

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : CRIMINAL NO. 14-473
v. : DATE FILED: December 18, 2014

ROBERT DURANDIS : **VIOLATIONS:**
DONALD CHARLES : 18 U.S.C. § 371 (conspiracy - 1 count)
GILBERT PIERRE-CHARLES, : 18 U.S.C. § 1029(a)(3) (possession of
a/k/a Gilbert P. Charles" : counterfeit access devices - 3 counts)
MANUEL REYES-GONZALEZ, : 18 U.S.C. § 1029(a)(1) (counterfeit access
a/k/a "Manuel R. Gonzalez" : device fraud - 2 counts)
: 18 U.S.C. § 1029(a)(5) (access device fraud
: - 4 counts)
: 18 U.S.C. § 1028A (aggravated identity
: theft - 14 counts)
: 18 U.S.C. § 2 (aiding & abetting)
: Notices of Forfeiture

SUPERSEDING INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. From on or about November 23, 2013 to on or about July 24, 2014, in the
Eastern District of Pennsylvania and elsewhere, defendants

**ROBERT DURANDIS,
DONALD CHARLES,
GILBERT PIERRE-CHARLES,
a/k/a "Gilbert P. Charles,"
and
MANUEL REYES-GONZALEZ,
a/k/a "Manuel R. Gonzalez"**

conspired and agreed together and with others known and unknown to the grand jury, to commit
offenses against the United States, that is, to knowingly and with intent to defraud produce, use or
traffic in counterfeit access devices, in violation of Title 18, United States Code, Section
1029(a)(1), to knowingly and with intent to defraud effect transactions with one or more access

devices issued to other persons to obtain things of value aggregating \$1,000 or more during a one-year period, in violation of Title 18, United States Code, Section 1029(a)(5), to knowingly and with intent to defraud possess fifteen or more counterfeit or unauthorized access devices, in violation of Title 18, United States Code, Section 1029(a)(3), and to knowingly and without lawful authority use means of identification of other persons, during and in relation to access device fraud, in violation of Title 18, United States Code, Section 1028A(a)(1), (c)(4).

MANNER AND MEANS

2. It was part of the conspiracy that defendants ROBERT DURANDIS, DONALD CHARLES, GILBERT PIERRE-CHARLES and MANUEL REYES-GONZALEZ obtained counterfeit credit cards and gift cards that were encoded with the account numbers of other individuals, and used those fraudulently encoded cards to make purchases, including gift cards and cigarettes, totaling approximately at least \$19,600 at retail stores.

3. It was further a part of the conspiracy that defendants ROBERT DURANDIS, DONALD CHARLES, GILBERT PIERRE-CHARLES and MANUEL REYES-GONZALEZ traveled in cars rented by other individuals, including J.C. and D.G., both known to the grand jury, from Philadelphia, Pennsylvania to convenience stores and other stores in multiple counties in Pennsylvania and Maryland where they made purchases with the fraudulently encoded cards.

OVERT ACTS

In furtherance of the conspiracy, defendants ROBERT DURANDIS, DONALD CHARLES, GILBERT PIERRE-CHARLES and MANUEL REYES-GONZALEZ, and others known and unknown to the grand jury, committed the following overt acts in the Eastern District of Pennsylvania and elsewhere:

1. On or about March 6, 2014, defendant MANUEL REYES-GONZALEZ, GILBERT PIERRE-CHARLES and an unidentified male drove from Philadelphia, Pennsylvania to convenience stores in Lebanon County, Pennsylvania, in a Dodge SUV, Pennsylvania registration ECH0024, which had been rented by J.C. from an Avis location at 10600 Roosevelt Boulevard, Philadelphia, Pennsylvania on or about March 6, 2014, and purchased cigarettes and other items, totaling approximately \$527.26, using counterfeit access devices encoded with the following legitimate account numbers issued by various financial institutions to other individuals:

<u>Store, No. & Location</u>	<u>Time</u>	<u>Actor</u>	<u>Total of Fraudulent Purchases</u>	<u>Items Purchased</u>	<u>Last 4 Digits of Legitimate Card NumberEncoded On Card</u>
Sheetz, No. 370 Lebanon, PA	6:13 pm	Manuel Reyes-Gonzalez	\$327.76	5 cartons Newport cigarettes, other items	Mastercard 3528
Sheetz, No. 211 Palmyra, PA	7:53 pm	Unidentified male	\$199.50	3 cartons Newport cigarettes, other items	Mastercard 4570

2. On or about March 20, 2014, defendants ROBERT DURANDIS, MANUEL REYES-GONZALEZ and GILBERT PIERRE-CHARLES drove from Philadelphia, Pennsylvania, to convenience stores in Berks County, Pennsylvania, in that same Dodge SUV, Pennsylvania registration ECH0024, which had been rented by J.C. in Philadelphia, and purchased and attempted to purchase gift cards, cigarettes and other items, totaling approximately \$1,915.73, using counterfeit access devices encoded with the following legitimate account numbers issued by various financial institutions to other individuals:

