

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO.
v.	:	Violations:
		18 U.S.C. § 371 (conspiracy – 1 count)
BRANDON JAMES, a/k/a “Money”	:	18 U.S.C. § 1344 (bank fraud – 2 counts)
LENARDO NICOLAS, a/k/a “Lee”		18 U.S.C. § 1028A (aggravated identity theft – 1 count)
		18 U.S.C. § 2 (aiding and abetting)

INDICTMENT

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

1. Defendants BRANDON JAMES and LENARDO NICOLAS were residents of Florida.
2. Univest Bank (“Univest”) was a financial institution whose deposits were insured by the Federal Deposit Insurance Corporation, certificate no. 7759.
3. Citadel Federal Credit Union (“Citadel”) was a financial institution whose deposits were insured by the National Credit Union Share Insurance Fund, charter no. 2099, certificate no. 995.
4. From in or about December 2011 to in or about September 19, 2013, in the Eastern District of Pennsylvania, and elsewhere, defendants

**BRANDON JAMES, a/k/a “Money”
and
LENARDO NICOLAS, a/k/a “Lee”**

conspired and agreed, together and with others known and unknown to the grand jury, to commit the following offenses against the United States, that is:

(a) to knowingly execute and attempt to execute a scheme to defraud the victim banks and victim credit union and to obtain monies owned by and under the care, custody, and control of those banks and credit union by means of false and fraudulent pretenses, representations, and promises, in violation of Title 18, United States Code, Section 1344; and

(b) to knowingly and without lawful authority use a means of identification of another person, that is, another's name, driver's license, and bank card, during and in relation to a bank fraud, in violation of Title 18, United States Code, Section 1028A(a)(1).

MANNER AND MEANS

5. It was part of the conspiracy that defendants BRANDON JAMES and LENARDO NICOLAS and other co-conspirators from Florida known and unknown to the grand jury ("crew members") participated in an illegal check cashing scheme.

It was further a part of the conspiracy that:

6. Defendants BRANDON JAMES and LENARDO NICOLAS and other crew members stole identifications, checks, bank cards, debit cards, and credit cards from victims, usually Caucasian women, who parked at gymnasiums, parks, athletic fields, and other places where defendants JAMES and NICOLAS and other crew members believed women would leave purses and wallets unattended inside their cars.

7. Defendants BRANDON JAMES and LENARDO NICOLAS and other crew members recruited Caucasian women co-conspirators ("workers") who could impersonate the victims and cash stolen, fraudulent checks at the victim banks using the drive-through teller lanes and presenting stolen identifications.

8. Defendants BRANDON JAMES and LENARDO NICOLAS and other crew members rented at least two cars to perpetrate the fraud. Workers would use one of the rental

vehicles to present a fraudulent check using the drive-through teller lane at one of the victim banks using a victim's stolen driver's license and bank card to illegally cash a check.

Defendants JAMES and NICOLAS and other crew members would have also stolen the fraudulent check from another victim. Defendants JAMES and NICOLAS and other crew members covered the license plate on the worker's rental car with another license plate which was usually stolen.

9. Crew members wrote out the checks and forged victims' signatures. Defendants BRANDON JAMES and LENARDO NICOLAS and other crew members directed workers on the location of the victim banks and controlled which stolen identifications and stolen, fraudulent checks were going to be presented. After a check was successfully cashed, the workers would meet defendants JAMES and NICOLAS and other crew members who were watching the transaction and waiting in the other rental vehicle. The workers would give defendants JAMES and NICOLAS and other crew members the money from the illegally cashed check and then receive another fraudulent, stolen check or checks and stolen identification to use at the next victim bank.

10. Defendants BRANDON JAMES and LEONARDO NICOLAS and other crew members perpetrated this scheme in different states around the country.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its objects, defendants BRANDON JAMES and LENARDO NICOLAS committed the following overt acts, among others, in the Eastern District of Pennsylvania and elsewhere:

