

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

<b>UNITED STATES OF AMERICA</b>	:	<b>CRIMINAL NO. 10-</b> _____
<b>v.</b>	:	<b>DATE FILED: <u>September 9, 2010</u></b>
<b>ROY G. DAVILA</b>	:	<b>VIOLATIONS:</b>
<b>FELIX DAVILA,</b>	:	<b>18 U.S.C. § 1028(a)(1), (f) (production of</b>
<b>a/k/a “Kuki”</b>	:	<b>an identification document without lawful</b>
	:	<b>authority - 1 count)</b>
	:	<b>18 U.S.C. § 1951(a), (b)(2) (extortion</b>
	:	<b>under color of official right - 1 count)</b>
	:	<b>18 U.S.C. 1028A(a)(1) (aggravated</b>
	:	<b>identity theft - 1 count)</b>
	:	<b>18 U.S.C. § 1001(a) (false statement to a</b>
	:	<b>federal agent – 1 count)</b>
	:	<b>18 U.S.C. § 2 (aiding and abetting)</b>
	:	<b>Notice of forfeiture</b>
	:	

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

On or about August 19, 2010, in the Eastern District of Pennsylvania, defendant

**ROY G. DAVILA**

produced, attempted to produce, conspired to produce, and aided and abetted and wilfully caused the production of, without lawful authority, a form of identification, that is, a Pennsylvania identification card in the name of A.M.de.J., a person known to the grand jury.

In violation of Title 18, United States Code, Section 1028(a)(1), (f).

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about August 19, 2010, in the Eastern District of Pennsylvania, defendant

**ROY G. DAVILA**

knowingly and without lawful authority transferred, possessed, and used, and attempted to transfer, possess, and use a means of identification of another person, that is, the photograph of a person known to the grand jury, during and in relation to identity theft, in violation of Title 18, United States Code, Section 1028(a)(1), (f).

In violation of Title 18, United States Code, Section 1028A(a)(1), (c)(4), and (f).

**COUNT THREE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about August 19, 2010, in the Eastern District of Pennsylvania, defendant

**ROY G. DAVILA**

obstructed, delayed and affected commerce, and the movement of articles and commodities in commerce, aided and abetted, and attempted to do so, by extortion, in that defendant DAVILA, an official of PennDOT, obtained and attempted to obtain property, that is cash payments from an individual seeking Pennsylvania identification card, with the consent of the individual, under color of official right, which were not due defendant DAVILA.

All in violation of Title 18, United States Code, Sections 1951(a), (b)(2) and 2.

**COUNT FOUR**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about August 24, 2010, in the Eastern District of Pennsylvania, defendant

**FELIX DAVILA,  
a/k/a “Kuki,”**

in a matter within the jurisdiction of the United States Department of Homeland Security, Homeland Security Investigations, an agency of the executive branch of the United States, knowingly and willfully made materially false, fictitious, and fraudulent statements and representations, and concealed and covered up by trick, scheme, and device a material fact, in that defendant DAVILA falsely claimed that he had only received cash payments from customers of the electronics store where he was employed, and concealed and covered up the fact that he had received cash payments from individuals on behalf of his brother, Roy G. Davila, when, as defendant DAVILA knew, he had received such cash payments.

In violation of Title 18, United States Code, Section 1001.

**NOTICE OF FORFEITURE**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. As a result of the violations of Title 18, United States Code, Sections 1001, 1028(a)(1), and 1028A(a)(1) set forth in this indictment defendants

**ROY G. DAVILA  
FELIX DAVILA,  
a/k/a “Kuki,”**

shall forfeit to the United States of America any property, real or personal, that constitutes or is derived from proceeds traceable to the commission of such offenses.

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 28, United States Code, Section 2461(c), 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, Section 982(a)(2)(B).

**A TRUE BILL:**

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**GRAND JURY FOREPERSON**

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**ZANE DAVID MEMEGER**  
**United States Attorney**