

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

ORIGINAL FILED

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

-v-

Mag. No. 08-3158

DANIEL YUMMI ,
a/k/a "Daniel Yummy,"
a/k/a "Yumi,"
a/k/a "jjrado@yahoo.com," and
a/k/a "Joseph Rado"

AUG 14 2008
PATTY SHWARTZ
U.S. MAG. JUDGE

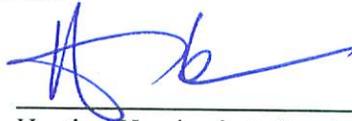
I, Heather Hendershot, being duly sworn, state the following is true and correct to the best of my knowledge and belief. Between in or about November 2005 and in or about July 2008, in the District of New Jersey and elsewhere, defendant DANIEL YUMMI did:

SEE ATTACHMENT A

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 pages and made a part hereof.



Heather Hendershot, Special Agent
Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,
August 14, 2008, in Essex County, New Jersey

HONORABLE PATTY SHWARTZ
UNITED STATES MAGISTRATE JUDGE


Signature of Judicial Officer

ATTACHMENT A

Between in or about November 2005 to in or about July 2008, in the District of New Jersey and elsewhere, defendant

DANIEL YUMMI,
a/k/a "Daniel Yummy,"
a/k/a "Yumi,"
a/k/a "jjrado@yahoo.com," and
a/k/a "Joseph Rado"

did knowingly and intentionally conspire to transfer, possess and use a means of identification of another person without lawful authority, in a manner affecting interstate commerce, with the intent to commit, and in connection with, unlawful activity constituting a violation of Federal law, namely, 18 U.S.C. § 1343, contrary to 18 U.S.C. § 1028(a)(7) and (b)(2).

OVERT ACTS

In furtherance of the conspiracy and to effect its unlawful object, the following overt acts were committed in the District of New Jersey and elsewhere:

- a. On or about November 7, 2005, using the e-mail account jjrado33@yahoo.com, defendant YUMMI sent an e-mail containing the name, address, credit card number, credit card expiration date and credit card verification code for an individual with the name B.B., a New Jersey account, to another member of the conspiracy.
- b. On or about June 25, 2008, using the e-mail account jjrado33@yahoo.com, defendant YUMMI sent an e-mail containing account information for AM Mortgage, Inc. at Union Bank in California to another member of the conspiracy.

In violation of Title 18, United States Code, Section 371.

ATTACHMENT B

I, Heather Hendershot, a Special Agent of the Federal Bureau of Investigation, have knowledge of the following facts based upon my investigation and discussions with witnesses and other law enforcement agents. Since this affidavit is submitted for the purpose of establishing probable cause to support the issuance of a complaint and arrest warrant, I have not included each and every fact known by the government concerning this investigation.

Background

1. Beginning at least as early as November 2005 through in or about July 2008, defendant YUMMI and others have been engaged in a conspiracy to acquire personal and banking information of third parties and to use that information to deplete bank accounts, credit card accounts, and home equity line of credit accounts. As part of the conspiracy, Defendant YUMMI and his co-conspirators would transfer the stolen identity information by e-mail, fax and phone. To further the conspiracy, and as a means of depleting bank and credit line accounts of victims of identity theft, the co-conspirators first obtained account information and subsequently gained online access to the victim's accounts. Using the online access, the co-conspirators checked balances, changed passwords, acquired additional account information, and redirected account statements away from the true account holders. Subsequently, the co-conspirators drew down the balance on the accounts either by wire transfers, ATM withdrawals, or checks drawn on the account.
2. As part of the conspiracy, defendant YUMMI used the e-mail account jjrado33@yahoo.com (the "JJRado E-Mail Account") to traffic in stolen identities of unwitting victims.
3. Records obtained by law enforcement reveal that the user of the JJRado E-Mail Account is often referred to by others in e-mails as "Yummy," as well as "Yomi," "yummi" and other phonetic spellings consistent with defendant YUMMI's last name.
4. Defendant YUMMI further used the cellular telephone with the number 404-918-9481 (the "9481 Number") to speak with coconspirators concerning fraudulent transactions, and provided that number to others in e-mails using the JJRado E-Mail Account.
5. According to service provider records and law enforcement investigation, the computer accessing the JJRado E-Mail Account, and the 9481 Number were used at the residential building, Atelier Condos, located at 635 West 42nd Street, New York, New York.
6. On or about August 14, 2008, a representative of Atelier Condos identified a photograph of defendant YUMMI as a resident of Atelier Condos. The representative of Atelier Condos further identified that the telephone number registered with the Atelier Condos management office for defendant YUMMI is the 9481 Number.

