

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

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| UNITED STATES OF AMERICA | : | CRIMINAL NO: _____ |
| v. | : | DATE FILED: _____ |
| ADRIANO SOTOMAYOR | : | VIOLATIONS: |
| a/k/a “Arnaldo Morrell,” | : | 18 U.S.C. § 1343 (wire fraud– 13 counts) |
| a/k/a “Adrian Rodriguez,” | : | 18 U.S.C. § 2 (aiding and abetting) |
| a/k/a “Angel Rodriguez,” | : | Notice of Forfeiture |
| a/k/a “Luis Rodriguez” | : | |

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

BACKGROUND

1. The Dominican Sisters of the Rosary of Fatima (“Sisters of Fatima”) were a religious community of women that was founded in Puerto Rico in 1949. Members of the Sisters of Fatima, whose work included tending to needs of the sick and poor, resided in Yauco, Puerto Rico, Levittown, Pennsylvania, and elsewhere.
2. An elderly person known to the Grand Jury and identified in this indictment as “C.O.,” belonged to the Sisters of Fatima and resided in Puerto Rico.
3. A person known to the Grand Jury and identified in this indictment as “A.B.,” belonged to the Sisters of Fatima and resided in Levittown, Pennsylvania.
4. Persons known to the Grand Jury and identified in this indictment as “C.D.” and “G.R.” were elderly persons residing in Philadelphia, Pennsylvania.

SCHEME TO DEFRAUD

5. From in or about May 2009 through at least June 2011, in the Eastern District of Pennsylvania, and elsewhere, defendant

**ADRIANO SOTOMAYOR,
a/k/a “Arnaldo Morrell,”
a/k/a “Adrian Rodriguez,”
a/k/a “Angel Rodriguez,”
a/k/a “Luis Rodriguez”**

devised and intended to devise a scheme to defraud members of the Sisters of Fatima and others, and to obtain money by means of false and fraudulent pretenses, representations, and promises.

MANNER AND MEANS

6. It was part of that scheme that defendant ADRIANO SOTOMAYOR falsely caused C.O. to believe that she had been named in a will as the beneficiary of an estate estimated at approximately \$2.1 million. In order to lure C.O. into this scheme, C.O. was made to believe that the man who notified her about the will was a Catholic priest from New Jersey, and the testator was one of his parishioners. Defendant SOTOMAYOR caused C.O. to falsely believe that the will was being managed by a New Jersey company called Flex Account (“the company”), that all communications about the will were to remain confidential between C.O. and the company, and that the company would reimburse C.O. for any expenses that she incurred.

It was further part of the scheme that:

7. Beginning in or about May 2009, defendant ADRIANO SOTOMAYOR fraudulently induced C.O. to send money from Puerto Rico via express mail and wire transfer to him and other persons known to the Grand Jury, including L.S. and M.G., among others in New Jersey, by telling her that she needed to pay taxes, processing fees, and various legal fees

associated with the fictitious will.

8. Between on or about May 30, 2009, and on or about February 4, 2010, defendant ADRIANO SOTOMAYOR fraudulently caused C.O. to send a total of approximately \$255,379 via wire transfer from Puerto Rico to him and others in New Jersey, supposedly to resolve numerous problems with the fictitious will. Defendant SOTOMAYOR was the named recipient on approximately 61 wire transfers sent by C.O., and received the money at different locations in Atlantic City, New Jersey, including the Trump Plaza Hotel and Casino, the Showboat Hotel and Casino, and Bally's Park Place, among others. Defendant SOTOMAYOR also received wire transfers under the names "Adrian Rodriguez" and "Angel Rodriguez."

9. To cause C.O. to send additional money, defendant ADRIANO SOTOMAYOR falsely represented, or caused to be falsely represented, that numerous additional problems arose with the will, including, among other things, a fictitious legal challenge to the will by the testator's son. C.O. borrowed money from many people in order to fulfill defendant SOTOMAYOR's demand for money. C.O. promised to repay her lenders once she received money from defendant SOTOMAYOR. C.O. also asked numerous people to wire transfer money to New Jersey on her behalf, including A.B., C.D., and G.R., among others.

10. Defendant ADRIANO SOTOMAYOR used the information included on the wire transfers sent by people other than C.O. to target additional victims for the scheme. Defendant SOTOMAYOR contacted some of these people directly, including A.B. and G.R., and fraudulently induced them to send additional money from Pennsylvania and elsewhere to New Jersey via wire transfer and other means by fraudulently representing that the money would assist C.O. with her problems with the fictitious company.

