Case 1:20-cr-00001-MSM-PAS Document 1 Filed 11/19/19 Page 1 of 1 PageID #: 1 AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

)

)

District of Rhode Island

United States of America

v.

Julio J. Feliciano

Case No. 1:19-MJ-10K

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

 On or about the date(s) of ______April 8, 2019 to October 2, 2019 _____in the county of _______in the county of ______in the coun

 \mathbf{V} Continued on the attached sheet.

Complainant's signature

Special Agent Rachel L. Robinson - HSI Printed name and title

Sworn to before/me and signed in my presence.

OV 19,2019 Date:

City and state:

Providence, Rhode Island

Judge's signature

Patricia A. Sullivan, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

I, Rachel L. Robinson, Special Agent with the Department of Homeland Security, Homeland Security Investigations ("HSI"), having been duly sworn, depose and state as follows:

1. I am a Special Agent/Criminal Investigator with the United States Department of Homeland Security, Homeland Security Investigations ("HSI"), and as a Special Agent of the United States Department of Homeland Security, I am authorized as an officer of the United States to conduct investigations and make arrests for offenses enumerated in Titles 8, 18, and 19 of the United States Code. I have been employed by HSI since May 2007. Prior to that assignment, I was employed as a Customs and Border Protection Officer with Customs and Border Protection for over 4 years. I am currently assigned to conduct investigations in the Resident Agent in Charge (RAC) Providence Office of HSI. I have prepared numerous affidavits in support of applications for federal search and arrest warrants. As a federal agent, I am authorized to investigate violations of laws of the United States and to execute warrants issued under the authority of the United States.

2. This affidavit is submitted in support of a criminal complaint and arrest warrant for JULIO J. FELICIANO ("FELICIANO"). As detailed below, there is probable cause to believe that FELICIANO is an active participant in a conspiracy to defraud senior citizens across the country into sending large amounts of cash after being told that one of their relatives had been arrested and that bail money was needed to release them from jail. As will be shown below, there is probable cause to believe that

beginning on a date unknown, but at least as early as on or about April 8, 2019 and continuing until on or about at least October 2, 2019, defendant FELICIANO conspired with others to commit mail fraud, in violation of 18 U.S.C. § 1349, and committed aggravated identity theft, in violation of 18 U.S.C. § 1028A.

3. The statements in this Affidavit are based upon information provided to me by other law enforcement officers, my review of various documents, my own training and expertise as a criminal investigator, and the training and expertise of other criminal investigators involved with this investigation. I have set forth the facts that I believe establish probable cause to believe that FELICIANO committed violations of the aforementioned criminal statutes and I ask that an arrest warrant be issued for FELICIANO.

Victim #1 - Tennessee Resident S.S.

4. On May 7, 2019, Rhode Island State Police (RISP) received a phone call from the owner of a UPS Store, located at 11 Broad Common Road, Bristol, Rhode Island, regarding fraud being attempted through the UPS Store. Due to frequencies of scams being conducted through UPS and other delivery type stores, the employees have become very observant for strange packages. The UPS store received a package addressed to M.S. with the store address in Bristol. The package was delivered from "Priority Package and Shipping," located at 741 Cosby Highway, Newport, Tennessee and the sender was listed as S.S. with her phone number. The owner stated it was unusual since they didn't recognize the name.

5. The owner of the UPS store in Bristol, RI contacted S.S. in Tennessee regarding the package. While speaking with S.S., the owner of the UPS store was able to learn that the package contained funds for her grandson's "bail" and that S.S. had received a phone call from his Attorney, who identified himself as "William Hale," with specific instructions about the package. S.S. was instructed to place money into two separate envelopes, which she needed to mail to the UPS Store for her grandson M.S. to pick up. Upon further conservation, S.S. admitted to mailing cash in the package, with two separate bundles of either \$2,500 of \$5,000 (possibly totaling \$5,000 to \$10,000 cash), however she could not remember exactly how much she had sent. S.S. asked the UPS employee to open the package to make sure her cash was inside, however the UPS store owner refused to do so and advised S.S. she may have been the victim of a scam and was going to contact the Rhode Island State Police (RISP).