<u>Store, No. & Location</u>	<u>Time</u>	<u>Actor</u>	<u>Total of Fraudulent Purchases</u>	<u>Items Purchased</u>	<u>Last 4 Digits of Legitimate Card NumberEncoded On Card</u>
Turkey Hill, No. 119 Blandon, PA	9:58 am	Gilbert Pierre-Charles	\$212.49 attempt	Mastercard gift cards – attempt	Mastercard 4818
Family Dollar Leesport, PA	10:32 am	Manuel Reyes-Gonzalez	\$146.02	2 cartons Newport cigarettes, other items	Mastercard 5380
Sheetz, No. 293 Leesport, PA	10:38 am	Gilbert Pierre-Charles	\$212.49	Vanilla Visa gift cards, another item	Mastercard 1388
Sheetz, No. 293 Leesport, PA	10:39 am	Manuel Reyes-Gonzalez	\$213.79	Vanilla Visa gift cards, another item	Mastercard 0944
Sheetz, No. 256 Shoemakersville, PA	10:58 am	Gilbert Pierre-Charles	\$328.44	Vanilla Visa gift cards, another item	Mastercard 6407
Sheetz, No. 256 Shoemakersville, PA	1:08 pm	Robert Durandis	\$131.79	2 cartons Newport cigarettes, another item	Visa 5493 Visa 2858
Family Dollar Leesport, PA	1:36 pm	Robert Durandis	\$140.50 \$70.02	3 cartons Newport cigarettes, other items	Visa 1994 Visa 2217
Sheetz, No. 293 Leesport, PA	1:56 pm	Robert Durandis	\$138.10	2 cartons Newport cigarettes, other items	Visa 6828
Sheetz, No. 293 Leesport, PA	2:00 pm	Gilbert Pierre-Charles	\$322.09	Vanilla Visa gift cards, other items	Mastercard 3408

3. On or about the night of March 21, 2014 to on or about the morning of March 22, 2014, defendants ROBERT DURANDIS, GILBERT PIERRE-CHARLES and MANUEL REYES-GONZALEZ drove from Philadelphia, Pennsylvania to convenience stores in York County, Pennsylvania, in that same Dodge SUV, Pennsylvania registration ECH0024, that had been rented by J.C. in Philadelphia, Pennsylvania, and purchased and attempted to purchase gift cards, cigarettes and other items, totaling approximately \$1,494.78, using counterfeit access devices encoded with the following legitimate account numbers issued by various financial institutions to other individuals:

<u>Store, No. & Location</u>	<u>Date & Time</u>	<u>Actor</u>	<u>Total of Fraudulent Purchases</u>	<u>Items Purchased</u>	<u>Last 4 Digits of Legitimate Card Number Encoded On Card</u>
Sheetz, No. 462 York, PA	3/21/14 9:29 pm	Gilbert Pierre-Charles	\$37.88 \$322.58 \$66.25	carton Newport cigarettes, Vanilla Visa gift cards, another item	Mastercard 6529 Mastercard 7561 Visa 0851
Sheetz, No. 462 York, PA	3/21/14 9:34 pm	Robert Durandis	\$196.86	3 cartons Newport cigarettes, other items	Visa 0851
Sheetz, No. 373 York, PA	3/21/14 10:27 pm	Robert Durandis	\$129.91	2 cartons Newport cigarettes, another item	Visa 5066
Sheetz, No. 305 York, PA	3/21/14 10:50 pm	Robert Durandis	\$130.61	2 cartons Newport cigarettes, another item	Visa 4638
Sheetz, No. 255 York, PA	03/22/14 2:41 am	Manuel Reyes-Gonzalez	\$54.00 \$64.46 \$138.65	3 cartons Newport cigarettes, other items	Mastercard 2324 Mastercard 0269 Mastercard 3515
Sheetz, No. 373 York, PA	03/22/14 1:48 am	Manuel Reyes-Gonzalez	\$75.10 \$64.47	2 cartons Newport cigarettes, other items	Mastercard 1699 Visa 6281
Sheetz, No. 462 York, PA	03/22/14 4:17 am	Gilbert Pierre-Charles	\$105.95 \$108.06 Attempt	attempt to purchase 2 Vanilla Visa gift cards, purchase of other items	Inccomm 4782 Mastercard 9534

4. On or about March 27, 2014, defendants ROBERT DURANDIS and DONALD CHARLES drove from Philadelphia, Pennsylvania to York County, Pennsylvania in a Chrysler Town & Country SUV, Florida registration BPAZ81, which had been rented by J.C. from an Avis location at 10600 Roosevelt Boulevard, Philadelphia, Pennsylvania on or about March 26, 2014, and purchased merchandise, totaling approximately \$4,385, using counterfeit access devices, which were fraudulently encoded with account numbers issued by various financial institutions to legitimate card holders, including the following:

<u>CARD PROVIDER</u>	<u>CARD HOLDER</u>	<u>LAST 4 DIGITS OF LEGITIMATE CARD</u>	<u>DATE OF FRAUD</u>	<u>AMOUNT OF FRAUD</u>	<u>LOCATION OF FRAUD</u>
Visa	K.J.	1913	03/27/14	\$388	York, PA

