

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT
for the

United States of America)

v.)

OSCAR H. LOPEZ)

Case No. 10-6208-LSS)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of ~~May~~ ^{MARCH} ~~May~~ 17 and May 20, 2010 in the county of Broward in the
~~Southern~~ District of Florida, the defendant(s) violated:

Code Section

18 U.S.C. § 2113(a)

Offense Description

The defendant did, by force, violence, and intimidation, take from the person and presence of another any property, money, and other thing of value belonging to, and in the care, custody, control, management, and possession of, a bank, the deposits of which were then insured by the Federal Deposit Insurance Corporation.

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT

☒ Continued on the attached sheet.



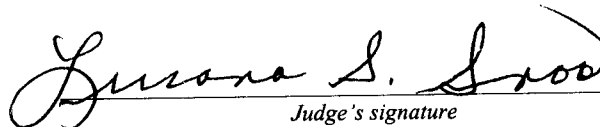
Complainant's signature

Matthew M. Carpenter, Special Agent, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 05/21/2010



Judge's signature

City and state: Fort Lauderdale, Florida

Lurana S. Snow, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

Your affiant, Matthew M. Carpenter, being duly sworn, deposes and states:

1. I am a Special Agent of the Federal Bureau of Investigation (FBI), and I am currently assigned to the Violent Crimes/Fugitive Task Force of the Miami Division of the FBI. As a Special Agent for the FBI, I am responsible for conducting investigations of Federal crimes, more specifically, violent crimes. I have over (10) ten years experience in law enforcement with the last two years involving the investigation of federal criminal violations.

2. This affidavit is submitted in support of a criminal complaint for the arrest of OSCAR H. LOPEZ, who (a) on ^{MARCH}~~May~~ 17, 2010, did knowingly, by means of intimidation, take from the person and presence of an employee of Chase Bank, United States currency, belonging to, and in the care, custody, control, and possession of Chase Bank, a bank whose deposits were then insured by the Federal Deposit Insurance Corporation, and in committing such offense, violated Title 18, United States Code, Sections 2113(a); and (b) on May 20, 2010, did knowingly, by means of intimidation, attempt to take from the person and presence of an employee of Regions Bank, United States currency, belonging to, and in the care, custody, control, and possession of Regions Bank, a bank whose deposits were then insured by the Federal Deposit Insurance Corporation, and in committing such offense, violated Title 18, United States Code, Sections 2113(a).

3. The information contained in this affidavit is based in part on information developed by other Special Agents of the FBI, as well as Task Force Officers of the FBI, and a civilian witness who has first-hand knowledge of events described in this affidavit. Because this

affidavit is being submitted for the limited purpose of demonstrating probable cause, it does not contain all of the information known to me or other law enforcement officers involved in this investigation.

**March 17, 2010, at 11:19 am: Chase Bank
9499 Sheridan Street, Cooper City, Florida**

4. On March 17, 2010, according to witnesses, an individual, subsequently identified as LOPEZ, entered the Chase Bank located at 9499 Sheridan Street, in Cooper City, Florida, and gave the bank teller a white piece of paper that read, "this is a robbery," which was written in black marker. LOPEZ also stated, "This is a robbery," and removed a black pouch from his pocket. He further stated, "Give me all of your hundreds." The teller complied, giving LOPEZ the hundred dollar bills he had in his drawer. LOPEZ then asked, "That's all?" The teller responded in the affirmative and LOPEZ then said, "Give me all your fifties." The teller again complied, giving LOPEZ the fifty dollar bills he had in his drawer. LOPEZ took the note from the counter, his black pouch full of money, and exited the bank. It was later determined that LOPEZ took \$2000.00 dollars in United States currency from Chase Bank. Digital surveillance photographs of the robbery were thereafter recovered and provided to the FBI by Chase Bank.