6. Shorty after speaking to S.S., the owner of the UPS Store received a call from one of her UPS employees, stating that a Hispanic male arrived at the UPS store and asked for a package for "M.S." The UPS employee, now aware this was a potential fraud suspect, advised the male that the package had been taken by her manager and he would have to return the following day, Wednesday May 8th, at noon, for her to release the package. The male subject walked out to a vehicle described as a burgundy Toyota Minivan bearing Massachusetts license plate number 8LL486, sat down inside the vehicle and conversed with another male subject. The UPS employee observed these male subjects make a brief phone call and then the second male subject, described as a

Hispanic male, reentered the UPS store. The male subject also attempted to retrieve the package for M.S., but again was advised to return the following day.

7. RISP Trooper David Gaffney queried the plate MA 8LL486, which was registered to Judith A. Feliciano; 133 Intervale Street, Apt 2, Dorchester, MA 02121; 2005 Toya Sienna Van, color blue. Queries of MA 8LL486 also revealed the vehicle had been stopped with two different male operators in recent history.

- a. 12/04/18 Coventry Police Department operator was ID'd as Julio R.
 Feliciano (DOB: xx/xx/89) of 255 Atlantic Street, Bridgeport, Connecticut with an active Connecticut license (#047550582). The plate at that time was displayed on a 2005 Acura TL, Color black.
- b. 10/01/18 Pawtucket Police Department operator was ID'd as Julio J.
 Feliciano (DOB: xx/xx/87), Rhode Island license #2915168, of 73 Cole
 Street, Apt #2, Pawtucket Rhode Island, phone number 781-731-3986. The
 driver was cited for "Tail Lamps Required" and "No License on Person,"
 indicating positive ID was not displayed.
- c. 10/18/18 Pawtucket Police Department operator was ID'd as Julio J.
 Feliciano (DOB: xx/xx/87), RI license #2915168, of 73 Cole Street, Apt #2,
 Pawtucket Rhode Island, phone number 781-731-3986.

8. On May 8, 2019, at approximately 11:00am, RISP observed the suspect vehicle, bearing MA 8LL486, arrive at the UPS Store, in Bristol RI and a Hispanic male subject entered the store asking for the package for M.S. The Hispanic male was taken into custody by RISP and positively identified as defendant JULIO L. FELICIANO

(DOB: xx/xx/87). FELICIANO presented a New Jersey Driver's License (#C65242564712846) in the name of M.S. and a photo of an unknown subject. Queries of the New Jersey's Driver's License number, as well as the name and date of birth, which returned with "Not on File," confirming the document was a fraudulent driver's license.

9. The package that had been mailed by S.S. was seized and the UPS employee observed the picture of the unknown male on the fraudulent NJ driver's license and confirmed that was the photo of the male that had first attempted to pick up the package the previous evening.

10. RISP contacted S.S. and obtained verbal consent to open the package she mailed to the UPS Store in Bristol, RI. The contents of the package were photographed, prior to and after being opened, and inside contained a manila envelope which contained two white envelopes wrapped in newspaper, with M.S. hand written in blue ink. Inside these white envelopes contained fifty-two (52) \$100.00 bills, one with \$3,200.00 and the other with \$2000.00 cash. The money was seized and ultimately returned to S.S.

11. At the time of the arrest, RISP seized two phones FELICANO had in his possession. Subsequent to his arrest, FELICIANO was advised of his rights, waived those rights and agreed to speak with law enforcement. FELICIANO denied knowledge of the contents of the package but admitted that he had responded to the UPS store the previous evening with a male subject known to him as "Locco." "Locco" went inside the store to attempt to get the package, and after he was turned away,

"Locco" asked him to go inside and try to get it, which was unsuccessful. FELICIANO claimed he was an Uber driver and "Locco" agreed to give him \$50.00 for the ride to Bristol. FELICIANO stated "Locco" did not pay him the \$50.00 but told him if he returned the following day to retrieve the package, he would pay him \$200.00 cash. FELICIANO stated "Locco" told him it was a new cell phone in the package, ultimately admitting he knew it was suspicious that someone was going to pay him \$200.00 to pick up a phone and that he thought "Locco" was doing something wrong. FELICIANO also admitted he entered the store with the fraudulent ID, containing "Locco's" photo with the name of M.S. FELICIANO also admitted he had given "Locco" a ride to a package delivery type store in Westerly approximately two days prior. FELICIANO described "Locco" as a Hispanic male from the Dominican Republic, who has resided in Providence for a long time.

