

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

FILED
U.S. DISTRICT COURT
INDIANAPOLIS DIVISION
2017 MAR 14 PM 5:27
SOUTHERN DISTRICT
OF INDIANA
LAURA A. BRIGGS
CLERK

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

Cause No. 1:16-cr-0167-WTL-MJD

MOHAMED NOSHI MAHMOUD,)

-01

a/k/a "Noshi,")

MAHDI KHELIFI,)

-02

ISSA KAYYALI,)

-03

HAMZA DRIDI,)

-04

a/k/a "Alex,")

Defendants.)

SUPERSEDING INDICTMENT

COUNT ONE

(Racketeer Influenced and Corrupt Organizations)
[Title 18, U.S.C. § 1962(d)]

The Grand Jury charges that:

I. INTRODUCTION

At all times material to these charges:

1. ELITE IMPORTS, LLC, formerly doing business as Elite Motors, LLC, was a car dealership registered with the Indiana Secretary of State and principally located at 4550 N. Keystone Avenue, Indianapolis, Indiana (ELITE IMPORTS). ELITE IMPORTS was in the business of buying and selling new and used motor vehicles including cars and motorcycles under the direct management of MOHAMED NOSHI MAHMOUD, a/k/a "Noshi" (NOSHI).

2. ELITE CAR IMPORTS, LLC, formerly doing business as Elite Car Motors, LLC, was a car dealership registered with the Indiana Secretary of State and principally located at 8102 Pendleton Pike, Indianapolis, Indiana (ELITE CAR IMPORTS). ELITE CAR IMPORTS was in the business of buying and selling new and used motor vehicles including cars and motorcycles under the direct management of Defendant NOSHI.

3. Defendant NOSHI was the principal leader, organizer and manager of ELITE ENTERPRISE, defined below. Defendant NOSHI participated in the operation and management of ELITE ENTERPRISE by being the principal decision maker for the ENTERPRISE and by directing other members and associates of the ENTERPRISE to engage in activity that assisted him in carrying out unlawful and other acts in furtherance of ENTERPRISE objectives. Defendant NOSHI exerted influence and control over each of the above identified auto dealerships.

4. MAHDI KHELIFI (KHELIFI) was a member of ELITE ENTERPRISE and promoted its objectives as a managing sales associate involved in the day-to-day operations of the dealerships including participating in legal and illegal activity at the direction of Defendant NOSHI and other ENTERPRISE leaders and members.

5. ISSA KAYYALI (KAYYALI) was a member of ELITE ENTERPRISE and promoted its objectives as a sales associate involved in the day-to-day operations of the dealerships including participating in legal and illegal activity at the direction of Defendant NOSHI and other ENTERPRISE leaders and members.

6. HAMZA DRIDI, a/k/a "Alex" (ALEX) was a member of ELITE ENTERPRISE and promoted its objectives as a service manager and mechanic involved in the day-to-day

operations of the dealerships including participating in legal and illegal activity at the direction of Defendant NOSHI and other ENTERPRISE leaders and members.

II. THE ENTERPRISE

7. Defendants NOSHI, KHELFI, KAYYALI, ALEX, and others known and unknown to the Grand Jury, together with the two car dealerships, ELITE IMPORTS, LLC, and ELITE CAR IMPORTS, LLC, and several shell companies, including but not limited to, LEVERAGE GROUP, a/k/a "LG," a/k/a "LG/HG," UNIVERSAL MULTIMEDIA MARKETING, ABC CONSTRUCTION, NINECORP & ASSOCIATES, and HAMILTON GROUP, a/k/a "Hamilton Business Group," constituted an association-in-fact enterprise, referred to herein as ELITE ENTERPRISE or the ENTERPRISE. ELITE ENTERPRISE was an "enterprise" consisting of legal entities and individuals all associated-in-fact, as defined by Title 18, United States Code, Section 1961(4). The ENTERPRISE constituted an ongoing organization whose leaders, members, and associates functioned through illicit and other acts as a continuing unit for the common purpose of achieving the objectives of the ENTERPRISE. ELITE ENTERPRISE was engaged in, and its activities affected, interstate commerce.

