchase a money order.

B. defendant ALPESHKUMAR PATEL was in a different Walmart on September 5, 2013, at the approximate time when one these Green Dot Cards, which was not registered in his name, was used to purchase a money order.

C. defendant ALPESHKUMAR PATEL was in a Walmart on September 9, 2013, at the approximate time when one of these Green Dot Cards, which was not registered in his name, was used to purchase a money order.

D. defendant VIJAYKUMAR PATEL was in a second Walmart on September 9, 2013, at the approximate time when one of these Green Dot Cards, which was not registered in his name, was used to purchase a money order.

E. defendants ALPESHKUMAR PATEL and VIJAYKUMAR PATEL were in a third Walmart on September 9, 2013, at the approximate time when one of these Green Dot Cards, which was not registered in either of their names, was used to purchase money orders.

F. defendants ALPESHKUMAR PATEL and VIJAYKUMAR PATEL were in a Walmart on September 11, 2013, at the approximate time when three of these Green Dot Cards, which were not registered in either of their names, were used to purchase money orders.

G. defendant VIJAYKUMAR PATEL was inside a Walmart on September 20, 2013, at the approximate time when one of these Green Dot Cards, which was not registered in his name, was used to purchase a money order.

13. One of the 17 phone numbers referred to in paragraph ten is a phone number ending in 4095 (the "4095 Number"). The investigation has revealed that this number: (a) is associated with more than 500 of the 2,500 cards discussed above; (b) called Green Dot on approximately seventeen occasions between 5:01 p.m. and 5:43 p.m. on September 10, 2013 (the date and time the

of the threat call referenced in paragraph three); (c) was used on September 10, 2013, to access the Green Dot Card referenced in paragraph four on eight occasions; and (d) between 5:01 p.m. and 5:43 p.m. on September 10, 2013, the 4095 Number was assigned an IP address that resolved to a location in India.

14. The investigation has further revealed that the 4095 Number: (a) called a telephone number subscribed to defendant ALPESHKUMAR PATEL on approximately seven occasions between 5:01 p.m. and 6:09 p.m. on September 10, 2013; (b) called a different telephone number associated with defendant ALPESHKUMAR PATEL on approximately 1,210 occasions between July 25, 2013, and October 3, 2013; and (c) called a telephone number associated with defendant VIJAYKUMAR PATEL on approximately six occasions between July 25, 2013, and October 3, 2013.

15. On or about March 27, 2014, law enforcement executed a court authorized search of defendants' residence. Law enforcement seized numerous items from the residence, including Green Dot Cards, empty Green Dot Card cases; Money Orders; and deposit slips.

16. Law enforcement also recovered numerous telephones belonging to defendants ALPESHKUMAR PATEL and VIJAYKUMAR PATEL from the residence. On those telephones, law enforcement observed hundreds if not thousands of communications involving the purchase of Green Dot Cards or Money Orders and the depositing of Money Orders into bank accounts. Many of these communications were between either defendant ALPESHKUMAR PATEL or defendant VIJAYKUMAR PATEL and other individuals in which either: (a) an individual instructed either defendant ALPESHKUMAR PATEL or VIJAYKUMAR PATEL to purchase Green Dot Cards; (b) defendant ALPESHKUMAR PATEL or VIJAYKUMAR PATEL advised an individual that Green Dot Cards were purchased; (c) an individual told defendant ALPESHKUMAR PATEL or VIJAYKUMAR PATEL the available balance on Green Dot Cards; (d) defendant ALPESHKUMAR PATEL or VIJAYKUMAR PATEL told an individual that Money Orders were purchased; (e) an individual instructed either defendant ALPESHKUMAR PATEL or VIJAYKUMAR PATEL to deposit specific amounts into specific bank accounts; or (f) defendant ALPESHKUMAR PATEL or VIJAYKUMAR PATEL advised an individual that the deposits were made.

17. In addition, law enforcement observed on one of defendant ALPESHKUMAR PATEL's cellular telephones a series of communications on January 23, 2014, in which defendant ALPESHKUMAR PATEL and an individual I believe to be located in India are discussing what I believe is defendant ALPESHKUMAR PATEL's criminal activity in the United States. During the discussion, the two individuals talk about how much money defendant ALPESHKUMAR PATEL is making. The two individuals also discuss what could

happen to defendant ALPESHKUMAR PATEL if his criminal activities are discovered. The other individual tells defendant ALPESHKUMAR PATEL that a student doing similar activity will be sent to India (by this I believe the individual meant deported) if the student was caught. The individual then tells defendant ALPESHKUMAR PATEL, "But if you guy than going to jail[.]" Defendant ALPESHKUMAR PATEL responded, "Ya I know[.]"

18. During interviews conducted in connection with the court-authorized search, both defendants maintained their innocence but provided false information to law enforcement. For instance, defendant VIJAYKUMAR PATEL claimed that he had only used Green Dot cards to purchase money orders on 2-3 occasions and that he had only been buying money orders for approximately two months. The investigation, though, has revealed that defendant VIJAYKUMAR PATEL conducted such activity for at least six months and on numerous occasions. Defendant ALPESHKUMAR PATEL told law enforcement that he had worked at a specific store and was earning \$2,800 to \$3,000 a month. The investigation, however, has revealed that defendant ALPESHKUMAR did not work at this store.

19. The investigation has revealed that defendants ALPESHKUMAR PATEL and VIJAYKUMAR PATEL have taken steps to hide their conspiracy from others. Among other things:

A. The defendants used numerous rental vehicles in connection with their activity even though defendant ALPESHKUMAR PATEL owned his own car.

B. The defendants travelled to numerous different retail stores to purchase Green Dot Cards and Money Orders, including different stores on the same day, instead of continually using the retail stores closest to their home.

C. Defendant ALPESHKUMAR PATEL told a retail store employee that he purchased Green Dot Cards to give out as gifts at his car dealership. The investigation has revealed that defendant ALPESHKUMAR PATEL does not own or work at a car dealership.

D. In response to a question about an identification document, defendant ALPESHKUMAR PATEL told a different retail store employee that he and defendant VIJAYKUMAR PATEL did not have a home address because they worked on a ship. The investigation has revealed that defendants ALPESHKUMAR PATEL and VIJAYKUMAR PATEL do not work on a ship.