11. In addition to receiving money via wire transfer, defendant ADRIANO SOTOMAYOR traveled into the Eastern District of Pennsylvania to collect money from certain victims in person. In or about February 2011, defendant SOTOMAYOR falsely represented himself as “Arnaldo Morell” and traveled to Levittown, Pennsylvania to collect approximately \$2,500 from victim A.B., having fraudulently represented, or causing to be fraudulently represented, to A.B. that the money was necessary to help C.O. obtain the money left to her in the will.

12. In or about July 2010, defendant ADRIANO SOTOMAYOR falsely represented himself as “Luis Rodriguez,” and traveled to Philadelphia, Pennsylvania on two occasions to collect a total of approximately \$3,400 from G.R., having fraudulently represented, or causing to be fraudulently represented, to G.R. that the money was necessary to help C.O. obtain the money left to her in the will, and falsely promising G.R. additional money in return.

13. As the scheme progressed, defendant ADRIANO SOTOMAYOR fraudulently represented, or caused to be fraudulently represented, to C.O. that additional money needed to be sent to New Jersey to avoid investigations and lawsuits being brought against C.O., the Sisters of Fatima, and others who sent wire transfers on C.O.’s behalf, and threatened C.O. with media attention and law enforcement action if she failed to comply.

14. Between in or about May 2009 and in or about March 2011, defendant ADRIANO SOTOMAYOR caused at least 24 victims to send a total of at least \$439,153 from Pennsylvania and elsewhere to him and others acting under his direction in New Jersey.

15. On or about each of the dates listed below, in the Eastern District of Pennsylvania and elsewhere, defendant

**ADRIANO SOTOMAYOR,
a/k/a "Arnaldo Morrell,"
a/k/a "Adrian Rodriguez,"
a/k/a "Angel Rodriguez,"
a/k/a "Luis Rodriguez,"**

for the purpose of executing the scheme described above, and attempting to do so, and aiding and abetting its execution, caused to be transmitted, by means of wire communication in interstate commerce the signals and sounds described below, each transmission constituting a separate count:

| COUNT | DATE | DESCRIPTION OF WIRE |
|--------------|-------------|--|
| 1 | 8/9/2009 | \$2,000 Money Gram wire transfer from Levittown, PA to Wal-Mart in Mays Landing, NJ |
| 2 | 8/9/2009 | \$1,500 Western Union wire transfer from Philadelphia, PA to Hilton Casino, Atlantic City, NJ |
| 3 | 10/9/2009 | \$2,200 Western Union wire transfer from Philadelphia, PA to Caesars Casino, Atlantic City, NJ |
| 4 | 1/2/2010 | \$500 Western Union wire transfer from Philadelphia, PA to Hilton Casino, Atlantic City, NJ |
| 5 | 1/31/2010 | \$300 Western Union wire transfer from Philadelphia, PA to Trump Plaza, Atlantic City, NJ |
| 6 | 7/12/2010 | \$300 Western Union wire transfer from Philadelphia, PA to Hilton Casino, Atlantic City, NJ |
| 7 | 7/17/2010 | \$400 Western Union wire transfer from Philadelphia, PA to Hilton Casino, Atlantic City, NJ |
| 8 | 7/18/2010 | \$460 Western Union wire transfer from Philadelphia, PA to Hilton Casino, Atlantic City, NJ |
| 9 | 7/21/2010 | \$600 Western Union wire transfer from Philadelphia, PA to Hilton Casino, Atlantic City, NJ |

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| 10 | 7/21/2010 | \$1,325 Money Gram wire transfer from Philadelphia, PA to Wal-Mart, Mays Landing, NJ |
| 11 | 7/23/2010 | \$2,706 Money Gram wire transfer from Philadelphia, PA to Wal-Mart, Mays Landing, NJ |
| 12 | 7/23/2010 | \$2,606 Money Gram wire transfer from Philadelphia, PA to Wal-Mart, Mays Landing, NJ |
| 13 | 3/19/2011 | \$250 Western Union wire transfer from Philadelphia, PA to Atlantic City, NJ |

All in violation of Title 18, United States Code, Sections 1343 and 2.

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Section 1343 set forth in this indictment, defendant

**ADRIANO SOTOMAYOR,
a/k/a "Arnaldo Morrell,"
a/k/a "Adrian Rodriguez,"
a/k/a "Angel Rodriguez,"
a/k/a "Luis Rodriguez,"**

shall forfeit to the United States of America any property that constitutes, or is derived from, proceeds obtained directly or indirectly from the commission of such offenses, including, but not limited to, the sum of up to \$1 million.

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 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 981(a)(1)(C), 982(a)(2),

and Title 28, United States Code, Section 2461.

A TRUE BILL:

GRAND JURY FOREPERSON


ZANE DAVID MEMEGER
UNITED STATES ATTORNEY