Purposes and Objectives of the Enterprise

8. The purposes and objectives of ELITE ENTERPRISE included the following:
 - a. Funding the ENTERPRISE through, among other things, mail fraud, wire fraud, chop shops, money laundering, and interstate transportation of stolen property.
 - b. Enriching Defendants NOSHI, KHELIFI, KAYYALI, ALEX and the members and associates of ELITE ENTERPRISE through, among other things, mail fraud, wire fraud, chop shops, money laundering, and interstate transportation of stolen property.

c. Misrepresenting, concealing, and hiding the purposes of, and acts done in furtherance of the conspiracy, and concealing the criminal activities committed by the ENTERPRISE in order to avoid detection.

III. THE RACKETEERING CONSPIRACY

9. Beginning no later than January 1, 2013 and continuing to approximately September 2015, in Marion County in the Southern District of Indiana and elsewhere, Defendants NOSHI, KHELIFI, KAYYALI, ALEX, and others known and unknown to the Grand Jury, being persons employed by and associated with an enterprise, which was engaged in and the activities of which affected, interstate commerce, namely, ELITE ENTERPRISE, did conspire with each other and others known and unknown to the Grand Jury to violate Title 18, United States Code, Section 1962(c), that is, to conduct and participate, directly and indirectly, in the conduct of the affairs of the ENTERPRISE through a pattern of racketeering activity consisting of multiple acts indictable under the following provisions of federal law:

- A. Title 18, United States Code, Section 1341 (Mail Fraud);
- B. Title 18, United States Code, Section 1343 (Wire Fraud);
- C. Title 18, United States Code, Section 1957 (Money Laundering); and
- D. Title 18, United States Code, Section 2314 (Interstate Transportation of Stolen Property).

It was part of the conspiracy that each defendant agreed that a conspirator would commit at least two acts of racketeering in the conduct of the affairs of the ENTERPRISE.

Methods and Means of the Enterprise

10. Among the methods and means by which the defendants and their associates

conducted and participated in the conduct of the affairs of the ENTERPRISE were the following:

Mail Fraud and Wire Fraud (Lender Financing)

a. It was part of the conspiracy that members of ELITE ENTERPRISE and their associates devised, intended to devise, and participated in a scheme to defraud financial and lending institutions, and to obtain money from the financial and lending institutions, by means of false and fraudulent pretenses and representations submitted electronically and through the U.S. mail.

b. It was part of the scheme to defraud that Defendants NOSHI, KHELIFI, KAYYALI, and other ELITE ENTERPRISE members procured fraudulent documents from individuals known and unknown to the Grand Jury, which documents and false and fraudulent information contained therein, were submitted electronically and via U.S. mail in loan applications to financial and lending institutions to underwrite the purchase of motor vehicles including cars and motorcycles from ELITE IMPORTS and ELITE CAR IMPORTS for ENTERPRISE customers and to benefit the ENTERPRISE and its members.

c. It was further part of the scheme to defraud that in some, but not all instances, the fraudulent documents submitted by Defendants NOSHI, KHELIFI, KAYYALI, and other ELITE ENTERPRISE members to financial and lending institutions to underwrite the purchase of motor vehicles including cars and motorcycles from ELITE IMPORTS, LLC, and ELITE CAR IMPORTS, LLC, for ENTERPRISE customers and to benefit the ENTERPRISE and its members, included a means of identification of another such as Social Security number and date of birth, among other things.

d. It was further part of the scheme to defraud that in some, but not all instances, the

fraudulent documents submitted by Defendants NOSHI, KHELIFI, KAYYALI, and other ELITE ENTERPRISE members to financial and lending institutions to underwrite the purchase of motor vehicles including cars and motorcycles from ELITE IMPORTS, LLC, and ELITE CAR IMPORTS, LLC, for ENTERPRISE customers and to benefit the ENTERPRISE and its members, included paystubs purporting to be from LEVERAGE GROUP, a/k/a "LG," a/k/a "LG/HG," UNIVERSAL MULTIMEDIA MARKETING, ABC CONSTRUCTION, NINECORP & ASSOCIATES, and HAMILTON GROUP, a/k/a "Hamilton Business Group," and other business entities operating as shell companies used as a vehicle for the business transactions, when in truth and in fact, as the Defendants well knew, the applicants were not so employed.

e. It was further part of the scheme to defraud that Defendant NOSHI and other ELITE ENTERPRISE members and associates created fraudulent documents, which documents and false and fraudulent information contained therein, were submitted electronically and via U.S. mail in loan applications to financial and lending institutions to underwrite the purchase of motor vehicles including cars and motorcycles from ELITE IMPORTS, LLC, and ELITE CAR IMPORTS, LLC, for ELITE ENTERPRISE customers and to benefit the ENTERPRISE and its members.

