

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

UNITED STATES OF AMERICA : **CRIMINAL NO. 09-_____**
v. : **DATE FILED: 9-17-2009**
GLADISHA ECHEVARRIA : **VIOLATION:**
: **18 U.S.C. § 371 (conspiracy - 1 count)**
: **18 U.S.C. § 1344 (bank fraud - 2 counts)**
: **18 U.S.C. § 1028A(a)(1), (c)(5)**
: **(aggravated identity theft - 6 counts)**
: **18 U.S.C. § 2 (aiding and abetting)**
: **Notice of forfeiture**

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

1. First Penn Bank was a financial institution, the deposits of which were insured by the Federal Deposit Insurance Corporation, certificate no. 27013.
2. Commerce Bank was a financial institution, the deposits of which were insured by the Federal Deposit Insurance Corporation, certificate no. 21140.
3. From in or about April 2006, to in or about July 2006, defendant GLADISHA ECHEVARRIA worked as a teller at First Penn Bank at 10th and Catherine Streets in Philadelphia, Pennsylvania.
4. In the course of her employment at First Penn Bank, defendant GLADISHA ECHEVARRIA processed transactions involving checks on behalf of bank customers and had access to customers' account information, such as their names, addresses, account numbers, and account balances.

5. From in or about June 2006, to in or about July 2006, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendant

GLADISHA ECHEVARRIA

conspired and agreed, together and with others known and unknown to the grand jury, to commit offenses against the United States, that is, to knowingly execute, and attempt to execute, and aid and abet the execution of, a scheme to defraud First Penn Bank and Commerce Bank, and to obtain monies owned by and under the care, custody, and control of those banks by means of false and fraudulent pretenses, representations, and promises, in violation of Title 18, United States Code, Sections 1344 and 2, and to knowingly and without lawful authority possess, transfer, and use, and aid and abet the possession, transfer, and use of, a means of identification of another person, in violation of Title 18, United States Code, Sections 1028A(a)(1), (c)(5), and 2.

MANNER AND MEANS

6. It was part of the conspiracy that defendant GLADISHA ECHEVARRIA secretly made copies of legitimate checks drawn on First Penn Bank and Commerce Bank accounts that she processed on behalf of customers of First Penn Bank, as well as First Penn Bank customer account information, and provided those copies and the account information to people who did not work for First Penn Bank so that they could use the information to obtain counterfeit and unauthorized checks that they used to steal money from First Penn Bank and Commerce Bank, thereby defrauding and attempting to defraud the two banks of over \$30,000.

It was further a part of the conspiracy that:

7. After GLADISHA ECHEVARRIA provided the copies of legitimate checks and customer account information to the people who did not work at the bank, those people obtained counterfeit and unauthorized checks that looked like the legitimate checks, but that had different register numbers, different dollar amounts, and the names of people involved in the scheme inserted in the payee lines. Each of the newly produced checks contained a forged and unauthorized signature.

8. The people whose names were in the payee lines would then take the counterfeit and unauthorized checks to a branch of the bank that held the checking accounts to cash and attempt to cash them.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its object, defendant GLADISHA ECHEVARRIA and others committed the following overt acts, among others, in the Eastern District of Pennsylvania and elsewhere:

Victim M.B.H.S. Inc.

1. On or about June 2, 2006, defendant GLADISHA ECHEVARRIA, while processing a transaction on behalf of a First Penn Bank customer that involved a legitimate check from M.B.H.S. Inc. in the amount of approximately \$658.55 drawn on a checking account at First Penn Bank, secretly made a copy of the legitimate M.B.H.S. Inc. check.

2. In or about June 2006, defendant GLADISHA ECHEVARRIA provided the copy of the M.B.H.S. Inc. check to others, known and unknown to the grand jury, who did not work for the bank.

3. In or about June 2006, using the copy of the legitimate M.B.H.S. Inc. check as a template, those who got the stolen check from defendant GLADISHA ECHEVARRIA created at least five counterfeit and unauthorized checks purportedly drawn on the account of M.B.H.S. Inc. On or about the following dates, these counterfeit and unauthorized M.B.H.S. Inc. checks were cashed, or attempts were made to cash them, at First Penn Bank branches in Philadelphia and the surrounding counties:

OVERT ACT	DATE	AMOUNT	PAYEE
4	7/7/2006	\$926.19	A.C.
5	7/7/2006	\$834.11	A.C.
6	7/7/2006	\$935.13	T.G.
7	7/7/2006	\$945.63	F.L.
8	7/10/2006	\$1,434.11	Y.H.

Victim B.R.