1. On or about July 9, 2013 defendant BRANDON JAMES and LENARDO NICOLAS and other crew members traveled from Florida to Pennsylvania to cash illegal checks with worker #1, a co-conspirator known to the grand jury and charged elsewhere.
2. On or about July 15, 2013, defendant BRANDON JAMES communicated with worker #1 when worker #1 illegally cashed a \$2000 stolen, fraudulent check using D.H.'s stolen identification at the drive-through teller lane at Citadel branch in West Chester, Pennsylvania.
3. On or about September 18, 2013, defendant BRANDON JAMES rented a 2012 Chevy Cruz with Alabama registration 2B94C47 ("Chevy Cruz").
4. On or about September 18, 2013, while in the Chevy Cruz at the drive-through teller lane, an unidentified worker cashed a \$2000 fraudulent, stolen check at the Uninvest branch in Blue Bell, Pennsylvania using C.F.'s stolen identification.
5. On or about September 19, 2013, the same unidentified worker was in the Chevy Cruz, which displayed stolen Pennsylvania registration HMW9903, at the drive-through teller lane at the Uninvest branch in Hatfield Township, Pennsylvania. The unidentified worker cashed a \$1910 stolen, fraudulent check using C.F.'s stolen identification. The unidentified worker presented a second \$2000 stolen, fraudulent check to be cashed using C.F.'s stolen identification.
6. At approximately the same time the fraudulent transactions were being made, defendant LENARDO NICOLAS entered the bank to conduct surveillance. Defendant NICOLAS left the bank without conducting any bank business.

7. The unidentified worker drove away from the bank to a diner parking lot where defendants BRANDON JAMES and LENARDO NICOLAS switched into the Chevy Cruz. After the switch, defendant NICOLAS took the stolen Pennsylvania registration off the Chevy Cruz so that the original Alabama registration was displayed.

All in violation of Title 18, United States Code, Section 371.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 and 2 of Count One are incorporated here.
2. On or about the dates below, in the Eastern District of Pennsylvania, defendants

**BRANDON JAMES, a/k/a “Money”
and
LEONARDO NICOLAS, a/k/a “Lee”**

knowingly executed, and attempted to execute, and aided and abetted, a scheme to defraud Univest Bank, and to obtain monies owned by and under the care, custody, and control of that bank by means of false and fraudulent pretenses, representations, and promises.

THE SCHEME

3. Paragraphs 5 through 10 of Count One and Overt Acts 1 through 7 of Count One are incorporated here.

DATE	VICTIM PAYEE	CHECK NUMBER/BANK DRAWN ON	AMOUNT
7/12/13	D.L.	1652/TD Bank	\$1000
7/12/13	D.L.	1216/Sovereign Bank	\$1000
9/18/13	C.F.	1010/RBFCU	\$2000
9/18/13	C.F.	1006/RBFCU	\$2000
9/18/13	C.F.	1007/RBFCU	\$950
9/19/13	C.F.	1193/Wells Fargo	\$1910
9/19/13	C.F.	1008/RBFCU	\$2000

All in violation of Title 18, United States Code, Sections 1344 and 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 and 3 of Count One are incorporated here.
2. On or about the dates below, in the Eastern District of Pennsylvania, defendants

**BRANDON JAMES, a/k/a “Money”
and
LEONARDO NICOLAS, a/k/a “Lee”**

knowingly executed, and attempted to execute, and aided and abetted, a scheme to defraud Citadel Federal Credit Union, and to obtain monies owned by and under the care, custody, and control of that credit union by means of false and fraudulent pretenses, representations, and promises.

THE SCHEME

3. Paragraphs 5 through 10 of Count One and Overt Acts 1 through 7 of Count One are incorporated here.

DATE	VICTIM PAYEE	CHECK NUMBER/BANK DRAWN ON	AMOUNT
7/15/13	D.H.	1320/Susquehanna Bank	\$2000
7/15/13	D.H.	1217/Sovereign Bank	\$1000
7/15/13	D.H.	1215/Sovereign Bank	\$2000
7/15/13	D.H.	1218/Sovereign Bank	\$2000
7/17/13	D.H.	1328/Susquehanna Bank	\$2000

All in violation of Title 18, United States Code, Sections 1344 and 2.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 19, 2013, in the Eastern District of Pennsylvania, defendants

**BRANDON JAMES, a/k/a “Money”
and
LENARDO NICOLAS, a/k/a “Lee”**

knowingly and without lawful authority used, and aided and abetted the use of, a means of identification of another person, that is, C.F.’s Pennsylvania driver’s license during and in relation to a bank fraud.

In violation of Title 18, United States Code, Section 1028A(a)(1), (c)(5).

A TRUE BILL:

GRAND JURY FOREPERSON

**ZANE DAVID MEMEGER
UNITED STATES ATTORNEY**