<u>CARD PROVIDER</u>	<u>CARD HOLDER</u>	<u>LAST 4 DIGITS OF LEGITIMATE CARD</u>	<u>DATE OF FRAUD</u>	<u>AMOUNT OF FRAUD</u>	<u>LOCATION OF FRAUD</u>
Visa	J.R.	5514	03/27/14	\$67	Mountville, PA
Visa	R.F.	9175	03/27/14	\$69	York, PA
Visa	H.D.	4181	03/27/14	\$65	Palmyra, PA
Visa	A.V.	5683	03/27/14	\$128	Dallastown, PA
Visa	M.B.	6125	03/27/14	\$131	York, PA

5. On or about March 27, 2014, defendants ROBERT DURANDIS and DONALD CHARLES, while driving eastbound on the Pennsylvania Turnpike in that same red Chrysler Town & Country SUV, Florida registration ECH0024, which had been rented by J.C. in Philadelphia, Pennsylvania, possessed:

- a. inside the case of an Apple iPhone, a fraudulent New York driver's license in the name of J.V., known to the grand jury, with a photograph of defendant DURANDIS;
- b. an expired Pennsylvania identification card in the name of defendant GILBERT PIERRE-CHARLES;
- c. approximately 80 unopened cartons of Newport cigarettes; and
- d. over 250 counterfeit access devices, approximately fifteen of which were embossed with the name Gilbert P. Charles (a name used by defendant GILBERT PIERRE-CHARLES), one of which was embossed with the name Manuel R. Gonzalez (a name used by defendant MANUEL REYES-GONZALEZ), one of which was embossed with the name of J.V., and including the following cards, encoded with legitimate account numbers issued by various financial institutions to other individuals, on which had been made approximately \$13,000 in fraudulent purchases, including:

<u>CARD PROVIDER</u>	<u>ISSUING FINANCIAL INSTITUTION</u>	<u>LAST 4 DIGITS OF LEGITIMATE CARD</u>
Mastercard	Citibank, N.A.	7212
Mastercard	Barclays Bank	6052
Mastercard	United Nations Federal Credit	1467
Mastercard	Savings Institute Bank	7079
Mastercard	USAA Savings Bank	5105
Mastercard	Chase Bank U.S.A.	7011
Mastercard	Capital One National	2564
Mastercard	Fiserv Solutions	2807
Mastercard	SunTrust Bank	7429
Mastercard	First National Bank of Omaha	8640
Mastercard	Bank Corp South	9370
Visa	Bank of America	1913
Visa	JP Morgan Chase	5514
Visa	US Bank	3556
Visa	JP Morgan Chase	9175
Visa	JP Morgan Chase	4181
Visa	Bank Card Services	5683
Visa	US Bank	7950
Visa	One Nevada	6125
Mastercard	Citibank N.A.	5943
Mastercard	Citibank N.A.	0699
Mastercard	Citibank N.A.	8170
Mastercard	PSCU Incorporated	5106
Mastercard	Bank Corp South	8389
Mastercard	Fiserv Solutions	3703
Mastercard	Teachers Credit Union	0489
Mastercard	The Fifth Third Bank	4052
Mastercard	Bank Corp South	4370
Mastercard	The Fifth Third Bank	7483
Mastercard	Star Processing Inc.	9461
Mastercard	Star Processing Inc.	2642
Mastercard	Capital One National	1729
Mastercard	Barclays Bank	1329

<u>CARD PROVIDER</u>	<u>ISSUING FINANCIAL INSTITUTION</u>	<u>LAST 4 DIGITS OF LEGITIMATE CARD</u>
Mastercard	Barclays Bank	2779
Mastercard	SunTrust Bank	2215
Mastercard	The Fifth Third Bank	1899
Mastercard	Chase Bank U.S.A.	6643
Mastercard	Chase Bank U.S.A.	5148
Visa	JP Morgan Chase	8273
Visa	Regions Bank	2114
Visa	JP Morgan Chase	3238
Visa	US Bank	4753
Visa	JP Morgan Chase	6404
Visa	JP Morgan Chase	5278
Visa	US Bank	1231
Visa	Bank of Texas	8166
Visa	Citizens Bank	3556
Visa	JP Morgan Chase	0358
Visa	Bank of America	4834
Visa	Bank of America	5592
Visa	JP Morgan Chase	6344
Visa	Kentucky TelCo Federal Credit Union	6246
Visa	Bank of America	3057
Visa	Bank of America	7526
Visa	JP Morgan Chase	3313
Visa	JP Morgan Chase	5590
Visa	Bank of America	5238
Visa	OSU Federal Credit Union	2044
Visa	Nordstrom Bank	6379
Visa	Teachers' Federal Credit Union	0993
Visa	Bank of America	7826
Visa	US Bank	6073
Visa	Bank of America	2725
Visa	Bank of America	2606
Visa	US Bank	6926
Visa	US Bank	3920

<u>CARD PROVIDER</u>	<u>ISSUING FINANCIAL INSTITUTION</u>	<u>LAST 4 DIGITS OF LEGITIMATE CARD</u>
Visa	SCE Federal Credit Union	9355
Visa	Citibank N.A.	3545
Visa	JP Morgan Chase	9264
Visa	Bank Corp. South	4370
Visa	JP Morgan Chase	8833
Visa	Bank of America	1210
Visa	JP Morgan Chase	0791