9. On or about June 21, 2006, defendant GLADISHA ECHEVARRIA, while processing a transaction on behalf of a First Penn Bank customer that involved a legitimate check from B.R. in the amount of approximately \$2,515.63 drawn on a checking account at Commerce Bank, secretly made a copy of the legitimate B.R. check.

10. In or about June 2006, defendant GLADISHA ECHEVARRIA provided the copy of the B.R. check to others, known and unknown to the grand jury, who did not work for the bank.

11. In or about June 2006, using the copy of the legitimate B.R. check as a template, those who got the stolen check from defendant GLADISHA ECHEVARRIA created at least two counterfeit and unauthorized checks purportedly drawn on the account of B.R. On or about the following dates, these counterfeit and unauthorized B.R. checks were cashed, or attempts were made to cash them, at Commerce Bank branches in Philadelphia and the surrounding counties:

OVERT ACT	DATE	AMOUNT	PAYEE
12	6/23/2006	\$984.78	L.H.
13	6/23/2006	\$986.44	L.H.

Victim M.M., Inc.

14. On or about June 21, 2006, defendant GLADISHA ECHEVARRIA, while processing a transaction on behalf of a First Penn Bank customer that involved a legitimate check from M.M., Inc. in the amount of approximately \$1,086.95 drawn on a checking account at Commerce Bank, secretly made a copy of the legitimate M.M., Inc. check.

15. In or about June 2006, defendant GLADISHA ECHEVARRIA provided the copy of the M.M., Inc. check to others, known and unknown to the grand jury, who did not work for the bank.

16. In or about June 2006, using the copy of the legitimate M.M., Inc. check as a template, those who got the stolen check from defendant GLADISHA ECHEVARRIA created at least three counterfeit and unauthorized checks purportedly drawn on the account of M.M., Inc. On or about the following dates, these counterfeit and unauthorized M.M., Inc. checks were cashed, or attempts were made to cash them, at Commerce Bank branches in Philadelphia and the surrounding counties:

OVERT ACT	DATE	AMOUNT	PAYEE
17	6/28/2006	\$676.58	B.F.
18	6/28/2006	\$673.42	B.F.
19	6/29/2006	\$671.33	B.F.

Victim T.L., Inc.

20. On or about July 3, 2006, while processing a deposit transaction on behalf of First Penn Bank customer T.L., Inc., defendant GLADISHA ECHEVARRIA secretly copied T.L., Inc. account information including the name of the account holder, the address of the account holder, the account number, the register number of recent checks, and the signature of the person with signature authority on the account.

21. In or about July 2006, defendant GLADISHA ECHEVARRIA provided the T.L., Inc. account information she had recorded to others, known and unknown to the grand jury, who did not work for the bank.

22. In or about July 2006, those who got the stolen account information from defendant GLADISHA ECHEVARRIA used it to create at least two counterfeit and unauthorized checks purportedly drawn on the account of T.L., Inc. On or about the following dates, these counterfeit and unauthorized T.L., Inc. checks were cashed, or attempts were made to cash them, at First Penn Bank branches in Philadelphia and the surrounding counties:

OVERT ACT	DATE	AMOUNT	PAYEE
23	7/7/2006	\$1,421.34	B.F.
24	7/7/2006	\$936.14	F.L.

Victim K. and B., Inc.

25. On or about July 6, 2006, defendant GLADISHA ECHEVARRIA, while processing a transaction on behalf of a First Penn Bank customer that involved a legitimate check from K. and B., Inc. in the amount of approximately \$4,336.54, drawn on a checking account at First Penn Bank, secretly made a copy of the legitimate K. and B., Inc. check.

26. In or about July 2006, defendant GLADISHA ECHEVARRIA provided the copy of the K. and B., Inc. check to others, known and unknown to the grand jury, who did not work for the bank.

27. In or about July 2006, using the copy of the legitimate K. and B., Inc. check as a template, those who got the stolen check from defendant GLADISHA ECHEVARRIA created at least three counterfeit and unauthorized checks purportedly drawn on the account of K. and B., Inc. On or about the following dates, these counterfeit and unauthorized K. and B., Inc. checks were cashed, or attempts were made to cash them, at First Penn Bank branches in Philadelphia and the surrounding counties:

OVERT ACT	DATE	AMOUNT	PAYEE
28	7/7/2006	\$4,239.46	F.L.
29	7/7/2006	\$4,342.78	K.W.
30	7/7/2006	\$4,321.19	S.A.

Victim St. R.C.

31. On or about July 7, 2006, defendant GLADISHA ECHEVARRIA, while processing a transaction on behalf of a First Penn Bank customer that involved a legitimate check from St. R.C. in the amount of approximately \$400.64 drawn on a checking account at Commerce Bank, secretly made a copy of the legitimate St. R.C. check.

