

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

**INDICTMENT**

- v. - :

S2 10 Cr. 1149 (KMK)

ALICIA HOLMES, :

a/k/a "Alicia Pimentel," :

a/k/a "Alicia Xiomara de Pimentel," :

a/k/a "Alicia Ferrer," :

a/k/a "Alicia De Pimentel," :

a/k/a "Anna Alicia," :

a/k/a "Sybil Figuerra," :

a/k/a "Alicia Figueroa," :

a/k/a "Anna Ferrer," :

USDC SDNY  
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DATE FILED: 12-6-12

Defendant. :

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**COUNT ONE**  
**(Wire Fraud)**

The Grand Jury charges:

**The Scheme to Defraud**

1. From at least in or about April 2007 through in or about May 2011, ALICIA HOLMES, a/k/a "Alicia Pimentel," a/k/a "Alicia Xiomara de Pimentel," a/k/a "Alicia Ferrer," a/k/a "Alicia De Pimentel," a/k/a "Anna Alicia," a/k/a "Sybil Figuerra," a/k/a "Alicia Figueroa," a/k/a "Anna Ferrer," the defendant, devised and operated a fraudulent scheme by which she obtained money, property, services, and accommodation from various individuals and entities, including, but not limited to, hotel managers and staff, real estate brokers, property builders, home owners, and school administrators (the "Victims") by making false and fraudulent representations to the Victims in emails,

telephone calls, contracts, promissory notes, and letters.

2. In furtherance of the scheme to defraud, ALICIA HOLMES, a/k/a "Alicia Pimentel," a/k/a "Alicia Xiomara de Pimentel," a/k/a "Alicia Ferrer," a/k/a "Alicia De Pimentel," a/k/a "Anna Alicia," a/k/a "Sybil Figuerra," a/k/a "Alicia Figueroa," a/k/a "Anna Ferrer," the defendant, represented to the Victims, in substance and in part, that:

a. HOLMES owned and/or was about to own certain high-end residential properties, including homes valued between approximately \$6,255,000 and \$17,000,000 (the "High-End Properties");

b. HOLMES resided and was authorized to receive mail at certain addresses in Virginia, North Carolina, New York, Maryland, and elsewhere (the "Addresses");

c. HOLMES would gain access within a short period of time to assets of great value, including as soon as the next few days (the "Funds");

d. HOLMES required financial assistance from the Victims until she was in possession of the Funds; and

e. HOLMES intended to use the Funds (1) to purchase specific additional high-end residential properties, including residences offered for sale for approximately \$400,000 to \$15,000,000, which purchases would result in financial gains to the Victims, and/or (2) to pay money that she owed to the Victims.

3. At all times relevant to this Indictment, ALICIA HOLMES, a/k/a "Alicia Pimentel," a/k/a "Alicia Xiomara de Pimentel," a/k/a "Alicia Ferrer," a/k/a "Alicia De Pimentel," a/k/a "Anna Alicia," a/k/a "Sybil Figuerra," a/k/a "Alicia Figueroa," a/k/a "Anna Ferrer," the defendant, did not have or reasonably expect to have access to the Funds; did not own and was not about to own the High-End Properties; did not reside at and was not authorized to receive mail at the Addresses; and knew the representations described in paragraph 2 of this Indictment were false at the time she made them.

4. As a result of one or more of the false representations described in paragraph 2 of this Indictment, ALICIA HOLMES, a/k/a "Alicia Pimentel," a/k/a "Alicia Xiomara de Pimentel," a/k/a "Alicia Ferrer," a/k/a "Alicia De Pimentel," a/k/a "Anna Alicia," a/k/a "Sybil Figuerra," a/k/a "Alicia Figueroa," a/k/a "Anna Ferrer," the defendant, fraudulently obtained money, property, services, and accommodation from the Victims and caused the Victims to incur financial losses.

**Statutory Allegation**

5. From at least in or about April 2007 through in or about May 2011, in the Southern District of New York and elsewhere, ALICIA HOLMES, a/k/a "Alicia Pimentel," a/k/a "Alicia Xiomara de Pimentel," a/k/a "Alicia Ferrer," a/k/a "Alicia De Pimentel," a/k/a "Anna Alicia," a/k/a "Sybil Figuerra," a/k/a "Alicia Figueroa," a/k/a "Anna Ferrer," the defendant, including

while on release pursuant to an order of the United States District Court for the Southern District of New York, dated on or about May 5, 2010, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, transmitted and caused to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, to wit, for the purpose of executing the scheme to defraud set forth in paragraphs 1 through 4 above, HOLMES made false and fraudulent representations in interstate emails and interstate telephone calls and thereby obtained money, property, services, and accommodation under false pretenses.