12. FELICIANO was charged in Rhode Island state court with Attempted Larceny over \$1500 and Conspiracy, arraigned and released with a future court appearance.

13. UPS employees at the UPS Store in Bristol, Rhode Island positively identified FELICIANO as one of the two Hispanic males that attempted to retrieve the package and that the photo of the person on the New Jersey Driver's license (retrieved from FELICIANO) was his accomplice from the previous evening.

14. RISP obtained state search warrants for the phones in FELICIANO's possession that were seized at the time of his arrest, an iPhone 6s and LG cell phone. After a review of the iPhone 6s, a WhatsApp chat between FELICIANO (El Animal 786-

622-0658) and Baby Boy Wasap (917-607-5081) believed to be used by "Locco" was extracted from the cell phone belonging to FELICIANO. The chat was mostly in the Spanish language. HSI Task Force Officer (TFO) Det. Omar Ospina, Central Falls Police Department, reviewed the chat and translated the messages contained in Spanish to English. The chat contained messages referring to shipments arriving and names of possible victims of the fraud scheme.

Contained in the WhatsApp chat, on May 07, 2019 at 4:51:05 pm, Baby Boy 15. Wasap sends FELICIANO "11 Broad Common Rd, Bristol RI." A google search of this address relates to The UPS Store. At 5:42:12 pm, Baby Boy Wasap sends FELICIANO "Sender S.S.....tracking ending in 6964." FELICIANO replied, "send it whole"1 followed by "the number." Baby Boy Wasap replied "1Z2X68141345566969." FELICIANO replies "Ok Let me see." Baby Boy Wasap replies, "Carmen received it." Your affiant believes this is referring to Carmen, the owner of the UPS Store in Bristol, RI. FELICIANO replies "ok." At 6:30:32 PM, FELICIANO sends Baby Boy Wasap "Take my money from this." Baby Boy Wasap replies "ok." On May 8, 2019 at 8:55:51 AM, Baby Boy Wasap sends FELICIANO "Active, let's do it." At 10:34:09 AM, Baby Boy Wasap sends "What's going on" then again at 10:57:04 AM. At 10:59:11 AM FELICIANO replies "Loco, who is the sender." Baby Boy Wasap replies "S.S." FELICIANO replies "Ok." Following that message Baby Boy Wasap again asks what's going on then attempted to contact FELICIANO two times via voice call through

¹ According to witness statement provided by Z.B, an employee of the UPS Store, when asked for a tracking number of the package, FELICIANO stated it was in the car and the Z.B. asked for the whole tracking number to locate it.

WhatsApp. At approximately 11am is when FELICIANO entered the UPS Store in Bristol, RI attempting to retrieve the package from S.S. and was subsequently arrested by RISP.

Victim No. 2 – Illinois Resident M.H.

16. Also contained in the WhatsApp chat found on FELICIANO'S phone, on May 07, 2019 at 12:07:46, Baby Boy Wasap sent FELICIANO a message stating "Sender: M.H.; Receiver: Jewels Bond; 875 Tiogue Ave. Coventry RI 02816." Following that Baby Boy Wasap sends "That one first." A query of the address revealed it to be Walgreens Pharmacy, which according to their website, offers FedEx pickup and drop-off. At 3:54:37pm, Baby Boy Wasap inquired "what is going on." FELICIANO replied in Spanish that translates to "We crowned this one," indicating that they succeeded.