32. In or about July 2006, defendant GLADISHA ECHEVARRIA provided the copy of the St. R.C. check to others, known and unknown to the grand jury, who did not work for the bank.

33. In or about July 2006, using the copy of the legitimate St. R.C. check as a template, those who got the stolen check from defendant GLADISHA ECHEVARRIA created at least eleven counterfeit and unauthorized checks purportedly drawn on the account of St. R.C. On or about the following dates, the counterfeit and unauthorized St. R.C. checks were cashed, or attempts were made to cash them, at Commerce Bank branches in Philadelphia and the surrounding counties:

OVERT ACT	DATE	AMOUNT	PAYEE
34	7/11/2006	\$671.34	A.W.
35	7/11/2006	\$987.41	N.S.
36	7/11/2006	\$985.29	N.S.
37	7/11/2006	\$688.71	Y.H.
38	7/11/2006	\$687.41	N.L.
39	7/11/2006	\$686.21	N.S.
40	7/11/2006	\$683.11	S.M.
41	7/17/2006	\$989.31	S.W.

OVERT ACT	DATE	AMOUNT	PAYEE
42	7/17/2006	\$982.18	S.W.
43	7/17/2006	\$984.36	L.H.
44	7/17/2006	\$982.67	L.H.

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

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 4 and 6 through 8, and Overt Acts 1 through 8 and 20 through 30 of Count One are incorporated here.
2. From in or about June 2006, through in or about July 2006, in the Eastern District of Pennsylvania, and elsewhere, defendant

GLADISHA ECHEVARRIA

knowingly executed, attempted to execute, and aided and abetted the execution of, a scheme to defraud First Penn 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. Defendant GLADISHA ECHEVARRIA secretly made copies of legitimate checks drawn on First Penn Bank accounts that she processed on behalf of customers of First Penn Bank and recorded First Penn Bank customer account information and provided the check copies and account information to others who did not work for the bank so that they could obtain counterfeit and unauthorized checks that they used to steal money from First Penn Bank, thereby defrauding and attempting to defraud First Penn Bank of approximately \$20,336.08.

In violation of Title 18, United States Code, Sections 1344, 1349, and 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 4 and 6 through 8, and Overt Acts 9 through 19 and 31 through 44 of Count One are incorporated here.
2. From in or about June 2006, through in or about July 2006, in the Eastern District of Pennsylvania, and elsewhere, defendant

GLADISHA ECHEVARRIA

knowingly executed, attempted to execute, and aided and abetted the execution of, a scheme to defraud Commerce 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. Defendant GLADISHA ECHEVARRIA secretly made copies of legitimate checks drawn on Commerce Bank accounts that she processed on behalf of customers of First Penn Bank and provided those copies to others who did not work for the bank so that they could use them as templates to make counterfeit and unauthorized checks that they used to steal money from Commerce Bank, thereby defrauding and attempting to defraud Commerce Bank of approximately \$13,320.55.

In violation of Title 18, United States Code, Sections 1344, 1349, and 2.

COUNTS FOUR THROUGH NINE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 4 and 6 through 8, and Overt Acts 1 through 44 of Count One are incorporated here.

2. On or about the following dates, in the Eastern District of Pennsylvania, and elsewhere, defendant

GLADISHA ECHEVARRIA

knowingly and without lawful authority possessed, transferred, and used, and aided and abetted the possession, transfer, and use of, a means of identification of another person, that is, the names and signatures of the people with signature authority on the following bank accounts, identified below, during and in relation to a bank fraud, each transaction constituting a separate count:

COUNT	Date	Initials of account holder	Initials of person with signature authority
4	6/2/2006	M.B.H.S. Inc.	S.M.
5	6/21/2006	B.R.	M.G.
6	6/21/2006	M.M., Inc.	E.C.
7	7/3/2006	T.L., Inc.	A.L.
8	7/6/2006	K. and B., Inc.	D.C.
9	7/7/2006	St. R.C.	J.G.

In violation of Title 18, United States Code, Sections 1028A(a)(1), (c)(5), 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 371, 1344, and 2, set forth in this indictment, defendant

GLADISHA ECHEVARRIA

shall forfeiture to the United States of America any property that constitutes, or is derived from, proceeds traceable to the commission of such offenses, as charged in this indictment, including, but not limited to, the sum of \$27,914.10.

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

- (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, Sections 982(b), incorporating Title 21, United States Code, Section 853(p), 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)(2).

A TRUE BILL:

GRAND JURY FOREPERSON



MICHAEL L. LEVY
UNITED STATES ATTORNEY