(Title 18, United States Code, Sections 1343 and 3147(1).)

**COUNT TWO**  
**(Mail Fraud)**

The Grand Jury further charges:

6. The allegations contained in paragraphs 1 through 4 above are hereby repeated, realleged, and incorporated by reference as if fully set forth herein.

7. From at least in or about September 2008 through in or about May 2011, in the Southern District of New York and elsewhere, ALICIA HOLMES, a/k/a "Alicia Pimentel," a/k/a "Alicia Xiomara de Pimentel," a/k/a "Alicia Ferrer," a/k/a "Alicia De

Pimentel," a/k/a "Anna Alicia," a/k/a "Sybil Figuerra," a/k/a "Alicia Figueroa," a/k/a "Anna Ferrer," the defendant, including while on release pursuant to an order of the United States District Court for the Southern District of New York, dated on or about May 5, 2010, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, for the purpose of executing such scheme and artifice and attempting so to do, did place in a post office and authorized depository for mail matter, matters and things to be sent and delivered by the Postal Service, and did deposit and cause to be deposited matters and things to be sent and delivered by private and commercial interstate carriers, and did take and did receive therefrom, and did cause to be delivered by mail and such carriers, according to the direction thereon, such matters and things, to wit, for the purpose of executing the scheme to defraud set forth in paragraphs 1 through 4 above, HOLMES caused individuals, including, in or about September and October 2008, school administrators at a private school in Tuxedo Park, New York, to send matters via the United States Postal Service.

(Title 18, United States Code, Sections 1341 and 3147(1).)

COUNT THREE

(Fictitious Name or Address)

The Grand Jury further charges:

8. The allegations contained in paragraphs 1 through 4 above are hereby repeated, realleged, and incorporated by reference as if fully set forth herein.

9. On or about September 18, 2008, in the Southern District of New York and elsewhere, ALICIA HOLMES, a/k/a "Alicia Pimentel," a/k/a "Alicia Xiomara de Pimentel," a/k/a "Alicia Ferrer," a/k/a "Alicia De Pimentel," a/k/a "Anna Alicia," a/k/a "Sybil Figuerra," a/k/a "Alicia Figueroa," a/k/a "Anna Ferrer," the defendant, knowingly, for the purpose of conducting, promoting, and carrying on by means of the Postal Service, any scheme and device mentioned in Title 18, United States Code, Section 1341 and any other unlawful business, used and assumed, and requested to be addressed by, a fictitious, false, and assumed title, name, and address and name other than her own proper name, to wit, HOLMES provided a false and assumed address as a home and billing address to a private school in Tuxedo Park, New York for the purpose of conducting, promoting, and carrying on by means of the Postal Service the scheme to defraud set forth in Counts One and Two of this Indictment.

(Title 18, United States Code, Section 1342.)

FORFEITURE ALLEGATION AS TO COUNTS ONE AND TWO

10. As a result of committing the offenses charged in Counts One and Two of this Indictment, ALICIA HOLMES, a/k/a "Alicia Pimentel," a/k/a "Alicia Xiomara de Pimentel," a/k/a "Alicia Ferrer," a/k/a "Alicia De Pimentel," a/k/a "Anna Alicia," a/k/a "Sybil Figuerra," a/k/a "Alicia Figueroa," a/k/a "Anna Ferrer," the defendant, shall forfeit to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461, all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offenses.

Substitute Asset Provision

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

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred or sold to, or deposited with, a third person;

(3) has been placed beyond the jurisdiction of the Court;

(4) has been substantially diminished in value; or

(5) has been commingled with other property which cannot be subdivided without difficulty; it is the intent of the United States, pursuant to Title 21, United States Code, Section

853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981;  
Title 21, United States Code, Section 853; and  
Title 28, United States Code, Section 2461.)

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FOREPERSON

  
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PREET BHARARA  
United States Attorney



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Defendant.

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INDICTMENT

S2 10 Cr. 1149 (KMK)

(18 U.S.C. §§ 981, 1341, 1342, 1343, 3147(1);  
21 U.S.C. § 853; 28 U.S.C. § 2461)

PREET BHARARA  
United States Attorney.

A TRUE BILL

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Foreperson.

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