

AUG 23 2018

JAMES N. HATTEN, Clerk

By: *T. Baden* Deputy Clerk

ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

UNITED STATES OF AMERICA

v.

SILVIA SANCHEZ VALVERDE,  
RODOLFO OROZCO AGUILAR,  
DANIEL SIBAJA, AND  
ELPELICE FIGUEROA ROSALES.

Criminal Information

No. 1:18-CR-333-LMM

THE UNITED STATES ATTORNEY CHARGES THAT:

**Count One**

*Conspiracy to Commit Mail Fraud*  
18 U.S.C. § 371

1. Beginning on an unknown date, but at least by in or about February 2016, and continuing through at least in or about September 2017, the exact dates being unknown to the United States Attorney, in the Northern District of Georgia and elsewhere, the Defendants, SILVIA SANCHEZ VALVERDE, RODOLFO OROZCO AGUILAR, DANIEL SIBAJA, and ELPELICE FIGUEROA ROSALES and others known and unknown to the United States Attorney, did knowingly and willfully combine, conspire, confederate, agree, and have a tacit understanding with each other to violate Title 18, United States Code, Section 1341, that is, to devise and intend to devise a scheme and artifice to defraud individuals, and to obtain money and property from those individuals, by means

of materially false and fraudulent pretenses, representations, and promises; and for the purpose of executing such scheme and artifice, and attempting to do so, to place and cause to be placed in any post office and authorized depository for mail matter, any matter and thing whatever to be sent and delivered by the Postal Service, and any private and commercial interstate carrier, and to take and receive therefrom, any such matter and thing, and knowingly cause to be delivered by the Postal Service, and any private and commercial interstate carrier, according to the direction thereon and at the place at which it is directed to be delivered by the person to whom it is addressed.

### **BACKGROUND**

2. At all times relevant to this Indictment:
  - a. The FedEx Corporation (hereinafter "Federal Express") was a private or commercial interstate carrier and courier service that operated within the United States.
  - b. The United Parcel Service, Inc. was a private or commercial interstate carrier and courier service that operated within the United States.

### **OBJECT OF THE CONSPIRACY**

3. It was the object of the conspiracy for the Defendants and others known and unknown to the Grand Jury, to unlawfully enrich themselves by falsely

informing victims, most of whom were elderly, that the victims had won a large amount of money in a sweepstakes, inducing the victims to pay money in advance of receiving their purported sweepstakes winnings, and keeping the victims' money for the Defendants' and their co-conspirators' own benefit without paying any purported sweepstakes winnings.

#### **MANNER AND MEANS OF THE CONSPIRACY**

4. It was part of the conspiracy that unidentified persons contacted victims in the United States and the unidentified persons told victims that they represented a sweepstakes company. The unidentified persons falsely informed victims that the victim had won thousands or millions of dollars from the sweepstakes company. The unidentified individuals falsely informed the victims that the victims must pay taxes, fees, and other expenses of several thousand dollars to the purported sweepstakes company in order for the victims to collect the purported sweepstakes winnings.

5. The unidentified persons instructed the victims to send their payments via checks, wire transfers, and cash. The unidentified persons instructed the victims to send checks via overnight delivery to mailboxes located in Buford and Dacula, Georgia, in the Northern District of Georgia. Victims were instructed to make the

checks payable to various companies, including J.G. Services, RF Financial Services, and Master Builders.

6. The Defendants controlled, incorporated, were employed by, or were otherwise linked to J.G. Services, RF Financial Services, and Master Builders.

7. Victims mailed personal and cashier's checks made payable to J.G. Services, RF Financial Services, and Master Builders, or alternative names thereof, via United States Postal Service Priority Mail, Federal Express, and United Parcel Service. Victims' checks were delivered to mailboxes in Buford and Dacula, Georgia that were controlled, in whole or in part, by the Defendants.

8. The Defendants retrieved victims' checks from the mailboxes in Buford and Dacula, Georgia.

9. The Defendants caused victims' checks to be deposited into bank accounts that the Defendants controlled, in whole or in part, and were authorized to access.

10. The Defendants kept part of the money that that they received from victims and sent the remainder of the money in wire transfers to accounts located in Costa Rica. Some of the accounts located in Costa Rica were controlled by SILVIA SANCHEZ VALVERDE, RODOLFO OROZCO AGUILAR, and their family members.

11. Victims never received any sweepstakes winnings.

**OVERT ACTS**

12. From in or about February 2016 through in or about September 2017, in furtherance of the conspiracy, and to effect the objects and purposes thereof, the Defendants, SILVIA SANCHEZ VALVERDE, RODOLFO OROZCO AGUILAR, DANIEL SIBAJA, and ELPELICE FIGUEROA ROSALES, and others known and unknown to the United States Attorney, in the Northern District of Georgia, deposited over \$3.5 million of victims' personal and cashier's checks into bank accounts that they controlled.

All in violation of Title 18, United States Code, Section 371.

**FORFEITURE PROVISION**

12. Upon conviction of the offense alleged in Count One of this Information, the Defendants, SILVIA SANCHEZ VALVERDE, RODOLFO OROZCO AGUILAR, DANIEL SIBAJA, and ELPELICE FIGUEROA ROSALES, shall forfeit to the United States, pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), all property constituting or derived from proceeds obtained directly or indirectly as a result of said violations, including but not limited to:

- MONEY JUDGMENT: A sum of money in United States currency representing the amount of proceeds obtained as a result of the offenses;
- \$239.59 in funds seized from Branch Bank and Trust bank account ending in X7436;
- \$15,236.50 in funds seized from SunTrust bank account ending in X2751;
- \$15.62 in funds seized from SunTrust bank account ending in X3966;
- \$486.00 in funds seized from SunTrust bank account ending in X5036;
- \$32,783.51 in funds seized from Branch Bank and Trust bank account ending in X2297;
- \$1,743.73 in funds seized from Regions bank account ending in X3043;
- \$3,900.00 in United States Currency seized on September 21, 2017;
- \$1,560.00 in United States Currency seized on September 21, 2017;
- Two Apple iPhone S cellular phones seized on September 21, 2017;
- One Asus laptop computer, model G752V, seized on September 21, 2017;
- One Asus laptop computer, model G73J, seized on September 21, 2017;
- One Asus notebook computer, model X502C, seized on September 21, 2017;
- On Sony laptop computer, model PCG-61A12L, seized on September 21, 2017;
- One Macbook Pro computer, model 1278, seized on September 21, 2017;
- One Samsung Galaxy Note 5, model SM-N92OT, seized on September 25, 2017; and
- One iPhone 6S seized on September 21, 2017.

13. If, as a result of any act or omission of the Defendants, any property subject to forfeiture cannot be located upon the exercise of due diligence; has been transferred to, sold to, or deposited with, a third party; has been placed beyond the jurisdiction of the court; has been substantially diminished in value; or 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), as incorporated by Title 18, United States Code, Section 982(b) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property.

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