f. It was further part of the scheme to defraud that as a result of the false and material pretenses, misrepresentations, and omissions made by Defendant NOSHI and other ELITE ENTERPRISE members acting on behalf of the ENTERPRISE, financial and lending institution funds intended to underwrite the purchase of motor vehicles including cars and motorcycles from ELITE IMPORTS, LLC, and ELITE CAR IMPORTS, LLC, for

ENTERPRISE customers and to benefit the ENTERPRISE and its members were received and deposited into ENTERPRISE bank accounts.

Insurance Fraud, Interstate Transportation of Stolen Property and Chop Shops

g. It was further part of the conspiracy that members of ELITE ENTERPRISE and their associates devised a scheme, intended to devise, and participated in a scheme to defraud insurance carriers, and to obtain money from the insurance carriers, by means of false and fraudulent pretenses and representations submitted electronically.

h. It was part of the scheme to defraud that Defendant NOSHI and other ELITE ENTERPRISE members and associates materially misled insurance carriers through the submission of false claim information asserting, in some instances, that motor vehicles including cars and motorcycles were stolen or damaged thereby causing the insurance carrier to release claim monies to the policy holder and lien holder upon receipt of the motor vehicle title or guarantee of the same by Defendant NOSHI and other ENTERPRISE members.

i. It was further part of the scheme to defraud that Defendants NOSHI, KHELIFI, KAYYALI and other ELITE ENTERPRISE members and associates transported, transmitted, and transferred and caused to be transported, transmitted, and transferred in interstate commerce monies, to-wit: insurance claim proceeds in the form of negotiable instruments, of the value of \$5,000 or more, knowing the same to have been stolen, converted, or taken by fraud, in that ENTERPRISE members and associates submitted insurance claims for vehicles including cars and motorcycles purported to be stolen causing insurance companies to issue claim proceed checks for the benefit of the ENTERPRISE.

j. It was further part of the scheme to defraud that Defendants NOSHI, ALEX, and

other ELITE ENTERPRISE members and associates used the storage unit leased by Defendant NOSHI and an individual known to the Grand Jury to receive, conceal, disassemble, dismantle, reassemble, and store motor vehicles and motor vehicle parts, some of which had been unlawfully obtained and obtained by fraud in order to alter, counterfeit, deface, destroy, disguise, falsify, forge, obliterate, or remove the identity including the vehicle identification number or derivative thereof, of such motor vehicle or motor vehicle part.

Wire Fraud (Floor Plan Fraud)

k. It was further part of the conspiracy that Defendants NOSHI, KHELIFI, KAYYALI, and members and associates of ELITE ENTERPRISE devised a scheme, intended to devise, and participated in a scheme to defraud specialty finance companies involved in floor plan inventory financing, and to obtain money from the specialty finance companies, by means of false and fraudulent pretenses and representations.

l. It was part of the scheme to defraud that ELITE ENTERPRISE secured short term financing and lines of credit from specialty finance companies to acquire inventory including motor vehicles, a process referred to as “floor planning” inventory. These “floor planned” vehicles would remain on the car dealerships’ lots for subsequent sale. The specialty finance companies would, in most cases, audit the inventory at ELITE IMPORTS and ELITE CAR IMPORTS on a bi-weekly or monthly basis. Following a sale, ELITE IMPORTS and ELITE CAR IMPORTS car dealerships were required to: (1) tender the purchase price of the “floor planned” vehicle to the specialty finance company, which would, in turn, trigger the release of proper vehicle title from the specialty finance company to the dealership to transfer to the buyer, and (2) update the title of the “floor planned” vehicle within 21-days from the date of sale with

the Indiana Bureau of Motor Vehicles (BMV).

m. It was further part of the scheme to defraud that Defendants NOSHI, KHELIFI, KAYYALI, and other ELITE ENTERPRISE members and associates sold some, but not all, “floor planned” vehicles from the ELITE IMPORTS and ELITE CAR IMPORTS car dealership lots “out of trust” that is, the vehicle would be sold by ENTERPRISE members without tendering the purchase price to the specialty finance company, perfecting the vehicle title, or notifying the buyer about the imperfect title.