17. Your Affiant conducted a query in an open source investigative database of the sender M.H., which resulted in finding M.H., 83 years of age, residing in Illinois and a contact phone number. Your affiant contacted M.H. and conducted an interview via telephone. M.H. stated that he received a call from a male subject from telephone number 401-283-7539 who claimed he was calling from a courthouse in Wisconsin. The male subject stated that his grandson Maurice was in a serious accident that resulted in injuries to everyone involved. The male subject stated that Maurice was intoxicated and was going to face criminal charges. He stated that he was going to court the next day and needed \$9000.00 cash for bond. The male subject stated they were putting "Maurice" on the phone. At the time, M.H. believed he was speaking with his actual grandson Maurice, as his voice was sounded similar. M.H. was provided with

instructions to send the money. M.H. was instructed to wrap the money in newspaper and put it into a box and say it was business documents. M.H. was advised to call the male subject back while he was in the shipping store. M.H. followed the instructions and sent the \$9000.00 via FedEx from a shipping center located at 605 East 71st Street, Chicago, IL 60619. After sending the money, M.H. learned that his actual grandson Maurice knew nothing about an accident and was never arrested.

Victim No. 3 - Virginia Resident N.M.

A review of the device location report for the FELICIANO's iPhone 6s, 18. shows FELICIANO at 1010 Park Avenue, Cranston RI on May 1, 2019. A google search of the address revealed it to be Walgreens Pharmacy. According to an RISP report, Detective Sergeant Justice of the Delaware State Police contacted RISP regarding a victim of a similar scheme who mailed cash via FedEx to a Walgreens in Cranston. It was reported that on April 30, 2019, N.M., 75 years of age, a resident of Virginia and seasonal resident of Delaware, received a call from a male subject who identified himself as Robert Burns, telephone number 610-466-5606. Burns advised N.M. that his nephew, identified as T.M., was involved in a motor vehicle accident in New York City and was arrested for Driving under the Influence (DUI). Burns advised N.M. to mail \$9,500.00 in cash, separated in two envelopes, to Walgreen's located at 1010 Park Avenue, Cranston, RI, which he did. N.M. stated that after he mailed the money, via FEDEX (tracking number 930229925791) to the requested locations, he received a second call requesting an additional \$9,000.00 because T.M.'s accident caused the death of

another individual. N.M. refused because he learned T.M. was not involved in an accident and determined the call to be a scam. That phone call was recorded by N.M.

19. Delaware State Police, Detective Sergeant Justice, obtained video surveillance from Walgreen's Pharmacy, located at 1010 Park Avenue, Cranston, RI and provided it to RISP. On May 1, 2019, a Hispanic male was observed taking custody of the FedEx package. RISP Det. Macera reviewed the video and positively identified the Hispanic male as FELICIANO.

20. A review of the location data of the LG cellphone seized from FELICIANO the day of his arrest revealed locations of the device at the following locations: May 4, 2019 at 591 Metacom Ave, Bristol, RI (Walgreens Pharmacy), May 7, 2019 at 875 Tiogue Ave, Coventry, RI (Walgreens Pharmacy), and May 7, 2019 at 11 Broadcommon Rd, Bristol, RI (The UPS Store).

Victim # 4 – North Carolina resident M.A.

21. After FELICIANO was arrested, the Rhode Island State Police Fusion Center put out a statewide bulletin of the scam, requesting an information regarding similar incidents. RISP Trooper Dennison of the RISP Hope Valley Barracks saw the bulletin and reached out to RISP Cpl. Gormley. Trooper Dennison reported that on April 9, 2019, RISP received a report that a victim, M.A., 94 years of age, a resident of North Carolina, was contacted by a male subject who identified himself as Robert Gallucio, who claimed to be a friend of her grandson C.M. M.A. was advised her grandson was in jail due to an accident and could not be released without bond being paid of \$7000.00. M.A.'s son C.A., a resident of North Carolina, sent the money as

requested via UPS (tracking # 1ZAT00135898856625) to Christopher Miller at 33 Hampton Street, Providence, RI. This package was sent via UPS Next Day Air delivered on April 6, 2019 to "Miller." After this package, M.A. was again contacted by "Bob" in furtherance of this fraud scheme. Bob advised he worked at the courthouse and stated the other individual involved in the accident was pregnant and the baby died. "Bob" requested an additional \$6000.00 to be mailed via UPS (tracking #1ZAT00131311223920). This package was sent via UPS Next Day Air delivered on April 8, 2019 to "met customer man."

