

CLERK OF DISTRICT COURT
NORTHERN DIST. OF TX
FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

2019 JUL 10 PM 4:40

DEPUTY CLERK BMG

UNITED STATES OF AMERICA

v.

PATRICIA SANCHEZ TOVAR (01)
SARA RUTH BRIONES (02)

No.

5-19CR0085-C

INDICTMENT

The Grand Jury Charges:

Count One

Theft, Embezzlement, or Misapplication by Bank Officer or Bank Employee
(Violation of 18 U.S.C. § 656)

From in or around July 2018, the exact date being unknown to the Grand Jury, and continuing until in or about August 2018, in the Lubbock Division of the Northern District of Texas, and elsewhere, **Patricia Sanchez Tovar**, defendant, being an officer, director, agent, and employee of Wells Fargo, a financial institution with deposits insured by the Federal Deposit Insurance Corporation, with the intent to defraud and injure such institution, willfully misapplied, embezzled, abstracted, and purloined more than \$1,000 of the moneys, funds, assets, and securities entrusted to the custody and care of said bank, in that the defendant caused to be removed and converted to her own use, and the use of others, a sum of approximately \$58,921.75.

In violation of Title 18, United States Code, Section 656.

Count Two
Aggravated Identity Theft
(Violation of 18 U.S.C. § 1028A(a)(1))

On or about July 23, 2018, the exact date being unknown to the Grand Jury, in the Lubbock Division of the Northern District of Texas, **Patricia Sanchez Tovar**, defendant, did knowingly transfer, possess, and use, without lawful authority, a means of identification of another person during and in relation to a felony violation enumerated in 18 U.S.C. § 1028A(c), to wit: Theft, Embezzlement, or Misapplication by Bank Officer or Bank Employee, in violation of 18 U.S.C. § 656 as charged in Count One of this indictment, knowing that the means of identification belonged to another actual person.

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

Count Three
Bank Fraud
(Violation of 18 U.S.C. § 1344(2))

From in or around July 2018, the exact date being unknown to the Grand Jury, and continuing until in or about August 2018, in the Lubbock Division of the Northern District of Texas, and elsewhere, **Patricia Sanchez Tovar** and **Sara Ruth Briones**, defendants, did knowingly execute, and attempted to execute, a scheme and artifice to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of Wells Fargo, a financial institution with deposits insured by the Federal Deposit Insurance Corporation, by means of false and fraudulent pretenses, representations, and promises.

In violation of Title 18, United States Code, Section 1344(2).

Count Four
Aggravated Identity Theft
(Violation of 18 U.S.C. § 1028A(a)(1))

On or about July 25, 2018, in the Lubbock Division of the Northern District of Texas, **Sara Ruth Briones**, defendant, did knowingly transfer, possess, and use, without lawful authority, a means of identification of another person during and in relation to a felony violation enumerated in 18 U.S.C. § 1028A(c), to wit: Bank Fraud, in violation of 18 U.S.C. § 1344, as charged in Count Three of this indictment, knowing that the means of identification belonged to another actual person.

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

Count Five

Using and Trafficking in an Unauthorized Access Device
(Violation of 18 U.S.C. §§ 1029(a)(2) and 1029(c)(1)(A)(i))

On or about July 23, 2018, in the Lubbock Division of the Northern District of Texas, and elsewhere, **Patricia Sanchez Tovar**, defendant, knowingly and with intent to defraud, did use and trafficked in a bank account number belonging to another, an unauthorized access device as defined in subsection 1029(e)(3), and by such conduct, from on or about July 23, 2018 to July 25, 2018, obtained \$58,921.75, said use and trafficking affecting interstate and foreign commerce.

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

Forfeiture Notice

(18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c); 18 U.S.C. § 982(a)(2)(A))

Pursuant to 18 U.S.C. § 981(a)(1)(C), 18 U.S.C. § 982(a)(2)(A), and 28 U.S.C. § 2461(c), upon conviction of any of the offenses alleged in this Indictment, the defendants, **Patricia Sanchez Tovar and Sara Ruth Briones**, shall forfeit to the United States any property, real or personal, which constitutes or is derived from proceeds traceable to the respective offense, whether directly or indirectly, including the total proceeds derived from the offense (commonly referred to as a “money judgment”).

Pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 982(b), if any property subject to forfeiture, as a result of any act or omission of the defendant, cannot be located upon the exercise of due diligence; has been transferred or sold to, or deposited with, a third person; has been placed beyond the jurisdiction of the Court; has been substantially diminished in value; or has been commingled with other property which cannot be subdivided without difficulty, it is the intent of the United States of America to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

A TRUE BILL

Marcus M. Edge
FOREPERSON

ERIN NEALY COX
UNITED STATES ATTORNEY

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

THE UNITED STATES OF AMERICA

v.

PATRICIA SANCHEZ TOVAR (1)
SARA RUTH BRIONES (2)

INDICTMENT

COUNT 1: THEFT, EMBEZZLEMENT, OR MISAPPLICATION BY BANK
OFFICER OR BANK EMPLOYEE
Title 18, United States Code, Section 656

COUNTS 2, 4: AGGRAVATED IDENTITY THEFT
Title 18, United States Code, Section 1028A(a)(1)

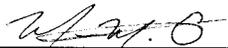
COUNT 3: BANK FRAUD
Title 18, United States Code, Section 1344(2)

COUNT 5: USING AND TRAFFICKING IN AN UNAUTHORIZED ACCESS
DEVICE
Title 18, United States Code, Sections 1029(a)(2) and
1029(c)(1)(A)(ii)

(Five counts + Forfeiture)

A true bill rendered,

Lubbock

 Foreperson

Filed in open court this 10th day of July, A.D. 2019

Clerk

WARRANT TO ISSUE AS TO BOTH DEFENDANTS


UNITED STATES MAGISTRATE JUDGE