6. On or about July 23, 2014, defendants GILBERT PIERRE-CHARLES and MANUEL REYES-GONZALEZ, with D.G., drove from Philadelphia, Pennsylvania to Carroll County, Maryland, in a white Cadillac Escalade, New York registration GFM 8533, which had been rented in the name of C.C., known to the grand jury, from a Hertz location at the Philadelphia International Airport, Philadelphia, Pennsylvania on or about July 11, 2014, and purchased merchandise, totaling more than \$4,500, using counterfeit access devices, which were fraudulently encoded with account numbers issued by various financial institutions to legitimate card holders, including the following:

<u>CARD PROVIDER</u>	<u>CARD HOLDER</u>	<u>LAST 4 DIGITS OF LEGITIMATE CARD</u>	<u>DATE OF FRAUD</u>	<u>AMOUNT OF FRAUD</u>	<u>LOCATION OF FRAUD</u>
Visa	N.C.	9825	07/23/14	\$309	Westminster, MD
Visa	D.T.	0435	07/23/14	\$309	Westminster, MD
Visa	B.K.	3786	07/23/14	\$309	Westminster, MD
Visa	L.M.	8354	07/23/14	\$308	Cockneysville, MD
Visa	D.E.	3628	07/23/14	\$305	Luthersville, MD
Visa	E.R.	6176	07/23/14	\$305	Luthersville, MD

7. On or about July 23, 2014, after defendant GILBERT PIERRE-CHARLES and MANUEL REYES GONZALEZ had purchased and attempted to purchase more than \$4,500 in gift cards with counterfeit credit cards at Food Lion stores in Westminster and Taneytown, Carroll County, Maryland, and, while defendants PIERRE-CHARLES and GONZALEZ and D.G., known to the grand jury, were driving in a white Cadillac, New York registration GFM8533, which had been rented in Philadelphia in the name of C.C., known to the grand jury, defendants PIERRE-CHARLES and GONZALEZ and D.G. possessed approximately 89 fraudulent credit, debit and gift cards, many in the names of Gilbert P. Charles and Manuel R. Gonzalez and all encoded with the credit and debit cards of victims, a fraudulent credit card in the name of defendant ROBERT DURANDIS, purchase receipts and money order receipts, a carton of Newport cigarettes and a skimming device, which is used to capture credit or debit account numbers from legitimate access devices.

8. On or about November 23, 2013, defendant MANUEL REYES-GONZALEZ drove from Philadelphia, Pennsylvania to York County, Pennsylvania in a Chrysler Dodge Caravan, Pennsylvania registration JGR 6509, which had been rented by D.G. from an Payless Rent A Car location in Philadelphia, Pennsylvania, and attempted to purchase four cartons of Newport cigarettes, totaling approximately \$128, using counterfeit access devices, which were fraudulently encoded with account numbers issued by various financial institutions to legitimate card holders, including the following:

<u>CARD PROVIDER</u>	<u>LAST 4 DIGITS OF LEGITIMATE CARD</u>	<u>DATE OF FRAUD</u>	<u>AMOUNT OF FRAUD</u>	<u>LOCATION OF FRAUD</u>
Visa	8785	11/23/13	\$65.48	York, PA
Visa	1367	11/23/13	\$63.69	York, PA

9. On or about June 23, 2014, defendant ROBERT DURANDIS, with T.R., known to the grand jury, drove from Philadelphia, Pennsylvania to Luzerne County, Pennsylvania, in a Mazda 3, Tennessee registration E3161X, which had been rented by defendant DURANDIS, from a Hertz location in Philadelphia, Pennsylvania on or about June 23, 2014, in the possession of approximately 87 counterfeit access devices, which were fraudulently encoded with account numbers issued by various financial institutions to legitimate card holders, including counterfeit access device cards encoded with the Mastercard account number of E.L. ending in 8781, the Mastercard account number of J.G. ending in 0694 and the Visa account number of C.G. ending in 2151.

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

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2 and 3, and Overt Act 1 of Count One are incorporated here.
2. On or about March 6, 2014, in the Eastern District of Pennsylvania and elsewhere, defendant

**MANUEL REYES-GONZALEZ,
a/k/a "Manuel R. Gonzalez"**

knowingly and with the intent to defraud, produced, used or trafficked in, and aided and abetted the production, use, or trafficking of one or more counterfeit access devices, including a counterfeit access device card encoded with a Mastercard account number ending in 3528, thereby affecting interstate commerce.