22. On October 16, 2019, RISP Detectives interviewed L.T., an employee of UPS, who delivered the second package (tracking # 1ZAT00131311223920) mailed by M.A. to 33 Hampton Street, Providence, RI containing \$6,000.00 cash. The package was mailed on April 8, 2019 and delivered on April 9, 2019. L.T. was shown a two (2) photographic lineup package, at separate times, and advised him to sign his name to the individual photo that contained the person who received the UPS package. One photographic lineup contained an image of FELICIANO. L.T. reviewed all of the photographs and stated, "This is definitely the guy," pointing to the picture of FELICIANO. L.T. signed, dated and wrote "def. this guy!" on the picture of FELICIANO. L.T. stated that he recalled the delivery because FELICIANO came from the rear of 33 Hampton Street, Providence RI and was very grateful during the delivery of the package. Additionally, L.T. stated that he recalled seeing FELICIANO then enter a vehicle with New Jersey plates that L.T. stated seemed odd.

Victim No. 5 - Oklahoma resident D.L.D.

On October 10, 2019, your affiant was notified by HSI Chicago of a report 23. of a possible victim of what appears to be the same fraud scheme. You affiant contacted the reporting party S.W. who stated that on September 30, 2019, D.L.D., 80 years of age and V.C.T., residents of Oklahoma, received a phone call from a male subject, "Bill Matthews" stating their grandson was involved in a motor vehicle accident with injuries. "Bill Matthews" told D.L.D. that his grandson needed bail money, as he was arrested for his part in the collision. D.L.D. was advised to send \$3,000.00 cash via FedEx to 130 Putnam Street, Providence, Rhode Island 02909, in which he emptied his bank accounts and complied (FedEx tracking # 776389537306)² On October 1, 2019, D.L.D. was contacted again by the same male subject who told him the female injured in the car accident was pregnant and lost the baby. D.L.D. was advised to send an additional \$5,000.00 via FedEx to 130 Putnam Street, Providence, Rhode Island 02909, so his grandson could be bonded out of jail. D.L.D. applied for a loan from his bank and once approved, withdrew \$5,000.00 in cash and sent the money, along with two (2) tshirts (as he was advised his grandson had a bloody nose) via FedEx to 130 Putnam Street, Providence, Rhode Island 02909. On October 2, 2019, D.L.D. called his grandson to ask if he was ok, who in turn advised him he was defrauded and D.L.D. reported the incident to the Broken Arrow Police Department in Oklahoma. The grandson provided his father, A.W., the phone number his grandparents were contacted by, 317-316-4488.

² FedEx tracking history revealed the package was sent via FedEx Priority Overnight on September 30, 2019 and was delivered on October 1, 2019 to Providence, RI. Travel history shows the package was delivered at 10:29 am "Left at back door. Package delivered to recipient address – release authorized."

A.W. called 317-316-4488, which was answered by a male subject who identified himself as "Danny Morgan." "Danny Morgan," sounded professional and stated the person in the accident was in fact caught using A.W. son's identity. "Danny Morgan" provided his "bar number" and stated the money that was sent for bail money would be returned later that week. Neither A.W., D.L.D. nor V.T.C have received money back as promised.