n. It was further part of the scheme to defraud that following the “out of trust” sale of a “floor planned” vehicle, ELITE ENTERPRISE members at the direction of Defendant NOSHI would access and process copies of the vehicle title through the ENTERPRISE’s Online Registration System through the BMV Dealer Track portal knowing full well that the title had not been perfected and the specialty finance company had not been paid.

o. It was further part of the scheme to defraud that Defendants NOSHI, KHELIFI, KAYYALI, and other ELITE ENTERPRISE members and associates would fail to provide original and perfected title to ENTERPRISE customers, and on some occasions, would provide and use copies of vehicle titles for registration with the Indiana BMV.

p. It was further part of the scheme to defraud that Defendants NOSHI, KHELIFI, KAYYALI, and other ELITE ENTERPRISE members and associates instructed customers of ELITE IMPORTS and ELITE CAR IMPORTS to return the “floor planned” vehicle to the car dealership to avoid detection by the specialty finance company during an audit.

q. It was further part of the scheme to defraud that Defendants NOSHI, KHELIFI, and other ELITE ENTERPRISE members and associates deceived the specialty finance

company auditors by providing misleading information about the whereabouts and location of some of the “floor planned” vehicles.

Money Laundering

r. It was further part of the conspiracy that members and associates of ELITE ENTERPRISE engaged in a monetary transaction in criminally derived property in the amount of \$10,870.00, more or less, derived from specific unlawful activity, namely, mail fraud and wire fraud, in that the members and associates of the ENTERPRISE did cause to be transferred and exchanged, in and affecting interstate commerce, a cash withdrawal of funds from J.P. Morgan Chase Bank, N.A., a financial institution account ending 0295.

All in violation of Title 18, United States Code, Section 1962(d).

COUNT 2

**(Conspiracy to Commit Mail Fraud)
[18 U.S.C. §§ 1341, 1349]**

11. The allegations and assertions stated in Paragraphs 1 through 8 and 10, above, are hereby incorporated by reference and as if stated herein in full.

12. Beginning in or around January 2013 and continuing through approximately September 2015, in Marion County in the Southern District of Indiana and elsewhere, the defendants,

**MOHAMED NOSHI MAHMOUD,
a/k/a “Noshi,”
MAHDI KHELIFI,
ISSA KAYYALI,**

together, and with others known and unknown to the Grand Jury, did knowingly and intentionally, conspire, combine, confederate, and agree to commit the offense of mail fraud, in

violation of Title 18, United States Code, Section 1341, that is: for the purpose of executing and attempting to execute a scheme and artifice to defraud and to obtain monies from the financial and lending institutions by means of materially false and fraudulent pretenses, representations, promises, and omissions, knowingly deposited and caused to be deposited any matter or thing whatever to be sent and delivered by the United States Postal Service or a private or commercial interstate carrier, in violation of Title 18, United States Code, Section 1341.

Overt Acts

In furtherance of the conspiracy and to achieve its object, the defendants committed and caused to be committed, in Marion County in the Southern District of Indiana and elsewhere, at least one of the following overt acts, among others, that included at least one false pretense, representation, and omission, among others:

OVERT ACT	APPROXIMATE DATE	LENDING INSTITUTION	FALSE PRETENSE, REPRESENTATION AND OMISSION
A.	01/24/13	American Credit Acceptance, LLC	Consumer S.W. was employed by Universal MultiMedia Marketing
B.	02/26/13	American Credit Acceptance, LLC	Consumers N.P. and T.P. were employed by NineCorp & Associates
C.	04/03/13	American Credit Acceptance, LLC	Consumer B.D. was employed by Leverage Group
D.	09/06/13	Honor Finance	Consumer M.S. was employed by Leverage Group
E.	09/26/13	American Credit Acceptance, LLC	Consumer C.B. was employed by Hamilton Business Group
F.	02/17/14	Pelican Auto Finance, LLC	Consumer B.A. was employed by Universal MultiMedia Marketing
G.	05/06/14	Tebo Financial Services	Consumer A.G. was employed by Leverage Group, LLC
H.	05/23/16	Pelican Auto Finance, LLC	Consumer Alonna Graves's SSN ended 8918 and A.G. was employed by Leverage Group, LLC