In violation of Title 18, United States Code, Sections 1029(a)(1) and 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2 and 3, and Overt Act 2 of Count One are incorporated here.
2. On or about March 20, 2014, in the Eastern District of Pennsylvania,

defendants

**ROBERT DURANDIS,
MANUEL REYES-GONZALEZ,
a/k/a "Manuel R. Gonzalez,"
and
GILBERT PIERRE-CHARLES,
a/k/a "Gilbert P. Charles"**

knowingly and with the intent to defraud, effected, attempted to effect, and aided and abetted the effecting of, transactions with the following access devices issued to other persons to obtain things of value aggregating \$1,000 or more during a one-year period, for a total of approximately \$1,915.73, thereby affecting interstate commerce:

<u>CARD PROVIDER</u>	<u>LAST 4 DIGITS OF LEGITIMATE CARD</u>	<u>DATE OF FRAUD</u>	<u>AMOUNT OF FRAUD</u>	<u>LOCATION OF FRAUD</u>
Mastercard	6256	03/20/14	\$211.90 Attempt	Turkey Hill Blandon, PA
Mastercard	5689	03/20/14	\$80.51	Family Dollar, Leesport, PA
Mastercard	5689	03/20/14	\$65.51	Family Dollar, Leesport, PA
Mastercard	1388	03/20/14	\$212.49	Sheetz, No. 293 Leesport, PA
Mastercard	0944	03/20/14	\$213.79	Sheetz, No. 293 Leesport, PA
Mastercard	6407	03/20/14	\$116.54	Sheetz, No. 256 Shoemakersville, PA

<u>CARD PROVIDER</u>	<u>LAST 4 DIGITS OF LEGITIMATE CARD</u>	<u>DATE OF FRAUD</u>	<u>AMOUNT OF FRAUD</u>	<u>LOCATION OF FRAUD</u>
Mastercard	6407	03/20/14	\$211.90	Sheetz, No. 256 Shoemakersville, PA
Visa	1994	03/20/14	\$74.99	Family Dollar, Leesport, PA
Visa	1994	03/20/14	\$65.51	Family Dollar, Leesport, PA
Visa	2217	03/20/14	\$70.02	Family Dollar, Leesport, PA
Visa	6828	03/20/14	\$67.33	Sheetz, No. 293 Leesport, PA
Visa	6823	03/20/14	\$70.77	Sheetz, No. 293 Leesport, PA
Mastercard	3408	03/20/14	\$110.19	Sheetz, No. 293 Leesport, PA
Mastercard	3408	03/20/14	\$211.90	Sheetz, No. 293 Leesport, PA

All in violation of Title 18, United States Code, Sections 1029(a)(5) and 2.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2 and 3, and Overt Act 3 of Count One are incorporated here.
2. From on or about March 21, 2014, to on or about March 22, 2014, in the

Eastern District of Pennsylvania and elsewhere, defendants

**ROBERT DURANDIS,
GILBERT PIERRE-CHARLES,
a/k/a "Gilbert P. Charles,"
and
MANUEL REYES-GONZALEZ,
a/k/a "Manuel R. Gonzalez"**

knowingly and with the intent to defraud, effected, attempted to effect, and aided and abetted the effecting of, transactions with the following access devices issued to other persons to obtain things of value aggregating \$1,000 or more during a one-year period, for a total of approximately \$1,494.78, thereby affecting interstate commerce:

<u>CARD PROVIDER</u>	<u>LAST 4 DIGITS OF LEGITIMATE CARD</u>	<u>DATE OF FRAUD</u>	<u>AMOUNT OF FRAUD</u>	<u>LOCATION OF FRAUD</u>
Mastercard	6529	03/21/14	\$37.88	Sheetz, No. 462 York, PA
Mastercard	7561	03/21/14	\$322.58	Sheetz, No. 462 York, PA
Visa	0851	03/21/14	\$66.25	Sheetz, No. 462 York, PA
Visa	0851	03/21/14	\$130.71	Sheetz, No. 462 York, PA
Visa	0851	03/21/14	\$66.14	Sheetz, No. 462 York, PA
Visa	5076	03/21/14	\$129.91	Sheetz, No. 373 York, PA
Visa	4368	03/21/14	\$130.61	Sheetz, No. 305 York, PA

<u>CARD PROVIDER</u>	<u>LAST 4 DIGITS OF LEGITIMATE CARD</u>	<u>DATE OF FRAUD</u>	<u>AMOUNT OF FRAUD</u>	<u>LOCATION OF FRAUD</u>
Mastercard	2324	03/22/14	\$54.00	Sheetz, No. 255 York, PA
Mastercard	0269	03/22/14	\$64.46	Sheetz, No. 255 York, PA
Mastercard	3515	03/22/14	\$72.93	Sheetz, No. 255 York, PA
Mastercard	3515	03/22/14	\$65.72	Sheetz, No. 255 York, PA
Incomm	4782	03/22/14	\$105.95 attempt	Sheetz, No. 462 York, PA
Mastercard	9534	03/22/14	\$108.06 attempt	Sheetz, No. 255 York, PA

All in violation of Title 18, United States Code, Sections 1029(a)(5) and 2.