Victim No. 6 - Unidentified

24. Contained in the WhatsApp chat on FELICIANO's phone, on May 3, 2019, Baby Boy Wasap sends a message that translated to "It arrives before that time it arrives around 10." Followed by "591 Metacom Ave, Bristol, RI 02809." FELICIANO responds "Damn Bristol Iol." Followed by "This is hot but let's do it." Baby Boy Wasap responds "But there is where the rich live brother." FELICIANO replies with a laugh and says "Forget it...will do it." The following day on May 4, 2019, Baby Boy Wasap sends "What's going on. Active. The Stuff is delayed because where it was sent from had a storm." FELICIANO replies "What time is it ready." Later that morning, Baby Boy Wasap replies "ok." A google search of 591 Metacom Ave, Bristol, RI appears to relate to Walgreens Pharmacy. The victim who sent this package is unknown.

25. Based upon all of the above, I believe that there is probable cause to believed that JULIO FELICIANO committed the following offenses: (1) From as early as on or about April 8, 2019, and continuing until on or about at least October 2, 2019, defendant JULIO FELICIANO conspired with others to commit mail fraud, that is to devise a scheme to defraud and to obtain money or property by means of false and

fraudulent pretenses, representations and promises, and for the purpose of executing the scheme did deposit or cause to be deposited any matter to be sent or delivered by any private or commercial interstate carrier, contrary to 18 U.S.C. § 1341, in violation of 18 U.S.C. § 1349 (Count One - Conspiracy to Commit Mail Fraud); and 2) On or about May 8, 2019, during and in relation to the felony offense of conspiracy to commit mail fraud, contrary to 18 U.S.C. § 1341, defendant JULIO FELICIANO did knowingly use, without lawful authority, a means of identification of another person, to wit the name of M.S., in violation of 18 U.S.C. § 1028A (Count Two – Aggravated Identity Theft).

RACHEL L. ROBINSON Special Agent Homeland Security Investigations

Sworn and subscribed before me in Providence, Rhode Island this \prod day of

November, 2019.

PATRICIA A. SULLIVAN United States Magistrate Judge

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DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT				
	MPLAINT CASE NO			
Matter Sealed: Juvenile Dother than Juvenile	USA vs.			
Pre-Indictment Plea Superseding Defendant Ad Indictment Charges/Cour Information	Defendant:			
Name of District Court, and/or Judge/Magistrate Location (City)	Addres			
UNITED STATES DISTRICT COURT RHODE ISLAND DISTRICT OF RHODE ISLAND Divisional Office				
Name and Office of Person Furnishing Information on THIS FORM Phone No.	ency I REDAC'TED			
Name of Asst. U.S. Attorney Lee H. Vilker (if assigned)	Birth Date			
PROCEEDING				
Name of Complainant Agency, or Person (& Title, if any) Department of Homeland Security - HSI	Social Secur			
person is awaiting trial in another Federal or State Court (give name of court)				
this person/proceeding transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District	Issue: Vvarrant Summons Location Status:			
 this is a reprosecution of charges previously dismissed which were dismissed on motion of: U.S. Atty Defense 	Arrest Date or Date Transferred to Federal Custody Currently in Federal Custody Currently in State Custody Writ Required			
this prosecution relates to a pending case involving this same defendant. (Notice of Related Case must still be filed with the				
Clerk.) prior proceedings or appearance(s) before U.S. Magistrate Judge regarding this defendant were recorded under				
Place of RHODE ISLAND County				
	This report amends AO 257 previously submitted			

OFFENSE CHARGED - U.S.C. CITATION - STATUTORY MAXIMUM PENALTIES - ADDITIONAL INFORMATION OR COMMENTS

Total # of Counts 2^{-1}

Set	Title & Section/Offense Level (Petty = 1 / Misdemeanor = 3 / Felony = 4)	Description of Offense Charged	Felony/Misd.
	18 U.S.C. § 1349	Conspiracy to commit mail fraud	¥Felony ☐Misdemeanor
Max	Penalty: 20yrs imprisonment; 5yrs S/R;	and \$250,000 fine	☐Felony ☐Misdemeanor
	18 U.S.C. § 1028A	Aggravated Identity Theft	≍Felony ☐Misdemeanor
Max	Penalty: 2yrs imprisonment; 1yr S/R;	and \$250,000 fine	Felony Misdemeanor
		Estimated Trial Days: 3 days	Felony Misdemeanor