



Department of Justice

United States Attorney Robert Pitman
Western District of Texas

FOR IMMEDIATE RELEASE
WEDNESDAY, AUGUST 8, 2012

CONTACT: DARYL FIELDS
(210) 384-7440

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FEDERAL GRAND JURY INDICTS FIVE IN CONNECTION WITH CREDIT CARD FRAUD SCHEME INVOLVING THE CITY OF EAGLE PASS

This morning, a federal grand jury in Del Rio returned an indictment charging five Eagle Pass residents, including former City of Eagle Pass Department of Public Works employee Edgar Aguilar, in connection with an estimated \$70,000 credit card fraud scheme announced United States Attorney Robert Pitman, Federal Bureau of Investigation Special Agent in Charge Armando Fernandez and Eagle Pass Police Chief Tony Castañeda.

The five-count indictment charges the 27-year-old Aguilar, 25-year-old Rene Castillo, 43-year-old Armando Ojeda Nuncio, 39-year-old Ricardo Hernandez-Espinoza, and 30-year-old Elizabeth Vivian with one count of conspiracy to commit credit card fraud. The indictment also charges all of the defendants, with the exception of Vivian, with one substantive count of credit card fraud.

According to the indictment, during 2011, Edgar Aguilar obtained five City of Eagle Pass-owned "Fuelman" credit cards designated for fuel purchases for Public Works department vehicles and distributed them to his co-defendants. The defendants then used those cards to purchase fuel for their own vehicles and to purchase fuel for others at the City's expense. In some instances, defendants charged individuals a reduced rate for fuel purchased using the City's credit card, and then pocketed the cash.

Upon conviction, each defendant faces up to five years in federal prison and a maximum \$250,000 fine on the conspiracy charge. Aguilar, Castillo, Ojeda and Hernandez-Espinoza are also subject to a maximum ten years in federal prison and a maximum \$250,000 fine upon conviction of the substantive credit card fraud charge. The Government is also seeking to have the defendants repay the City of Eagle Pass for the cost of the misappropriated fuel.

This ongoing joint investigation is being conducted by agents with the Federal Bureau of Investigation together with investigators from the Eagle Pass Police Department. Assistant United States Attorney Don McCune is prosecuting this case on behalf of the Government.

An indictment is merely a charge and should not be considered as evidence of guilt. The defendants are presumed innocent until proven guilty in a court of law.

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