

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

UNITED STATES OF AMERICA	:	CRIMINAL NO. 10- _____
v.	:	DATE FILED: September 9, 2010 _____
RAFAEL de la ROSA DURAN, a/k/a "Alberto"	:	VIOLATIONS:
	:	18 U.S.C. § 1028(a)(7), (f) (use of a means
	:	of identification of another person with
	:	intent to commit a crime - 4 counts)
	:	18 U.S.C. 1028A(a)(1) (aggravated
	:	identity theft - 4 counts)
	:	42 U.S.C. § 408(a)(7)(C) (selling a Social
	:	Security card - 4 counts)
	:	18 U.S.C. § 2 (aiding and abetting)
		Notice of forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 25, 2010, in the Eastern District of Pennsylvania, defendant

**RAFAEL de la ROSA DURAN,
a/k/a "Alberto,"**

knowingly and without lawful authority used, attempted to use, and aided and abetted and willfully caused the use of, a means of identification of another person with the intent to commit, and to aid and abet, a violation of federal law, that is, selling a social security card, in violation of Title 42, United States Code, Section 408(a)(7)(C), by selling a social security card in the name of R.J.G.P.

In violation of Title 18, United States Code, Sections 1028(a)(7), (c)(1), (f), and

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 25, 2010, in the Eastern District of Pennsylvania, defendant

**RAFAEL de la ROSA DURAN,
a/k/a “Alberto,”**

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 name R.J.G.P. during and in relation to sale of a social security card, in violation of Title 42, United States Code, Section 408(a)(7)(C).

In violation of Title 18, United States Code, Section 1028A(a)(1), (c)(11), and (f).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 25, 2010, in the Eastern District of Pennsylvania, defendant

**RAFAEL de la ROSA DURAN,
a/k/a “Alberto,”**

knowingly sold a social security card issued by the Commissioner of Social Security, that is, a social security card in the name of R.J.G.P.

In violation of Title 42, United States Code, Section 408(a)(7)(C).

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 25, 2010, in the Eastern District of Pennsylvania, defendant

**RAFAEL de la ROSA DURAN,
a/k/a “Alberto,”**

knowingly and without lawful authority used, attempted to use, and aided and abetted and willfully caused the use of, a means of identification of another person with the intent to commit, and to aid and abet, a violation of federal law, that is, selling a social security card, in violation of Title 42, United States Code, Section 408(a)(7)(C), by selling a social security card in the name of L.E.C.R.

In violation of Title 18, United States Code, Sections 1028(a)(7), (c)(1), (f), and

2.

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 25, 2010, in the Eastern District of Pennsylvania, defendant

**RAFAEL de la ROSA DURAN,
a/k/a “Alberto,”**

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 name L.E.C.R. during and in relation to the sale of a social security card, in violation of Title 42, United States Code, Section 408(a)(7)(C).

In violation of Title 18, United States Code, Section 1028A(a)(1), (c)(11), and (f).

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 25, 2010, in the Eastern District of Pennsylvania, defendant

**RAFAEL de la ROSA DURAN,
a/k/a “Alberto,”**

knowingly sold a social security card issued by the Commissioner of Social Security, that is, a social security card in the name of L.E.C.R.

In violation of Title 42, United States Code, Section 408(a)(7)(C).

COUNT SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about July 29, 2010, in the Eastern District of Pennsylvania, and elsewhere,
defendant

**RAFAEL de la ROSA DURAN,
a/k/a “Alberto,”**

knowingly and without lawful authority used, attempted to use, and aided and abetted and
willfully caused the use of, a means of identification of another person with the intent to commit,
and to aid and abet, a violation of federal law, that is, selling a social security card, in violation
of Title 42, United States Code, Section 408(a)(7)(C), by selling a social security card in the
name of E.P.R.

In violation of Title 18, United States Code, Sections 1028(a)(7), (c)(1), (f), and

2.

COUNT EIGHT

THE GRAND JURY FURTHER CHARGES THAT:

On or about July 29, 2010, in the Eastern District of Pennsylvania, and elsewhere,
defendant

**RAFAEL de la ROSA DURAN,
a/k/a “Alberto,”**

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 name E.P.R. during and in relation to the sale of a social security card, in violation of Title 42, United States Code, Section 408(a)(7)(C).

In violation of Title 18, United States Code, Section 1028A(a)(1), (c)(11), and (f).

COUNT NINE

THE GRAND JURY FURTHER CHARGES THAT:

On or about July 29, 2010, in the Eastern District of Pennsylvania, defendant

**RAFAEL de la ROSA DURAN,
a/k/a “Alberto,”**

knowingly sold a social security card issued by the Commissioner of Social Security, that is, a social security card in the name of E.P.R.

In violation of Title 42, United States Code, Section 408(a)(7)(C).

COUNT TEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about July 29, 2010, in the Eastern District of Pennsylvania, and elsewhere,
defendant

**RAFAEL de la ROSA DURAN,
a/k/a “Alberto,”**

knowingly and without lawful authority used, attempted to use, and aided and abetted and
willfully caused the use of, a means of identification of another person with the intent to commit,
and to aid and abet, a violation of federal law, that is, selling a social security card, in violation
of Title 42, United States Code, Section 408(a)(7)(C), by selling a social security card in the
name of L.A.R.D.

In violation of Title 18, United States Code, Sections 1028(a)(7), (c)(1), (f), and

2.

COUNT ELEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about July 29, 2010, in the Eastern District of Pennsylvania, and elsewhere,
defendant

**RAFAEL de la ROSA DURAN,
a/k/a “Alberto,”**

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 name L.A.R.D. during and in relation to the sale of a social security card, in violation of Title 42, United States Code, Section 408(a)(7)(C).

In violation of Title 18, United States Code, Section 1028A(a)(1), (c)(11), and (f).

COUNT TWELVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about July 29, 2010, in the Eastern District of Pennsylvania, defendant

**RAFAEL de la ROSA DURAN,
a/k/a “Alberto,”**

knowingly sold a social security card issued by the Commissioner of Social Security, that is, a social security card in the name of L.A.R.D.

In violation of Title 42, United States Code, Section 408(a)(7)(C).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Sections 1028(a)(7) and 1028A(a)(1) set forth in this indictment defendant

**RAFAEL de la ROSA DURAN,
a/k/a “Alberto,”**

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:

GRAND JURY FOREPERSON

ZANE DAVID MEMEGER
United States Attorney