

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

UNITED STATES OF AMERICA	:	CRIMINAL NO. _____
v.	:	DATE FILED: _____
DAVID RICE VLADIMIR PASCAL	:	VIOLATIONS:
	:	18 U.S.C. § 1029(a)(1) (fraud in connection with access devices - 3 counts)
	:	18 U.S.C. § 1029(a)(2) (fraud in connection with access devices - 1 count)
	:	18 U.S.C. § 1028(a)(1) (production of false identification documents - 1 count)
	:	18 U.S.C. § 1028(a)(7) (identity theft - 1 count)
	:	18 U.S.C. § 1028A (aggravated identity theft - 3 counts)
	:	18 U.S.C. § 371 (conspiracy to commit fraud in connection with access devices and to commit identity theft - 1 count)
	:	18 U.S.C. § 2 (aiding and abetting)
	:	42 U.S.C. § 408(a)(7)(b) (misuse of social security number)
	:	Notice of forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

From on or about August 26, 2010 to on or about August 27, 2010, in
Montgomery Township, and elsewhere, in the Eastern District of Pennsylvania, defendant

DAVID RICE

knowingly and with the intent to defraud used, and aided and abetted the use of, counterfeit
access devices, that is, two counterfeit credit cards, one related to an account number ending in

0652, and one with the number ending in 7744 imprinted on the front and a different number encoded on the back (2101), thereby affecting interstate commerce.

In violation of Title 18, United States Code, Sections 1029(a)(1) and 2.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 27, 2010, in Montgomery Township, and elsewhere, in the Eastern District of Pennsylvania, defendant

DAVID RICE

knowingly and with the intent to defraud used, and aided and abetted the use of, an unauthorized access device, that is, an unauthorized access device in the name of T.D., related to a credit account ending in the number 2101, to obtain a thing of value aggregating \$1,000 or more during a one-years period, for a total of at least \$6,539.98, thereby affecting interstate commerce.

In violation of Title 18, United States Code, Sections 1029(a)(2) and 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

From on or about August 26, 2010 to on or about August 27, 2010, in Montgomery Township, and elsewhere, in the Eastern District of Pennsylvania, defendant

DAVID RICE

knowingly and without lawful authority possessed and used a means of identification of another person, that is L.P., during and in relation to credit card fraud.

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

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 27, 2010, in Montgomery Township, in the Eastern District
of
Pennsylvania, defendant

DAVID RICE

with intent to deceive, and for the purpose of unlawfully obtaining credit to make a purchase of merchandise, falsely represented that a Social Security account number with the last four digits 2104 had been assigned to him by the Commissioner of Social Security when in fact such number was not the Social Security account number assigned to him.

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

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 27, 2010, in Montgomery Township, in the Eastern District
of
Pennsylvania, defendant

DAVID RICE

knowingly and without lawful authority possessed and used a means of identification of another
person, that is L.P., during and in relation to Social Security fraud.

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

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

At all times material to this indictment:

1. Defendants DAVID RICE and VLADIMIR PASCAL were individuals who visited the Premium Outlet Stores, in Pottstown, Pennsylvania.
2. One of the stores at the Premium Outlet Stores, in Pottstown, Pennsylvania, is the True Religion store, which sells high-end jeans and other attire.
3. Genuine credit cards have a name and account number embossed on the front and the same information encoded in the magnetic strip on the back.
4. On or about November 19, 2010, in Limerick Township, in the Eastern District of Pennsylvania, and elsewhere, defendants

DAVID RICE and VLADIMIR PASCAL

conspired and agreed together and with others known and unknown to the grand jury, to commit an offense against the United States, that is, to knowingly and with intent to defraud and use and attempt to use counterfeit and unauthorized access devices, in violation of Title 18, United States Code, Section 1029.

MANNER AND MEANS

5. It was part of the conspiracy that, armed with a computer thumb drive containing stolen information on over 600 people, defendants DAVID RICE and VLADIMIR PASCAL obtained counterfeit credit cards and attempted to buy merchandise with those cards.
6. It was further part of the conspiracy that defendants DAVID RICE and VLADIMIR PASCAL and a third individual entered the True Religion store, with counterfeit

credit cards in their possession. The information on the front of the cards did not match the information encoded on the back.

7. Defendants DAVID RICE and VLADIMIR PASCAL selected merchandise and, without trying it on, attempted to purchase the merchandise with counterfeit credit cards.

