

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon.
	:	
	:	Crim. No. 21-
v.	:	
	:	18 U.S.C. § 1349
	:	18 U.S.C. § 1543 & 2
MAMADOU DIALLO	:	

INFORMATION

The defendant having waived in open court prosecution by Indictment, the United States Attorney for the District of New Jersey charges:

COUNT ONE
(Conspiracy to Commit Bank Fraud)

Background

1. At all times relevant to this Information:
 - a. Mamadou Diallo (“DIALLO”) was a resident of New Jersey.
 - b. Victim Bank 1, Victim Bank 2, Victim Bank 3, and Victim Bank 4 were federally insured financial institutions, as that term is defined in Title 18, United States Code, Section 20.

The Conspiracy

From at least as early as in or around June 2012 through in or around December 2018, in the District of New Jersey, and elsewhere, the defendant,

MAMADOU DIALLO

did knowingly and intentionally conspire and agree with others to execute and attempt to execute a scheme and artifice to defraud financial institutions, as defined in Title 18, United States Code, Section 20, namely, Victim Bank 1,

Victim Bank 2, Victim Bank 3, and Victim Bank 4, whose deposits were 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 those financial institutions, by means of materially false and fraudulent pretenses, representations, and promises, contrary to Title 18, United States Code, Section 1344.

Goal of the Conspiracy

2. It was the goal of the conspiracy for DIALLO and others (the “Coconspirators”) to obtain money from Victim Banks, including Victim Banks 1, 2, 3, and 4 on the basis of false and fraudulent pretenses and representations.

Manner and Means of the Conspiracy

3. It was part of the conspiracy that:
- a. The Coconspirators created false passports from various West African Countries by affixing their own pictures (often, DIALLO’s picture) onto passports bearing names other than their own.
 - b. The Coconspirators opened bank accounts at the Victim Banks (the “Fraudulent Accounts”). To do so, the Coconspirators used the false passports as photo identification.
 - c. The Coconspirators deposited into the Fraudulent Accounts fraudulent checks, bearing the names of non-existent entities, and using the routing number for the U.S. Treasury, which did not issue the checks.

d. Once the Coconspirators deposited fraudulent checks into the Fraudulent Accounts, the Coconspirators withdrew the funds from ATM and teller terminals, including the following examples:

i. On or about January 8, 2016, a Fraudulent Account (“Fraudulent Account 1”) was opened at Victim Bank 1 using a false République de Guinee passport bearing the name of Individual 1. On or about February 9, 2016, a check bearing the routing number for the U.S. Treasury from payor “Subrogation Zone” was deposited into Fraudulent Account 1 in the amount of \$3,855.75, payable to Individual 1. On or about the same day, DIALLO withdrew a portion of the funds.

ii. On or about October 25, 2016, a Fraudulent Account (“Fraudulent Account 2”) was opened at Victim Bank 2 using a false République de Guinee passport bearing the name of Individual B and a Verizon Wireless bill for Individual B at an address in Orange, New Jersey. On or about November 3, 2016, a check bearing the routing number for the U.S. Treasury from payor “Subrogation Zone” was deposited into Fraudulent Account 2 in the amount of \$3,965.95, payable to Individual B. The next day, DIALLO withdrew a portion of the funds.

iii. On or about October 4, 2018, DIALLO entered a branch of Victim Bank 3 located in Scotch Plains, New Jersey, where he opened a bank account using a false Mali passport bearing the name of Individual C. Approximately an hour later, DIALLO entered a branch of Victim Bank 4, located in Scotch Plains, New Jersey, where he opened a bank account using a false Mali

passport bearing the name of Individual C. Approximately an hour and a half later, DIALLO entered a branch of Victim Bank 1, located in Scotch Plains, New Jersey where he opened a bank account in the name of Individual C.

iv. On or about November 26, 2018, DIALLO entered a branch of Victim Bank 4 located in South Orange, New Jersey where he opened a bank account using a false Republique de Guinee passport bearing the name "S.J." Approximately an hour later, DIALLO entered a branch of Victim Bank 1 located in Maplewood, New Jersey where he opened a bank account using the same false passport bearing the name "S.J."

e. Between in or about June 2012 and November 2018, the Coconspirators opened or accessed approximately 400 Fraudulent Accounts at Victim Bank 1 alone.

f. The conspiracy resulted in approximately \$450,000 in foreseeable losses to Victim Banks 1, 2, 3, and 4.

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

COUNT TWO
(False Use of a Passport)

On or about October 4, 2018, in Union County, in the District of New Jersey, the defendant

MAMADOU DIALLO

willfully and knowingly used and attempted to use a false, forged, counterfeited and altered passport and an instrument purporting to be a passport, in violation of Title 18, United States Code, Section 1543, and Title 18, United States Code, Section 2.

FORFEITURE ALLEGATION AS TO COUNT ONE

1. As a result of committing the offenses charged in Count One of this Information, defendant DIALLO shall forfeit to the United States pursuant to Title 18, United States Code, Sections 982(a)(2)(A), any property, real or personal, constituting, or derived from, proceeds obtained directly or indirectly as a result of the offenses charged in Count One of this Information.

FORFEITURE ALLEGATION AS TO COUNT TWO

2. As a result of committing the offenses charged in Count Two of this Information, defendant DIALLO shall forfeit to the United States pursuant to 18 U.S.C. § 982(a)(6)(A)(ii) any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of the offense charged in Count Two, and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the offense alleged in Count Two of this Information

SUBSTITUTE ASSETS PROVISION
(Applicable to All Forfeiture Allegations)

3. 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;

the United States shall be entitled, pursuant to 21 U.S.C. § 853(p) (as incorporated by 28 U.S.C. § 2461(c) and 18 U.S.C. § 982(b)), to forfeiture of any other property of the defendant up to the value of the above-described forfeitable property.


RACHAEL A. HONIG
Acting United States Attorney

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INFORMATION FOR

18 U.S.C. § 1349

18 U.S.C. § 1543

18 U.S.C. § 2

RACHAEL A. HONIG

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