Using the Phones as Part of the Conspiracy

7. Between on or about May 8, 2008 and June 6, 2008, the FBI conducted court-authorized interception of telephonic communications occurring over the phone used by CC1 in the name of Shola Bello (the "Shola Bello Phone"). Through intercepted communications, the FBI has learned that CC1 used the Shola Bello Phone to discuss stolen identities and fraudulent transfer of funds from line of credit accounts.

8. Among the telephone numbers with which CC1 communicated was defendant YUMMI's 9481 Number.

9. The following descriptions of intercepted calls are based on summaries of the conversations.

- a. On or about May 25, 2008, at 1:58 p.m., CC1, using the Shola Bello Phone, received a call from the 9481 Number. Defendant YUMMI referred to a "shady business." Defendant YUMMI indicated he was following up on that business, but said he could not discuss it because he was out of town. Defendant YUMMI told CC1 that the "stuff's" name was "AM Mortgage, Inc." and that it was with Wells Fargo. Defendant YUMMI said "those guys" have an insider and transfer up to \$500,000, which can be withdrawn in two daily transfers of \$250,000.
- b. On or about May 27, 2008, at 10:52 a.m., CC1, using the Shola Bello Phone, received a call from the 9481 Number. Defendant YUMMI told CC1 that "those guys" have an insider in a bank, the bank manager, who helps them withdraw at least "250." CC1 stated that he would call Defendant YUMMI back.

10. In addition to the above phone calls, during the time-frame of the conspiracy the 9481 Number was used to communicate with CC1 numerous other times to further fraudulent transactions.

Trafficking in Means of Identification with Co-Conspirators: Defendant's JJRado E-Mail Account

11. On or about July 3, 2008, a search warrant was executed the JJRado E-Mail Account. Results from the search warrant reveal that the JJRado E-Mail Account was used to traffic in dozens of stolen identities from at least as early as in or about November 2005 to in or about July 2008. More particularly, review of the JJRado E-Mail Account records reveals the names, addresses, social security numbers, account numbers and other personal and banking information of third parties. For example, the JJRado E-Mail Account contains the following:

- a. An e-mail dated November 7, 2005, sent from the JJRado E-Mail Account, containing the name, address, credit card number, credit card expiration date and

credit card verification code for an individual with the name B.B. to a co-conspirator.

- b. An e-mail dated November 13, 2006, received by the JJRado E-Mail Account, from Co-Conspirator 1 ("CC1") containing the names, social security numbers, dates of birth, and addresses of three individuals.
- c. An e-mail dated April 26, 2008, sent from the JJRado E-Mail Account to CC1 containing a driver's license for a Florida resident bearing the initials N.J. (the "N.J. Driver's License").

12. Investigation has revealed that the N.J. Driver's License has been transferred among coconspirators via e-mail with pictures other than the one forwarded from the JJRado E-Mail Account.

13. In furtherance of the conspiracy, the following two transactions were conducted by defendant YUMMI and CC1 involving victims J.G. and T.B..

The J.G. Transaction

14. On or about June 25, 2008, the JJRado E-Mail Account received an e-mail from CC1 containing images of two checks drawn on a Bank of America account in the name of J.G. located in Tampa, Florida.

15. On or about June 25, 2008, as part of court authorized interception of wire communications, the FBI intercepted a call from CC1 to Bank of America. During the call, unbeknownst to J.G., CC1 falsely identified himself as J.G. and asked that the password for online access to the J.G. account be reset.

The T.B. Transaction

16. On or about May 24, 2008, the JJRado E-Mail Account sent an e-mail to CC1 containing account information for AM Mortgage, Inc. at Union Bank of California.

17. On or about June 11, 2008, as part of court authorized interception of wire communications, the FBI intercepted a call from CC1 to Federal Trust Bank. Unbeknownst to T.B., CC1 falsely claimed to be T.B. and requested a wire authorization fax request form for the account of T.B.

18. On or about June 11, 2008, Federal Trust Bank received a faxed wire authorization request for the account of T.B. for an amount in excess of \$200,000. The requested destination for the wire transfer was AM Mortgage at Union Bank of California.

19. Federal Trust Bank did not complete the wire from the T.B. account to the AM Mortgage account because it discovered that it was a fraudulent request.