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2 and 3, and Overt Acts 4 and 5 of Count One are incorporated here.
2. On or about March 27, 2014, in the Eastern District of Pennsylvania and elsewhere, defendants

**ROBERT DURANDIS
and
DONALD CHARLES**

knowingly and with the intent to defraud, effected, attempted to effect, and aided and abetted the effecting of, transactions with the following access devices issued to other persons to obtain things of value aggregating \$1,000 or more during a one-year period, totaling approximately \$4,385, thereby affecting interstate commerce:

<u>CARD PROVIDER</u>	<u>LAST 4 DIGITS OF LEGITIMATE CARD</u>	<u>DATE OF FRAUD</u>	<u>AMOUNT OF FRAUD</u>	<u>LOCATION OF FRAUD</u>
Visa	1913	03/27/14	\$71.25	RiteAid York, PA
Visa	1913	03/27/14	\$64.55	Turkey Hill York, PA
Visa	1913	03/27/14	\$66.34	Turkey Hill York, PA
Visa	1913	03/27/14	\$71.25	RiteAid York, PA
Visa	1913	03/27/14	\$69.75	Rutter Farm Mountville, PA
Visa	1913	03/27/14	\$45.53	Rutter Farm Mountville, PA

<u>CARD PROVIDER</u>	<u>LAST 4 DIGITS OF LEGITIMATE CARD</u>	<u>DATE OF FRAUD</u>	<u>AMOUNT OF FRAUD</u>	<u>LOCATION OF FRAUD</u>
Visa	5514	03/27/14	\$67.53	Turkey Hill Mountville, PA
Visa	9175	03/27/14	\$69.92	Sheetz York, PA
Visa	4181	03/27/14	\$65.95	Sheetz Palmyra, PA
Visa	5683	03/27/14	\$64.55	Rutter's Farm Dallastown, PA
Visa	5683	03/27/14	\$64.46	Rutter's Farm Dallastown, PA
Visa	6125	03/27/14	\$67.83	Sheetz York, PA
Visa	6125	03/27/14	\$64.46	Sheetz York, PA
Mastercard	7212	03/27/14	\$67.05	Sheetz Harrisburg, PA
Mastercard	7212	03/27/14	\$67.52	Rutter Farm York, PA
Mastercard	7212	03/27/14	\$63.84	Rainbow Pit Stop Bethel, PA
Mastercard	7212	03/27/14	\$64.55	Turkey Hill Myerstown, PA
Mastercard	7212	03/27/14	\$64.46	Sheetz Red Lion, PA
Mastercard	7212	03/27/14	\$61.13	Pilot Pine Grove, PA
Mastercard	7212	03/27/14	\$64.46	Rutter Farm New Cumberland, PA
Mastercard	7212	03/27/14	\$71.34	Pilot Pine Grove, PA
Mastercard	7212	03/27/14	\$76.48	Pilot Pine Grove, PA

<u>CARD PROVIDER</u>	<u>LAST 4 DIGITS OF LEGITIMATE CARD</u>	<u>DATE OF FRAUD</u>	<u>AMOUNT OF FRAUD</u>	<u>LOCATION OF FRAUD</u>
Mastercard	7212	03/27/14	\$69.59	Rutter Farm York, PA
Mastercard	7212	03/27/14	\$66.23	Turkey Hill Pine Grove, PA
Mastercard	7212	03/27/14	\$70.81	Rutter Farm New Cumberland, PA
Mastercard	7212	03/27/14	\$75.68	Pilot Pine Grove, PA
Mastercard	7212	03/27/14	\$69.82	Rutter Farm Red Lion, PA
Mastercard	7212	03/27/14	\$64.46	Rutter Farm York, PA
Mastercard	7212	03/27/14	\$16.18	McDonald's Lebanon, PA
Mastercard	7212	03/27/14	\$70.05	Rutter Farm Etters, PA
Mastercard	7212	03/27/14	\$64.46	Rutter Farm Etters, PA
Mastercard	7212	03/27/14	\$81.05	Weis Markets Lebanon, PA
Mastercard	7212	03/27/14	\$71.34	Pilot Pine Grove, PA
Mastercard	7212	03/27/14	\$69.23	Sunoco Mt. Aetna, PA
Mastercard	7212	03/27/14	\$69.92	Sheetz Harrisburg, PA
Mastercard	7212	03/27/14	\$68.70	Sheetz Red Lion, PA
Mastercard	7212	03/27/14	\$70.31	Rainbow Pit Stop Bethel, PA
Mastercard	7212	03/27/14	\$65.83	Rutter Farm York, PA

<u>CARD PROVIDER</u>	<u>LAST 4 DIGITS OF LEGITIMATE CARD</u>	<u>DATE OF FRAUD</u>	<u>AMOUNT OF FRAUD</u>	<u>LOCATION OF FRAUD</u>
Mastercard	7212	03/27/14	\$73.15	Sunoco Mt. Aetna, PA
Mastercard	7212	03/27/14	\$73.53	Sheetz Red Lion, PA
Mastercard	7212	03/27/14	\$66.45	Turkey Hill Myerstown, PA
Mastercard	7212	03/27/14	\$68.70	Rutter Farm New Cumberland, PA
Mastercard	7212	03/27/14	\$73.35	Sheetz Harrisburg, PA
Mastercard	7212	03/27/14	\$66.57	Rutter Farm New Cumberland, PA
Mastercard	7212	03/27/14	\$64.55	Turkey Hill Pine Grove, PA
Mastercard	7212	03/27/14	\$64.96	Pilot Pine Grove, PA
Mastercard	7212	03/27/14	\$73.83	Pilot Pine Grove, PA
Mastercard	7212	03/27/14	\$83.82	Weis Markets, Lebanon, PA
Mastercard	6052	03/27/14	\$64.46	Rutter Farm York, PA
Mastercard	6052	03/27/14	\$73.04	Rutter Farm York, PA
Mastercard	0007	03/27/14	\$64.55	Turkey Hill Dallastown, PA
Mastercard	1467	03/27/14	\$64.55	Turkey Hill York, PA
Mastercard	1467	03/27/14	\$67.08	Turkey Hill York, PA
Mastercard	7079	03/27/14	\$64.46	Rutter Farm Dallastown, PA

