

FILED BY **YH** D.C.

Jan 10, 2019

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S.D. OF FLA. - MIAMI

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 19-20011-CR-KING/BECERRA

**18 U.S.C. § 1349
18 U.S.C. § 982(a)(8)**

UNITED STATES OF AMERICA

vs.

CHRISTIAN DUQUE,

Defendant.

_____ /

INFORMATION

The United States Attorney charges that:

GENERAL ALLEGATIONS

At all times relevant to this Information:

1. Defendant **CHRISTIAN DUQUE** was a resident of Miami-Dade County, Florida.
2. Victim 1 was a resident of Sarasota County, Florida.
3. Victim 2 was a resident of Chelan County, Washington.
4. Victim 3 was a resident of Hampshire County, Massachusetts.

**COUNT 1
Conspiracy to Commit Mail Fraud
(18 U.S.C. § 1349)**

1. Paragraphs 1 through 4 of the General Allegations section of this Information are re-alleged and incorporated by reference as though fully set forth herein.

2. From at least as early as on or about October 28, 2018, and continuing through on or about November 2, 2018, in Miami-Dade and Broward Counties, in the Southern District of Florida, and elsewhere, the defendant,

CHRISTIAN DUQUE,

did willfully, that is, with the intent to further the object of the conspiracy, and knowingly combine, conspire, confederate, and agree with others known and unknown to the United States Attorney to knowingly, and with the intent to defraud, devise, and intend to devise, a scheme and artifice to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, knowing those pretenses, representations, and promises were false and fraudulent when made, and, for the purpose of executing such scheme and artifice, did knowingly cause to be delivered any mail matter and thing whatever by private and commercial interstate carrier, according to the directions thereon, and did knowingly take and receive therefrom any such matter and thing, in violation of Title 18, United States Code, Section 1341.

PURPOSE OF THE CONSPIRACY

3. It was a purpose of the conspiracy for the defendant, **CHRISTIAN DUQUE**, and his co-conspirators to unjustly enrich themselves by obtaining money from elderly victims by posing as relatives, friends, and/or attorneys, and falsely and fraudulently claiming to have an urgent need for money based on false and fraudulent claims of distress.

MANNER AND MEANS OF THE CONSPIRACY

The manner and means by which the defendant and his co-conspirators sought to accomplish the object and purpose of the conspiracy included, among other things, the following:

4. **CHRISTIAN DUQUE's** co-conspirators made telephone calls to Victim 1, Victim 2, Victim 3, and other elderly victims located throughout the United States as part of a "relative in distress" telemarketing fraud scheme.

5. During the telephone calls, **CHRISTIAN DUQUE's** co-conspirators falsely and fraudulently held themselves out to the elderly victims as either relatives in distress, friends in distress, or attorneys representing the relatives or friends in distress.

6. **CHRISTIAN DUQUE's** co-conspirators falsely and fraudulently represented that the elderly victims' relatives or friends in distress had suffered some sort of trouble, such as a car accident or arrest, and needed money.

7. **CHRISTIAN DUQUE's** co-conspirators instructed the elderly victims to send, by private or commercial interstate carrier, packages containing specific amounts of money to various addresses located in the Southern District of Florida and elsewhere.

8. **CHRISTIAN DUQUE's** co-conspirators provided **DUQUE** with the addresses and tracking numbers for the packages of money sent by the elderly victims.

9. **CHRISTIAN DUQUE** used the addresses and tracking numbers to determine where and when the packages would be delivered to addresses in the Southern District of Florida.

10. **CHRISTIAN DUQUE** travelled to various addresses in the Southern District of Florida to pick up the packages sent by the elderly victims, including Victim 1, Victim 2, and Victim 3.

11. **CHRISTIAN DUQUE** used the falsely and fraudulently obtained funds for his personal use and benefit.

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

FORFEITURE ALLEGATIONS

1. The allegations of this Information are re-alleged and by this reference fully incorporated herein for the purpose of alleging forfeiture to the United States of America of certain property in which the defendant, **CHRISTIAN DUQUE**, has an interest.

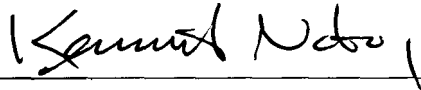
2. Upon conviction of a conspiracy to violate Title 18, United States Code, Section 1341, as alleged in this Information, the defendant shall forfeit to the United States all real or personal property (A) used or intended to be used to commit, to facilitate, or to promote the commission of such offense; and (B) constituting, derived from, or traceable to the gross proceeds obtained directly or indirectly as a result of the offense, pursuant to Title 18, United States Code, Section 982(a)(8).

3. If the property described as being subject to forfeiture in this Information, as a result of any act or omission of a defendant:

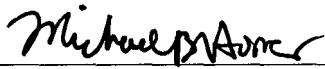
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1).

All pursuant to Title 18, United States Code, Section 982(a)(8), and the procedures set forth at Title 21, United States Code, Section 853, as made applicable by Title 18, United States Code, Section 982(b)(1).



ARIANA FAJARDO ORSHAN
UNITED STATES ATTORNEY



MICHAEL B. HOMER
ASSISTANT UNITED STATES ATTORNEY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA

CASE NO. _____

v.

CERTIFICATE OF TRIAL ATTORNEY*

CHRISTIAN DUQUE,

Superseding Case Information:

_____ Defendant. /

Court Division: (Select One)

Miami Key West
 FTL WPB FTP

New defendant(s) Yes No
Number of new defendants _____
Total number of counts _____

- I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.
- I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. Section 3161.
- Interpreter: (Yes or No) No
List language and/or dialect _____
- This case will take 0 days for the parties to try.
- Please check appropriate category and type of offense listed below:

(Check only one)

(Check only one)

I 0 to 5 days
 II 6 to 10 days _____
 III 11 to 20 days _____
 IV 21 to 60 days _____
 V 61 days and over _____

Petty _____
 Minor _____
 Misdem. _____
 Felony

6. Has this case previously been filed in this District Court? (Yes or No) No

If yes: Judge Case No. _____

(Attach copy of dispositive order)

Has a complaint been filed in this matter? (Yes or No) Yes

If yes: Magistrate Case No. 1:18-3796-mi-JJO

Related miscellaneous numbers: _____

Defendant(s) in federal custody as of 12/17/2018

Defendant(s) in state custody as of _____

Rule 20 from the District of _____

Is this a potential death penalty case? (Yes or No) No

7. Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to August 9, 2013 (Mag. Judge Alicia O. Valle)? Yes No

8. Does this case originate from a matter pending in the Northern Region U.S. Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek Maynard)? Yes No



Michael Homer
Assistant United States Attorney
Court ID A5502497

*Penalty Sheet(s) attached

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: CHRISTIAN DUQUE

Case No: _____

Count #: 1

Conspiracy to commit mail fraud

Title 18, United States Code, Section 1349

***Max. Penalty:** Twenty (20) Years' Imprisonment

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**

AO 455 (Rev. 01/09) Waiver of an Indictment

UNITED STATES DISTRICT COURT
for the
Southern District of Florida

United States of America

v.

CHRISTIAN DUQUE,

Defendant

)
)
)
)
)

Case No.

WAIVER OF AN INDICTMENT

I understand that I have been accused of one or more offenses punishable by imprisonment for more than one year. I was advised in open court of my rights and the nature of the proposed charges against me.

After receiving this advice, I waive my right to prosecution by indictment and consent to prosecution by information.

Date: _____

Defendant's signature

Signature of defendant's attorney

Printed name of defendant's attorney

Judge's signature

Judge's printed name and title