

**IRLAND** IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

**UNITED STATES OF AMERICA** )  
 )  
 **Plaintiff,** )  
 )  
 **v.** )  
 )  
 **RASHID ABDULAI,** )  
 )  
 **Defendant.** )

**Criminal No.:** 18-CR-20061-JTF-tmp  
**18 U.S.C. § 1349**  
**18 U.S.C. § 1956(h)**  
**18 U.S.C. § 981 & 982**

**INDICTMENT**

**THE GRAND JURY CHARGES:**

Background

At all times relevant to this Indictment:

1. A “business email compromise” (BEC) is a type of computer intrusion that occurs when an employee of a company is fooled into interacting with an email message that appears to be, but is not, legitimate. The bogus email usually contains either an attachment or a link to a malicious website. Clicking on either will release a virus, worm, spyware or other program application (also known as “malware”) that subsequently infects the employee’s email account and/or computer. Frequently, the malware spreads throughout the business’ entire computer network. The malware, once executed, can harvest information, including credentials, and give the intruding party access to sensitive company information.

2. In one common BEC scam, an intruder monitors email to determine when a large financial transaction is going to take place. After initial transfer or wiring instructions are conveyed between legitimate parties to the transaction, the intruder sends a follow-up email that appears to be coming from the original legitimate sender. This “spoofed” email

contains a change of plans, instructing that the money being wired to go instead to a different account—one that is under the intruder’s control and set up for the purpose of receiving the redirected funds.

3. As used throughout this Indictment, a “romance scam” is a confidence trick involving feigned romantic intentions towards a victim, subsequently garnering the victim’s affection, and then using that goodwill to defraud the victim of money and/or property.

4. As used throughout this Indictment, an “advance-fee scam” involves misrepresentations to a victim that he or she will receive a significant share of a large sum of money and/or gold in return for an up-front payment, which the fraudster requires in order to obtain the large sum of money and/or gold. After sending up-front payments, sometimes repeatedly, the victim never receives his or her share of the large sum of money and/or gold.

5. Electronic mail (email) is sent and received over the Internet. Data sent over the Internet is broken up into manageable chunks known as “packets.”

6. “Company A” is a full-service real estate company headquartered in Memphis, Tennessee, with 115 offices and more than 3,000 licensed sales associates located throughout its nine-state area of service. Company A’s email servers are maintained in Memphis.

7. Match.com was an internet dating service whose normal activities took place in interstate and foreign commerce, and had an effect on interstate and foreign commerce.

8. Facebook was an internet service provider and social networking site whose normal activities took place in interstate and foreign commerce, and had an effect on interstate and foreign commerce.

9. WhatsApp was an encrypted electronic communications platform whose normal activities took place in interstate and foreign commerce, and had an effect on interstate and foreign commerce.

10. Western Union was a money service business duly registered with the Financial Crimes Enforcement Network authorized to act as a money service business and licensed and/or registered within the various states in which it does business.

11. MoneyGram was a money service business duly registered with the Financial Crimes Enforcement Network, authorized to act as a money service business, and licensed and/or registered within the various states in which it does business.

12. TD Bank is a banking and financial services corporation headquartered in Cherry Hill, New Jersey operating in the United States. TD Bank is a member of and insured by the Federal Deposit Insurance Corporation (FDIC).

13. Personal Identification Information (hereinafter, "PII") includes, but is not limited to, name, date of birth, address, social security number, bank account numbers, bank routing numbers, and any other name or number that may be used alone or in conjunction with any other information to identify a specific individual.

14. **RASHID ABDULAI** is a citizen of Ghana residing in the Bronx, New York, who utilized and controlled at least five TD Bank accounts over the course of the conspiracy, which will collectively be referred to as "the Accounts."

15. Maxwell Atugba Abayeta, a/k/a Peter Maxwell or Maxwell Peter ("Maxwell"), is a citizen of Ghana who utilized and controlled the email accounts petermaxwell200@gmail.com and sandralin200@yahoo.com, as well as the Facebook account facebook.com/maxwell.peter.5688.

16. C.S. is a United States citizen residing in the Bronx, New York.
17. James Dean is a citizen of the United States, residing in Indiana.
18. J.R. is a citizen of the United States, residing in New Jersey, who utilized and controlled the email account LRIGNWM@yahoo.com.
19. J.B. is a citizen of the United States, residing in Alabama.
20. D.C. is a citizen of the United States, residing in North Carolina.

**COUNT 1**

**(Conspiracy to Commit Fraud – 18 U.S.C. §1349)**

Paragraphs 1 through 20 are re-alleged and incorporated by reference as if fully set forth herein.

