

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

UNITED STATES OF AMERICA	:	CRIMINAL NO. 08_____
v.	:	DATE FILED: May 22, 2008
YOURA ORN	:	VIOLATIONS:
MONY SEREY	:	18 U.S.C. § 371 (conspiracy - 1 count)
	:	18 U.S.C. § 1960(a) (operating an
	:	unlicensed money transmitting
	:	business -1 count)
	:	31 U.S. C. § 5332 (bulk cash
	:	smuggling -1 count)
	:	18 U.S.C. § 2 (aiding and abetting)
	:	Notices of forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

1. Defendants YOURA ORN and MONY SEREY operated a money transmitting business in Philadelphia, Pennsylvania.
2. YOURA ORN and MONY SEREY did not possess a license from the Commonwealth of Pennsylvania to operate a money transmitting business.
3. YOURA ORN and MONY SEREY did not register their money transmitting business with the United States Secretary of the Treasury.

4. From in or about 2004 through on or about September 27, 2007, in the Eastern District of Pennsylvania and elsewhere, defendants

**YOURA ORN, and
MONY SEREY**

conspired and agreed, together and with others known and unknown to the grand jury, to commit offenses against the United States, that is, to: (a) knowingly conduct, control, manage, supervise and direct part or all of an unlicensed money transmitting business, in violation of Title 18, United States Code, Section 1960; and (b) knowingly conceal, with the intent to evade a currency reporting requirement under Title 31, United States Code, Section 5316, more than \$10,000 in United States currency in an attempt to transport this currency from a place within the United States to a place outside the United States, in violation of Title 31, United States Code, Section 5332(a).

MANNER AND MEANS

_____ It was part of the conspiracy that:

5. Defendants YOURA ORN and MONY SEREY operated a business in Philadelphia, Pennsylvania in which they charged a fee for transporting currency from the United States to Phnom Penh, Cambodia.

6. Defendants YOURA ORN and MONY SEREY charged a fee which ranged from three to four percent of the currency transported from Philadelphia, Pennsylvania to Phnom Penh, Cambodia.

7. Defendants YOURA ORN and MONEY SEREY transported currency from the United States to Cambodia without filing the required declaration.

OVERT ACTS

In furtherance of the conspiracy, defendants YOURA ORN and MONY SEREY and others known and unknown to the grand jury, committed the following overt acts in the Eastern District of Pennsylvania and elsewhere:

1. On various dates from in or about 2004 to on or about September 27, 2007, defendants YOURA ORN and MONY SEREY accepted cash for transport from Philadelphia, Pennsylvania to Phnom Penh, Cambodia. The defendants charged a fee between three and four percent of the currency to be transported.

2. On or about September 27, 2007, defendants YOURA ORN and MONY SEREY assembled and wrapped in bundles approximately \$271,528 in United States currency collected for transportation to Cambodia.

3. On or about September 27, 2007, defendant MONY SEREY placed the wrapped bundles of currency in the bottom of hand luggage and on his body to get the currency aboard a flight to Cambodia.

4. On or about September 27, 2007, defendant MONY SEREY traveled from Philadelphia, Pennsylvania to John F. Kennedy International Airport in New York, New York to board a China Air Flight scheduled to fly from New York to Cambodia.

5. On or about September 27, 2007, defendant MONY SEREY did not complete a currency registration form declaring the total amount of currency concealed in his luggage and on his person to be transported from the United States.

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

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

From in or about 2004 to on or about September 27, 2007 in the Eastern District of Pennsylvania, and elsewhere, defendants

**YOURA ORN, and
MONY SEREY**

knowingly conducted, controlled, managed, supervised, directed and owned part or all of an unlicensed money transmitting business, and aided and abetted the conduct, control, management, supervision, direction or ownership of that business, which business affected interstate and foreign commerce.

In violation of Title 18, United State Code, Sections 1960(a) and 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 27, 2007, at Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendants

**YOURA ORN, and
MONY SEREY**

knowingly concealed, and aided and abetted the concealment of, with the intent to evade a currency reporting requirement under Title 31, United States Code, Section 5316, specifically FinCEN Form 105, also known as Customs Form 4790 (Report of International Transportation of Currency or Monetary Instruments), more than \$10,000 in United States currency, that is, approximately \$271,528 in the luggage and on the person of defendant MONY SEREY, and attempted to transport this currency from a place within the United States to a place outside of the United States.

In violation of Title 31, United States Code, Section 5332(a)(1) and Title 18, United States Code, Section 2.

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Section 1960 and Title 31, United States Code, Section 5332(a), set forth in this indictment, defendants

**YOURA ORN
MONY SEREY**

shall forfeit to the United States of America any and all property involved in such offenses and any property traceable to such property, including, but not limited to the sum of \$271,528.

2. If any of the property subject to forfeiture as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court
- _____ (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 982, incorporating Title 21, United States Code, Section 853(p), and Title 31, United States Code Section, 5332(b)(2), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 18, United States Code, Section 982(a)(1) and Title 31, United States Code, Section 5332(b)(2).

A TRUE BILL:

GRAND JURY FOREPERSON

**PATRICK L. MEEHAN
UNITED STATES ATTORNEY**