<u>CARD PROVIDER</u>	<u>LAST 4 DIGITS OF LEGITIMATE CARD</u>	<u>DATE OF FRAUD</u>	<u>AMOUNT OF FRAUD</u>	<u>LOCATION OF FRAUD</u>
Mastercard	7079	03/27/14	\$66.57	Rutter Farm Dallastown, PA
Mastercard	7079	03/27/14	\$69.94	Rutter Farm Red Lion, PA
Mastercard	7079	03/27/14	\$64.46	Rutter Farm Red Lion, PA
Mastercard	5105	03/27/14	\$64.46	Sheetz Palmyra, PA
Mastercard	5105	03/27/14	\$66.57	Sheetz Lebanon, PA
Mastercard	5105	03/27/14	\$64.46	Sheetz Lebanon, PA
Mastercard	0517	03/27/14	\$68.79	Turkey Hill Lebanon, PA
Mastercard	2564	03/27/14	\$67.52	Rutter Farm York, PA
Mastercard	7011	03/27/14	\$64.46	Rutter Farm York, PA
Mastercard	2807	03/27/14	\$64.46	Sheetz Lebanon, PA
Mastercard	7429	03/27/14	\$67.84	Sheetz York, PA
Mastercard	1091	03/27/14	\$68.34	Sheetz Lebanon, PA
Mastercard	8640	03/27/14	\$66.45	Turkey Hill Lebanon, PA
Mastercard	8640	03/27/14	\$64.55	Turkey Hill Lebanon, PA
Mastercard	8640	03/27/14	\$78.32	Turkey Hill Lebanon, PA

All in violation of Title 18, United States Code, Sections 1029(a)(5) and 2.

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2 and 3, and Overt Acts 4 and 5 of Count One are incorporated here.
2. On or about March 27, 2014, in Wallace Township, Chester County, Pennsylvania, in the Eastern District of Pennsylvania, defendants

**ROBERT DURANDIS
and
DONALD CHARLES**

knowingly and with the intent to defraud, possessed and aided and abetted the possession of fifteen or more counterfeit access devices, thereby affecting interstate commerce.

In violation of Title 18, United States Code, Sections 1029(a)(3) and 2.

COUNT SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

From on or about May 5, 2012 through on or about September 10, 2012, in the Eastern District of Pennsylvania, defendant

**GILBERT PIERRE-CHARLES,
a/k/a "Gilbert P. Charles"**

knowingly and with the intent to defraud, produced, used or trafficked in, and aided and abetted the production, use, or trafficking of one or more counterfeit access devices, including counterfeit access device cards encoded with the Visa account number of M.C. ending in 3528, the Visa account number of K.M. ending in 4537 and the Visa account number of S.H. ending in 4313, thereby affecting interstate commerce.

In violation of Title 18, United States Code, Sections 1029(a)(1) and 2.

COUNT EIGHT

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 5, 2012, in the Eastern District of Pennsylvania, defendant

**GILBERT PIERRE-CHARLES,
a/k/a "Gilbert P. Charles"**

knowingly and without lawful authority, possessed and used means of identification of another person, that is, the Mastercard account number of M.C., during and in relation to access device fraud.

In violation of Title 18, United States Code, Section 1028A(a)(1), (c)(4).

COUNTS NINE THROUGH FOURTEEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about the dates listed below, in the Eastern District of Pennsylvania and elsewhere, defendants

**ROBERT DURANDIS
and
DONALD CHARLES**

knowingly and without lawful authority, possessed and used, and aided and abetted the possession and use of, a means of identification of another person, that is, the Mastercard or Visa account number of the persons indicated below, each person constituting a separate count, during and in relation to access device fraud:

<u>COUNT</u>	<u>DATE</u>	<u>ACCOUNT HOLDER</u>
9	03/27/14	K.J.
10	03/27/14	J.R.
11	03/27/14	R.F.
12	03/27/14	H.D.
13	03/27/14	A.V.
14	03/27/14	M.B.

All in violation of Title 18, United States Code, Sections 1028A(a)(1), (c)(4) and 2.

COUNT FIFTEEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2 and 3, and Overt Act 9 of Count One are incorporated here.
2. On or about June 23, 2014, in the Eastern District of Pennsylvania and elsewhere, defendant

ROBERT DURANDIS

knowingly and with the intent to defraud, possessed and aided and abetted the possession of fifteen or more counterfeit access devices, including counterfeit access device cards encoded with the Mastercard account number of E.L. ending in 8781, the Mastercard account number of C.G. ending in 0694 and the Visa account number of J.G. ending in 2151, thereby affecting interstate commerce.

In violation of Title 18, United States Code, Sections 1029(a)(3) and 2.

COUNT SIXTEEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 23, 2014, in the Eastern District of Pennsylvania and elsewhere, defendant

ROBERT DURANDIS

knowingly and without lawful authority, possessed and used means of identification of another person, that is, the Mastercard account number of J.G., a resident of Chester County, Pennsylvania, during and in relation to access device fraud.