OVERT ACTS

In furtherance of the conspiracy, defendants DAVID RICE and VLADIMIR PASCAL, and others known and unknown to the grand jury, committed the following overt acts in the Eastern District of Pennsylvania and elsewhere, on or about November 19, 2010:

1. Defendant DAVID RICE entered the True Religion store with defendant VLADIMIR PASCAL. When he entered the store, defendant RICE possessed three counterfeit credit cards in the name of J.B., that is, one credit card with one account number imprinted on the front (1211) and a different number encoded on the back (7880); a second credit card with one account number imprinted on the front (5405) and a different number encoded on the back (1439); and a third credit card with one account number imprinted on the front (6412) and another number encoded on the back (4595); a fake Texas drivers license in the name of J.B., and a thumb drive which contained more than 660 means of identification, including account numbers, dates of birth, social security numbers, passwords, and other identifiers, various security features such as pictures of holograms and front and back credit card plates, and both defendants pictures, as well as pictures of a few other individuals.

2. When defendant VLADIMIR PASCAL entered the True Religion store, he possessed a counterfeit credit card with one account number imprinted on the front (8181) and a different number encoded on the back (9447).

3. Defendant DAVID RICE presented a counterfeit access device, that is, a counterfeit credit card in the name of J.B., with one account number imprinted on the front containing numbers 2560 and a different number encoded on the back containing numbers 2710, in an attempt to purchase merchandise at the Total Religion store.

4. Defendant VLADIMIR PASCAL presented a counterfeit access device, that is, a counterfeit MasterCard credit card with one account number imprinted on the front (8181) and a different number encoded on the back (9447), in an attempt to purchase merchandise at the True Religion store.

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

COUNT SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 19, 2010, in Limerick Township, and elsewhere, in the Eastern District of Pennsylvania, defendant

DAVID RICE

knowingly and with the intent to defraud used, and aided and abetted the use of, a counterfeit access device, that is, a counterfeit credit card in the name of J.B. with one account number imprinted on the front containing numbers 2560 and a different number encoded on the back containing numbers 2710, thereby affecting interstate commerce.

In violation of Title 18, United States Code, Sections 1029(a)(1) and 2.

COUNTS EIGHT

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 19, 2010, in Limerick Township, and elsewhere, in the Eastern District of Pennsylvania, defendant

VLADIMIR PASCAL

knowingly and with the intent to defraud used, and aided and abetted the use of, a counterfeit access device, that is, a counterfeit credit card with one account number imprinted on the front (8181) and a different number encoded on the back (9447), thereby affecting interstate commerce.

In violation of Title 18, United States Code, Sections 1029(a)(1) and 2.

COUNT NINE

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 19, 2010, in Limerick Township, and elsewhere, in the Eastern District of Pennsylvania, defendant

DAVID RICE

knowingly and without lawful authority produced, and aided and abetted and willfully caused the production of, an identification document, that is, a Texas state identification card in the name of J.B., and thereby affected interstate commerce.

In violation of Title 18, United States Code, Sections 1028(a)(1) and 2.

COUNT TEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 19, 2010, in Montgomery Township, and elsewhere, in the Eastern District of Pennsylvania, defendant

**DAVID RICE
and
VLADIMIR PASCAL**

knowingly and without lawful authority possessed, and aided and abetted the possession of, more than 660 means of identification of other people with the intent to commit and to aid and abet, a violation of federal law, that is access device fraud in violation of Title 18, United States Code, Section 1029(a)(1), by fraudulently using and attempting to use counterfeit access devices to obtain merchandise and other things of value, thereby affecting interstate commerce.

In violation of Title 18, United States Code, Sections 1028(a)(7) and 2.

COUNT ELEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 19, 2010, in Limerick Township, and elsewhere, in the Eastern District of Pennsylvania, defendant

**DAVID RICE
and
VLADIMIR PASCAL**

knowingly and without lawful authority possessed, and aided and abetted the possession of, means of identification of other people, that is more than 660 individuals' means of identification during and in relation to counterfeit and unauthorized access device fraud, in violation of Title 18, United States Code, Section 1029.

In violation of Title 18, United States Code, Sections 1028A(a)(1), (c)(4) and 2.

NOTICE OF FORFEITURE

1. As a result of the violations of Title 18, United States Code, Sections 1028 and 1029 set forth in this indictment, defendants

**DAVID RICE
and
VLADIMIR PASCAL**

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, as charged in this indictment, including, but not limited to a diamond ring for which defendant RICE used a counterfeit access device to pay \$6,539.98.

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, Section 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

**ZANE DAVID MEMEGER
UNITED STATES ATTORNEY**