

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X
:
UNITED STATES OF AMERICA :
:
- v. - :
:
ISHMAEL BENREUBEN, :
:
Defendant. :
:
- - - - - X

INDICTMENT

22 Cr.

CRIM

698

COUNT ONE
(Conspiracy to Commit Bank Fraud)

The Grand Jury charges:

1. From at least in or about September 3, 2021, up to and including at least in or about March 30, 2022, in the Southern District of New York and elsewhere, ISHMAEL BENREUBEN, the defendant, and others known and unknown, willfully and knowingly, did combine, conspire, confederate, and agree, together and with each other, to commit bank fraud, in violation of Title 18, United States Code, Section 1344.

2. It was a part and object of the conspiracy that ISHMAEL BENREUBEN, the defendant, and others known and unknown, would and did knowingly execute and attempt to execute a scheme and artifice to defraud financial institutions, the deposits of which were then insured by the Federal Deposit Insurance Corporation, and to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody

and control of, such financial institutions, by means of false and fraudulent pretenses, representations, and promises, in violation of Title 18, United States Code, Section 1344, to wit, BENREUBEN deposited, and aided and abetted the depositing of, forged and altered checks into bank accounts at financial institutions and subsequently withdrew funds from those bank accounts.

(Title 18, United States Code, Section 1349.)

COUNT TWO
(Bank Fraud)

The Grand Jury further charges:

3. From at least in or about September 3, 2021, up to and including at least in or about March 30, 2022, in the Southern District of New York and elsewhere, ISHMAEL BENREUBEN, the defendant, knowingly did execute and attempt to execute a scheme and artifice to defraud a financial institution, the deposits of which were then insured by the Federal Deposit Insurance Corporation, and to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, such financial institution, by means of false and fraudulent pretenses, representations, and promises, to wit, BENREUBEN deposited, and aided and abetted the depositing of, forged and altered checks into bank accounts at financial institutions and subsequently withdrew funds from those bank

accounts.

(Title 18, United States Code, Sections 1344 and 2.)

COUNT THREE
(Aggravated Identity Theft)

The Grand Jury further charges:

4. From at least in or about September 3, 2021, up to and including at least on or about March 30, 2022, in the Southern District of New York and elsewhere, ISHMAEL BENREUBEN, the defendant, knowingly did transfer, possess, and use, without lawful authority, a means of identification of another person, during and in relation to a felony violation enumerated in Title 18, United States Code, Section 1028A(c), to wit, BENREUBEN deposited, and aided and abetted the depositing of, forged and altered checks with names and bank account numbers of other persons during and in relation to the conspiracy to commit bank fraud charged in Count One of this Indictment and the bank fraud charged in Count Two of this Indictment.

(Title 18, United States Code, Sections 1028A(a)(1), 1028A(b),
and 2.)

FORFEITURE ALLEGATION

5. As a result of committing the offenses alleged in Counts One and Two of this Indictment, ISHMAEL BENREUBEN, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(2)(A), any property

constituting, or derived from, proceeds the defendant obtained directly or indirectly, as a result of the commission of said offenses, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offenses.

Substitute Asset Provision

6. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- 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 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the

forfeitable property described above.

(Title 18, United States Code, Section 982;
Title 21, United States Code, Section 853.)



Damian Williams

DAMIAN WILLIAMS

United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

ISHMAEL BENREUBEN,

Defendant.

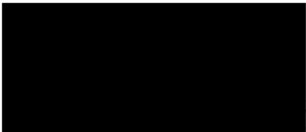
INDICTMENT

22 Cr.

(18 U.S.C. §§ 1028A, 1344, 1349, and 2.)

DAMIAN WILLIAMS

United States Attorney

 Foreperson

12/19/22 INDICTMENT FILED. CASE ASSIGNED
TO JUDGE RAKOFF. CF

GABRIEL M. GORENSTEIN
USAJ