5. Witnesses described the suspect as a Latin male wearing a dark blue or black hat, plaid button down shirt, blue jeans, and white sneakers. The digital surveillance photographs of the suspect also showed him wearing a dark baseball cap with the Boston Red Sox logo on the front.

6. At the time of the robbery, Chase Bank was insured by the Federal Deposit Insurance Corporation.

**May 20, 2010, at 10:50 am: Regions Bank
9100 Griffin Road, Cooper City, Florida**

7. On May 20, 2010, according to witnesses, an individual later identified as LOPEZ, entered the Regions Bank located at 9100 Griffin Road, in Cooper City, Florida, and approached a teller station. There, he displayed a demand note that read "BANK ROBBERY" and told the teller, "Hundreds and fifties." The victim teller, upon observing the demand note and hearing LOPEZ's demands, thereafter walked away from the teller station toward the head teller. The head teller sensed a robbery was taking place and announced the bank was being robbed. LOPEZ, subsequently stated, "I'm not robbing anything" and exited the bank on foot without taking any money. He then entered an early 2000's model gray Honda Civic, that witnesses reported bore Florida license X78MAU, and drove south through the parking lot. Digital surveillance photographs of the robbery were thereafter recovered and provided to the FBI by Regions Bank. The digital surveillance photographs of the robbery showed LOPEZ wearing what appears to be the same black baseball cap with the Boston Red Sox logo on the front that he had worn during his robbery of the Chase Bank.

8. Further investigation showed that the true license plate number for the car in which LOPEZ drove off was X78WAU, one letter off from that initially reported by witnesses on scene. Database checks showed that that plate resolves back to LOPEZ's address.

9. On May 20, 2010, law enforcement officers showed the victim teller from the Regions Bank robbery a photographic array of six Hispanic males, one of which was LOPEZ. The victim teller positively identified LOPEZ as the individual who had attempted to rob her earlier that day.

10. LOPEZ was subsequently located and arrested by the affiant and other law enforcement officers on May 20, 2010.

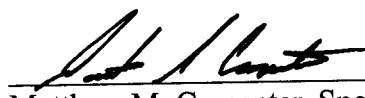
11. After waiving his *Miranda* rights in writing, LOPEZ admitted to robbing the Chase Bank on ~~May~~^{MARCH} 17, 2010, and attempting to rob the Regions Bank on May 20, 2010. LOPEZ admitted to throwing the demand note, Red Sox hat, and shirt out of the window of his vehicle following the attempted bank robbery on May 20, 2010.

12. At the time of the robbery, Regions Bank was insured by the Federal Deposit Insurance Corporation.

13. Based upon the foregoing, your affiant submits that there is probable cause to believe that (a) on ~~May~~^{MARCH} 17, 2010, LOPEZ did knowingly, by means of intimidation, take from the person and presence of an employee of Chase Bank, United States currency, belonging to, and in the care, custody, control, and possession of Chase Bank, a bank whose deposits were then insured by the Federal Deposit Insurance Corporation, and in committing such offense, violated Title 18, United States Code, Sections 2113(a); and (b) on May 20, 2010, LOPEZ did knowingly, by means of intimidation, attempt to take from the person and presence of an employee of Regions Bank, United States currency, belonging to, and in the care, custody, control, and possession of Regions Bank, a bank whose deposits were then insured by the

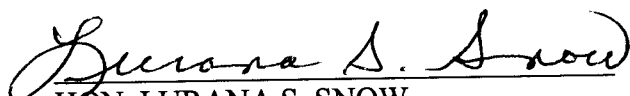
Federal Deposit Insurance Corporation, and in committing such offense, violated Title 18,
United States Code, Sections 2113(a).

FURTHER YOUR AFFIANT SAYETH NAUGHT.



Matthew M. Carpenter, Special Agent
Federal Bureau of Investigation (FBI)

Sworn to and subscribed before
me this 21st day of May, 2010.



HON. LURANA S. SNOW
UNITED STATES MAGISTRATE JUDGE