21. Beginning in at least June 2016, and continuing until at least March 2018, in the Western District of Tennessee and elsewhere, the defendant,

**RASHID ABDULAI**

knowingly conspired and agreed with persons known and unknown to the grand jury, to commit the offenses of mail fraud, wire fraud, and bank fraud; that is, the defendant:

- (a) Pursuant to Title 18, United States Code, Section 1341, devised and intended to devise a scheme and artifice to defraud and to obtain money and property by means of false and fraudulent pretenses, representations and promises, and for the purpose of executing and attempting to execute such scheme and artifice, knowingly caused to be delivered by the United States Postal Service and private and interstate commercial carriers matters according to the directions thereon;
- (b) Pursuant to Title 18, United States Code, Section 1343, devised and intended to devise a scheme and artifice to defraud and to obtain money and property by means of false and fraudulent pretenses, representations, and promises, and for

the purpose of executing and attempting to execute such scheme and artifice, transmitted and caused to be transmitted in interstate and foreign commerce certain wire communications;

- (c) Pursuant to Title 18, United States Code, Section 1344, knowingly executed and attempted to execute a scheme and artifice to obtain funds under the custody and control of financial institutions, by means of false and fraudulent pretenses, representations, and promises.

#### Object of the Conspiracy

22. It was the object of the conspiracy that the defendant and his coconspirators would unjustly enrich themselves and each other by conducting multiple complex financial fraud schemes via the internet. The various fraud schemes included, among others, romance scams, BEC, and advance-fee scams. The proceeds of these scams, both money and goods, were shipped and/or transferred from the United States to Africa through a complex network of both complicit and unwitting individuals recruited through the various internet scams.

#### Manner and Means

The object of the conspiracy was to be accomplished by the following manner and means, among others:

23. It was a part of the conspiracy that Maxwell, **ABDULAI**, and others would devise, execute, and/or maintain BECs, romance scams, and/or advance-fee scams against unsuspecting victims located throughout the United States.

24. It was also part of the conspiracy that Maxwell, **ABDULAI**, and others would devise various means by which to execute and then conceal their fraudulent conduct,

including by using Virtual Private Networks (“VPNs”), numerous fake email and/or social media accounts, and the PII of others.

25. It was a part of the conspiracy that **ABDULAI**, Dean, and others would open bank accounts for the purpose of receiving fraudulently obtained funds, and then send fraudulently obtained funds to other accounts under the control of coconspirators.

26. It was a part of the conspiracy that Maxwell, **ABDULAI**, and/or others would carry on, or cause to be carried on, fictitious online romantic relationships with the victims in order to convince them to carry out various acts that furthered the objective of the conspiracy. These acts included, among other things, receiving and shipping merchandise, depositing and forwarding counterfeit checks, and transferring the proceeds of the conspiracy via wire, U.S. Mail, ocean freight, and express package delivery services.

27. In order to accomplish the object of the conspiracy, Maxwell, **ABDULAI**, and their coconspirators committed the following acts, among others, in furtherance of the conspiracy:

a. On or about June 30, 2016, unknown coconspirators spoofed the email accounts of Company A’s agents and fraudulently misdirected funds that had been intended for a real estate transaction to a different destination.

b. On or about June 30, 2016, unknown coconspirators obtained information worth in excess of \$5,000—that is, the closing information of a real estate transaction, which was worth approximately \$33,495—after gaining unauthorized access into the email servers of Company A.

c. Also on or about June 30, 2016, Maxwell instructed J.R. to wire funds that had been obtained from the actions in the preceding paragraph to co-conspirators in Ghana.

d. On or about June 30, 2016, the wire transfer from the June 30 incident involving Company A was recalled due to suspicion of fraud.

e. In or about May 2017, Maxwell, using a fake Facebook account portraying himself as J.R., instructed J.B. to mail a fraudulent check for approximately \$15,000 to **ABDULAI** in the Bronx, New York.

f. On or about June 14, 2017, **ABDULAI** wired approximately \$6,000 from one of the Accounts to Maxwell in Ghana, with the message "Funds to Family Member."

g. On or about July 3, 2017, **ABDULAI** received a wire transfer of approximately \$6,000 into one of the Accounts from co-conspirator James Dean.

h. On or about July 11, 2017, **ABDULAI** wired approximately \$5,000 from one of the Accounts to Maxwell in Ghana.

i. On or about September 25, 2017, **ABDULAI** received approximately \$20,000 into one of his Accounts from D.C. The message accompanying the wire indicated that the disbursement was for a "Real Estate Transaction."

j. On or about September 28, 2017, **ABDULAI** sent a wire transfer of approximately \$15,500 to a co-conspirator in Ghana.

k. On or about September 29, 2017, **ABDULAI** received approximately \$20,000 into one of his Accounts from D.C. The message accompanying the wire indicated that the disbursement was for "Real Estate."

l. On or about October 3, 2017, **ABDULAI** sent a wire transfer of approximately \$15,500 to a co-conspirator in Ghana.

m. On or about March 2, 2018, C.S. received a check, made payable to her, for approximately \$2,000. C.S. then deposited the account at the behest of **ABDULAI**, knowing that the funds were obtained through fraudulent means.

