

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA : Hon.
: :
: Criminal No. 21-
v. : :
: 18 U.S.C. § 1344
: 18 U.S.C. § 1349
BRIAN PREVILON : 18 U.S.C. § 982(a)(2)

INFORMATION

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

Background

1. At times material to this Information:
 - a. Defendant Brian Previlon (“PREVILON”) was a resident of Elizabeth, New Jersey.
 - b. Ramses Estrada II (“Estrada”) was employed as a mail carrier for the United States Postal Service (“USPS”) in Elizabeth.
 - c. The victim financial institutions, including Bank 1, were “financial institutions” whose deposits were insured by the Federal Deposit Insurance Corporation (“FDIC”).

The Conspiracy

2. From in or about summer 2019 to on or about October 22, 2019, in Union County, in the District of New Jersey and elsewhere, defendant

BRIAN PREVILON

knowingly and intentionally did conspire and agree with Estrada, and others (collectively, the “Co-Conspirators”) to execute a scheme and artifice to defraud financial institutions, as defined in Title 18, United States Code, Section 20, whose deposits were insured by the FDIC, and to obtain monies, funds, assets, and other property owned by and under the custody and control of such 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

3. It was the goal of the conspiracy for PREVILON and the Co-Conspirators to enrich themselves by fraudulently obtaining money from victim financial institutions by, among other things, depositing counterfeit checks and checks stolen from the USPS into bank accounts at victim financial institutions and withdrawing funds from those accounts before the victim financial institutions identified the fraudulent checks and blocked further withdrawals.

Manner and Means of the Conspiracy

4. It was part of the conspiracy that:

- a. PREVILON arranged for USPS employees, including Estrada, to steal blank checkbooks from the United States mail in exchange for cash payments.
- b. Estrada removed envelopes and packages containing blank checkbooks from financial institutions that were in the mail, which were intended to be delivered to residents of Elizabeth.

- c. USPS employees, including Estrada, provided stolen checkbooks PREVILON (the “Stolen Checks”).
- d. PREVILON offered to pay approximately \$100 for each stolen checkbook he received from Estrada.
- e. PREVILON and the Co-Conspirators fraudulently negotiated and endorsed the Stolen Checks, and deposited and attempted to deposit the Stolen Checks.
- f. After depositing the Stolen Checks, PREVILON and the Co-Conspirators withdrew as much money as possible via automated teller machines (“ATMs”) before the victim financial institutions identified the checks as fraudulent and blocked further withdrawals from the Fraud Accounts.
- g. For example, on or about October 22, 2019, PREVILON was in possession of a check book issued by Bank 1 in the name of Victim 1, a resident of Elizabeth. Between on or about October 4 and October 21, 2019, PREVILON and his Co-Conspirators caused checks in Victim 1’s name with signatures that did not match Victim 1’s signature card in the total amount of approximately \$4,911.60 to be deposited.
- h. Using the manner and means described herein, PREVILON and the Co-Conspirators obtained and attempted to obtain approximately \$38,364.28 from the victim financial institutions.

In violation of Title 18, United States Code, Sections 1349 and 2.

FORFEITURE ALLEGATION

1. The allegations contained in this Information are hereby realleged and incorporated by reference for the purposes of noticing forfeiture pursuant to Title 18, United States Code, Section 982(a)(2)(A).

2. The United States hereby gives notice to defendant

BRIAN PREVILON

that, upon conviction of the offense charged in this Information, the United States will seek forfeiture, in accordance with Title 18, United States Code, Section 982(a)(2)(A), of any and all property that constitutes and is derived from proceeds PREVILON obtained directly or indirectly as a result of the violation of Title 18, United States Code, Section 1349 alleged in this Information.

SUBSTITUTE ASSETS PROVISION

3. If by any act or omission of PREVILON, any of the property subject to forfeiture described herein:

- 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 of America will be entitled to forfeiture of substitute property up to the value of the property described above, pursuant to Title 18, United States Code, Section 982(b) and Title 21, United States Code, Section 853(p).

Rachael A. Honig
RACHAEL A. HONIG
Acting United States Attorney

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BRIAN PREVILON

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18 U.S.C. § 1344
18 U.S.C. § 1349
18 U.S.C. § 982(a)(2)**

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