

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

UNITED STATES OF AMERICA : **CRIMINAL NO. 08-CR-_____**

v. : **DATE FILED: October 16, 2008**

CESAR RODRIGUEZ-DIAZ : **VIOLATIONS:**
FREDDY CARABALLO DEL ROSARIO : **18 U.S.C. § 371 (conspiracy to make and pass**
LANEY PAYERO : **counterfeit federal reserve notes - 1 count)**
: **18 U.S.C. § 471 (counterfeiting**
: **United States currency - 1 count)**
: **18 U.S.C. § 472 (passing counterfeit**
: **federal reserve notes - 1 count)**
: **18 U.S.C. § 2 (aiding and abetting)**
: **Notice of Forfeiture**

I N D I C T M E N T

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. On or about May 25, 2008, in Reading, in the Eastern District of Pennsylvania, and elsewhere, defendants

**CESAR RODRIGUEZ-DIAZ,
FREDDY CARABALLO DEL ROSARIO, and
LANEY PAYERO**

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

a. falsely make, forge, and counterfeit obligations of the United States, that is, approximately \$4,270 in counterfeit \$20, \$50, and \$100 Federal Reserve Notes, in violation of Title 18, United States Code, Section 471; and

b. possess, conceal, pass, and attempt to pass falsely made, forged, and counterfeited obligations of the United States, that is, at least approximately \$4,270 in counterfeit \$20, \$50, and \$100 Federal Reserve Notes, in violation of Title 18, United States Code, Section 472.

MANNER AND MEANS

2. It was part of the conspiracy that defendants CESAR RODRIGUEZ-DIAZ, FREDDY CARABALLO DEL ROSARIO, and LANEY PAYERO made and counterfeited United States currency, which they used to purchase merchandise.

It was further part of the conspiracy that:

3. Defendants CESAR RODRIGUEZ-DIAZ, FREDDY CARABALLO DEL ROSARIO, and LANEY PAYERO scanned genuine United States currency onto an Epson all-in-one printer/scanner/copier.

4. Defendants CESAR RODRIGUEZ-DIAZ, FREDDY CARABALLO DEL ROSARIO, and LANEY PAYERO printed counterfeit United States currency from the scanned images of genuine United States currency.

5. Defendants CESAR RODRIGUEZ-DIAZ, FREDDY CARABALLO DEL ROSARIO, and LANEY PAYERO used this counterfeit currency to purchase various electronics equipment, which they attempted to return in exchange for genuine currency.

OVERT ACTS

In furtherance of the conspiracy, defendants CESAR RODRIGUEZ-DIAZ, FREDDY CARABALLO DEL ROSARIO, and LANEY PAYERO, and others known and unknown to the grand jury, committed the following overt acts in the Eastern District of Pennsylvania and elsewhere:

1. On or about May 25, 2008, defendants CESAR RODRIGUEZ-DIAZ, FREDDY CARABALLO DEL ROSARIO, and LANEY PAYERO arranged to meet at defendant RODRIGUEZ-DIAZ's residence in Reading, Pennsylvania for the purpose of counterfeiting United States currency.

2. On or about May 25, 2008, defendants CESAR RODRIGUEZ-DIAZ, FREDDY CARABALLO DEL ROSARIO, and LANEY PAYERO scanned genuine \$20, \$50, and \$100 Federal Reserve Notes onto an Epson all-in-one printer/scanner/copier.

3. On or about May 25, 2008, defendants CESAR RODRIGUEZ-DIAZ, FREDDY CARABALLO DEL ROSARIO, and LANEY PAYERO printed counterfeit \$20, \$50, and \$100, Federal Reserve Notes from the scanned images.

4. On or about May 25, 2008, defendants CESAR RODRIGUEZ-DIAZ, FREDDY CARABALLO DEL ROSARIO, and LANEY PAYERO, along with other individuals known and unknown to the grand jury, entered the Wal-Mart store located at 5370 Allentown Pike, Temple, Pennsylvania ("Temple Store"). Defendants RODRIGUEZ-DIAZ, CARABALLO DEL ROSARIO, and PAYERO selected electronic items which they purchased by providing the cashier with counterfeit \$20, \$50, and \$100 bills totaling \$4,270. Defendants RODRIGUEZ-DIAZ, CARABALLO DEL ROSARIO, and PAYERO left the store with the electronic items upon completion of the transaction and returned to defendant RODRIGUEZ-DIAZ's residence in Reading, Pennsylvania with the electronics items.

5. On or about May 25, 2008, defendants CESAR RODRIGUEZ-DIAZ, FREDDY CARABALLO DEL ROSARIO, and LANEY PAYERO, along with other individuals known and unknown to the grand jury, entered the Wal-Mart store located at 1135 Berkshire Boulevard, Wyomissing, Pennsylvania ("Wyomissing Store"). Defendants CARABALLO DEL

ROSARIO, and PAYERO attempted to return for a cash refund many of the same electronic items that defendants RODRIGUEZ-DIAZ, CARABALLO DEL ROSARIO, and PAYERO, purchased earlier that day from the Temple Store with counterfeit currency.

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

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 25, 2008, at Reading, in the Eastern District of Pennsylvania,
defendants

**CESAR RODRIGUEZ-DIAZ,
FREDDY CARABALLO DEL ROSARIO, and
LANEY PAYERO,**

with intent to defraud, falsely made, forged, and counterfeited, and aided and abetted the false making, forging, and counterfeiting of, obligations of the United States, that is, counterfeit \$20, \$50, and \$100 Federal Reserve Notes.

In violation of Title 18, United States Code, Sections 471 and 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 25, 2008, at Reading, in the Eastern District of Pennsylvania,
defendants

**CESAR RODRIGUEZ-DIAZ,
FREDDY CARABALLO DEL ROSARIO, and
LANEY PAYERO,**

with intent to defraud, passed, attempted to pass, possessed, and concealed and aided and abetted
the passing, attempted passing, possession, and concealment of, forged and counterfeited
obligations of the United States, that is, counterfeit \$20, \$50, and \$100 United States Federal
Reserve Notes.

In violation of Title 18, United States Code, Sections 472 and 2.

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Sections 471 and 472 set forth in this indictment, defendants

**CESAR RODRIGUEZ-DIAZ,
FREDDY CARABALLO DEL ROSARIO, and
LANEY PAYERO,**

shall forfeit to the United States of America all property used to make, forge, counterfeit, and alter any obligation and other security of the United States, including but not limited to the following items that were seized from 523 N. 9th Street, Reading, Pennsylvania, on May 29, 2008: (a) One empty box of fine linen paper; (b) three boxes containing cotton linen paper; (c) six strips of cut paper; (d) three boxes containing Epson ink cartridges; (e) one Sony PS3 game; (f) one Sony PS3 controller; (g) one Sony PS3 "Dual Shock" controller; (h) one Apple Ipod (8gb); (i) one Apple Ipod (80gb); (j) one PS3 game (NBA '08); (k) two Sharp 32" LCD televisions; (l) one Epson printer; (m) one PS3 game console; (n) one Polaroid 19" LCD DVD television; (o) one IBM Thinkpad laptop computer; (p) one Canon printer; (q) one eMachines computer tower; and (r) \$610 in United States currency.

2. All property, real and personal, involved in or traceable to the violations charged in Counts One through Three of this indictment

3. 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(b), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the property subject to forfeiture.

All pursuant to Title 18, United States Code, Sections 492 and 982, and Title 28, United States Code, Section 2461.

A TRUE BILL:

GRAND JURY FOREPERSON

LAURIE MAGID
Acting United States Attorney