n. On or about June 21, 2017, **ABDULAI**, communicating with a co-conspirator known as “Kawana” on WhatsApp, negotiated a rate of 30% for receiving wire transfers, noting that “I don’t mind helping” if “there is no risk.”

o. On or about December 5, 2017, **ABDULAI**, communicating with a co-conspirator known as “Hafiz” on WhatsApp, was told “Get some guys and they have their clients to send money so if u could take it and I want u to make the percentage good for [them]”, to which **ABDULAI** replied “only if the percentage is really good.”

p. On or about December 8, 2017, **ABDULAI**, communicating with a co-conspirator on WhatsApp, was told “Hope Maxwell case didn’t put you into any problem,” to which he responded, “FBI came to my house asking me stuff about those transactions that was coming into my account,” so “..I’m tryna stay out of this whatapp n stuff for a while cuz I feel like they tracking me.”

All in violation of Title 18, United States Code, Sections 1349.

## **COUNT 2**

### **(Money Laundering – 18 U.S.C. § 1956(h))**

The facts set forth in paragraphs 1 through 27 above are re-alleged and incorporated by reference as if fully set forth herein.



28. Beginning in at least June 2016, and continuing until at least March 2018, in the Western District of Tennessee and elsewhere, the defendant,

**RASHID ABDULAI**

did knowingly combine, conspire and agree with persons known and unknown to the grand jury, to commit offenses against the United States in violation of Title 18, United States Code, Section 1956, specifically to knowingly conduct and attempt to conduct, financial transactions affecting interstate and foreign commerce, which transactions involved the proceeds of specified unlawful activity, that is, wire fraud, mail fraud, bank fraud, and unauthorized access of a protected computer, knowing that the transactions were designed in whole or in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of specified unlawful activity, and that while conducting and attempting to conduct such financial transactions, knew that the property involved in the financial transactions represented the proceeds of some form of unlawful activity; all in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i). The manner and means used to accomplish the objectives of the conspiracy included, among others, all of the acts described in paragraphs 22 through 27 of this Indictment, all in violation of Title 18, United States Code, Sections 1956(h) and 2.

**NOTICE OF INTENT TO SEEK FORFEITURE**

29. The allegations contained in Counts One and Two of this indictment are re-alleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Sections 981(a)(1)(C), 982(a)(1) and (2)(A) and (B), and Title 28 United States Code, Section 2461(c).

30. Upon conviction for violating Title 18, United States Code, Section 1349, conspiracy to commit wire fraud, set forth in Count One of this indictment, the defendant

**RASHID ABDULAI**

shall forfeit to the United States, pursuant to Title 18, United States Code, Sections 982(a)(2)(B):

a. pursuant to Title 18, United States Code, Sections 982(a)(2)(B), any property, real or personal, constituting, or derived from, proceeds obtained directly or indirectly as a result of such offense; and

b. The property to be forfeited includes, but is not limited to:

1. real and personal property, electronic devices, construction materials, bank accounts, and

2. A sum of money equal to the proceeds derived from or obtained as a result of such offense.

If any of property described above, 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;

the United States shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Sections 982(b)); all pursuant to Title 18, United States Code, Sections 982(a)(2)(B), 982(b), and Title 21, United States Code, Section 853.

31. Pursuant to Title 18, United States Code, Section 982(a)(1), upon conviction of an offense in violation of Title 18, United States Code, § 1956 as charged in Count 2 of this indictment, the defendant

**RASHID ABDULAI**

shall forfeit to the United States any property, real or personal, involved in such offense and any property traceable to property. The property to be forfeited includes, but is not limited to, the following:

- a. residences and real property;
- b. vehicles;
- c. electronic devices;
- d. currency and bank accounts; and
- e. personal items.

Further, if any property described above, 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 commingled with other property which cannot be divided without

difficulty;

the United States shall be entitled to forfeiture of substitute property pursuant to Title 21,

United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1) and Title 28, United States Code, Section 2461(c).

**A TRUE BILL:**

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**FOREPERSON**

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**DATE**

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**D. MICHAEL DUNAVANT  
UNITED STATES ATTORNEY**

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	)	18 U.S.C. § 981 & 982
	)	
Defendant.	)	

**NOTICE OF PENALTIES**

**COUNT 1**

**(Conspiracy to Commit Fraud – 18 U.S.C. § 1349)**

[Nmt 20 years., nmt \$250,000 fine, or both, plus a period of supervised release of nmt 3 years.; together with a mandatory special assessment of \$100 conviction, see 18 U.S.C. 3013(a).]

**COUNT 2**

**(Money Laundering – 18 U.S.C. § 1956(h))**

[Nmt 20 years., nmt \$500,000 fine or twice the value of the property involved in the transaction, whichever is greater, plus a period of supervised release nmt 3 years., together with a mandatory special assessment of \$100, see 18 U.S.C. 3013(a).]