In violation of Title 18, United States Code, Section 1028A(a)(1), (c)(4).

COUNT SEVENTEEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2 and 3, and Overt Acts 6 and 7 of Count One are incorporated here.
2. On or about July 23, 2014, in the Eastern District of Pennsylvania and elsewhere, defendants

**GILBERT PIERRE-CHARLES,
a/k/a "Gilbert P. Charles"
and
MANUEL REYES-GONZALEZ,
a/k/a "Manuel R. Gonzalez"**

knowingly and with the intent to defraud, effected, attempted to effect, and aided and abetted the effecting of, transactions with the following access devices issued to other persons to obtain things of value aggregating \$1,000 or more during a one-year period, totaling approximately \$1,845, thereby affecting interstate commerce:

<u>CARD PROVIDER</u>	<u>CARD HOLDER</u>	<u>LAST 4 DIGITS OF LEGITIMATE CARD</u>	<u>DATE OF FRAUD</u>	<u>AMOUNT OF FRAUD</u>	<u>LOCATION OF FRAUD</u>
Visa	N.C.	9825	07/23/14	\$309	Westminster, MD
Visa	D.T.	0435	07/23/14	\$309	Westminster, MD
Visa	B.K.	3786	07/23/14	\$309	Westminster, MD
Visa	L.M.	8354	07/23/14	\$308	Cockneysville, MD
Visa	D.E.	3628	07/23/14	\$305	Luthersville, MD
Visa	E.R.	6176	07/23/14	\$305	Luthersville, MD

All in violation of Title 18, United States Code, Sections 1029(a)(5) and 2.

COUNT EIGHTEEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2 and 3, and Overt Acts 6 and 7 of Count One are incorporated here.
2. On or about July 23, 2014, in the Eastern District of Pennsylvania and elsewhere, defendants

**GILBERT PIERRE-CHARLES,
a/k/a "Gilbert P. Charles"
and
MANUEL REYES-GONZALEZ,
a/k/a "Manuel R. Gonzalez"**

knowingly and with the intent to defraud, possessed and aided and abetted the possession of fifteen or more counterfeit access devices, thereby affecting interstate commerce.

In violation of Title 18, United States Code, Sections 1029(a)(3).

COUNTS NINETEEN THROUGH TWENTY-FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about the dates listed below, in the Eastern District of Pennsylvania and elsewhere, defendants

**GILBERT PIERRE-CHARLES,
a/k/a "Gilbert P. Charles"
and
MANUEL REYES-GONZALEZ,
a/k/a "Manuel R. Gonzalez"**

knowingly and without lawful authority, possessed and used, and aided and abetted the possession and use of, a means of identification of another person, that is, the Visa account number of the persons indicated below, each person constituting a separate count, during and in relation to access device fraud:

<u>COUNT</u>	<u>DATE</u>	<u>ACCOUNT HOLDER</u>
19	07/23/14	N.C.
20	07/23/14	D.T.
21	07/23/14	B.K.
22	07/23/14	L.M.
23	07/23/14	D.E.
24	07/23/14	E.R.

All in violation of Title 18, United States Code, Sections 1028A(a)(1), (c)(4) and 2.

NOTICE OF FORFEITURE #1

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Section 1029(a)(5), set forth in this indictment, defendants

**ROBERT DURANDIS,
MANUEL REYES-GONZALEZ,
a/k/a "Manuel R. Gonzalez"
and
GILBERT PIERRE-CHARLES,
a/k/a "Gilbert P. Charles"**

shall forfeit to the United States of America any property, real or personal, that constitutes or is derived from proceeds traceable to the commission of such offenses, as charged in this indictment, including, but not limited to, the sum of \$3,195.77.

2. If any of the property subject to forfeiture, 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 18, United States Code, Section 982(b), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 18, United States Code, Section 982(a)(2).

NOTICE OF FORFEITURE #2

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Section 1029(a)(1) and 1029(a)(5), set forth in this indictment, defendants

**ROBERT DURANDIS
and
DONALD CHARLES**

shall forfeit to the United States of America any property, real or personal, that constitutes or is derived from proceeds traceable to the commission of such offenses, as charged in this indictment, including, but not limited to, the sum of \$4,385.

2. If any of the property subject to forfeiture, 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 18, United States Code, Section 982(b), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 18, United States Code, Section 982(a)(2).

NOTICE OF FORFEITURE #3

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Section 1029(a)(5), set forth in this indictment, defendants

**GILBERT PIERRE-CHARLES,
a/k/a "Gilbert P. Charles"
and
MANUEL REYES-GONZALEZ,
a/k/a "Manuel R. Gonzalez,"**

shall forfeit to the United States of America any property, real or personal, that constitutes or is derived from proceeds traceable to the commission of such offenses, as charged in this indictment, including, but not limited to, the sum of \$2,752.

2. If any of the property subject to forfeiture, 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 18, United States Code, Section 982(b), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 18, United States Code, Section 982(a)(2).

A TRUE BILL:

GRAND JURY FOREPERSON



ZANE DAVID MEMEGER
United States Attorney