I.	05/24/14	Pelican Auto Finance, LLC	Consumer S.B. was employed by Leverage Group, and had current Indiana Power and Light utility service
J.	06/09/14	United Auto Credit	Consumer A.T. was employed by Hamilton Group, LLC
K.	08/26/14	Go Financial Lending, LLC	Consumer Z.J. was employed by Hamilton Group
L.	08/27/14	Go Financial Lending, LLC	Consumer W.H. was employed by Universal MultiMedia Marketing
M.	10/29/14	Santander Consumer USA, Inc.	Consumer S.W. held a valid Indiana Driver's License and was employed by Universal MultiMedia Marketing
N.	12/08/14	Pelican Auto Finance, LLC	Consumer C.B. was employed by LG
O.	01/21/15	Santander Consumer USA, Inc.	Consumer A.K. held a valid Indiana Driver's License, was employed by Inter Market Logist, a/d/b/a "Entermarket," and had current Citizens Gas utility service
P.	02/02/15	Santander Consumer USA, Inc.	Consumer A.C. was employed by Hamton [sic] Group and held a valid Indiana Driver's License
Q.	02/04/15	Santander Consumer USA, Inc.	Consumer P.G. held a valid Indiana Driver's License
R.	02/06/15	United Auto Credit	Consumer F.T. held a valid Indiana Driver's License
S.	03/09/15	United Auto Credit	Consumer C.C. was employed by ABC Construction
T.	03/19/15	United Auto Credit	Consumer J.P. was employed by ABC Construction
U.	03/20/15	Reliable Auto Finance	Consumer C.B. possessed a valid paystub from VIP Lounge
V.	03/24/15	Pelican Auto Finance, LLC	Consumer E.A.'s SSN ended 4198
W.	03/27/15	Reliable Auto Finance	Consumer E.A.'s SSN ended 4198
X.	04/02/15	Pelican Auto Finance, LLC	Consumer M.M.'s SSN ended 4969 and his DOB was XX/XX/1979
Y.	04/06/15	Santander Consumer USA, Inc.	Consumer M.M.'s SSN ended 4969 and his DOB was XX/XX/1979
Z.	04/23/15	Santander Consumer USA,	Consumer R.H. was employed by Elite Wireless

		Inc.	
AA.	07/30/15	Coastal Credit, LLC	Consumer A.K. held a valid Indiana Driver's License, was employed by Inter Market Logist, a/d/b/a "Entermarket," and had current Citizens Gas utility service
BB.	09/03/15	United Auto Credit	Consumer T.R. held a valid Indiana Driver's License
CC.	09/18/15	Veros Credit	Consumer K.K.'s SSN ended 2336 and K.K. was employed by NineCorp & Associates

All in violation of Title 18, United States Code, Sections 1341, 1349.

COUNT 3

(Conspiracy to Commit Wire Fraud) [18 U.S.C. §§ 1343, 1349]

13. The allegations and assertions stated in Paragraphs 1 through 8 and 10, above, are hereby incorporated by reference and as if stated herein in full.

14. Beginning in or around January 2013 and continuing through approximately September 2015, in Marion County in the Southern District of Indiana and elsewhere, the Defendants,

**MOHAMED NOSHI MAHMOUD,
a/k/a "Noshi,"
MAHDI KHELIFI,
ISSA KAYYALI,**

together, and with other ELITE ENTERPRISE members known and unknown to the Grand Jury, did knowingly and intentionally, conspire, combine, confederate, and agree to commit certain offenses against the United States, that is: to devise and intend to devise a scheme and artifice

to defraud and to obtain monies from insurance carriers by means of materially false and fraudulent pretenses, representations, promises, and omissions, and, for the purpose of executing and attempting to execute the scheme and artifice to defraud, knowingly transmitted and caused to be transmitted, by means of interstate wire communications in the form of certain wirings, signs, signals, pictures, and sounds, in violation of Title 18, United States Code, Section 1343.

Overt Acts

In furtherance of the conspiracy and to achieve its object, the defendants committed and caused to be committed, in Marion County in the Southern District of Indiana and elsewhere, at least one of the following overt acts, among others:

OVERT ACT	APPROXIMATE DATE	INSURANCE CARRIER	CLAIMANT	FALSE PRETENSE, REPRESENTATION AND OMISSION
A.	10/16/13	Omni Insurance Company	C.B.	Stolen Vehicle: 2006 Land Rover Range Rover, VIN SALSF254X6A973204
B.	9/12/14	Sentry Insurance	MAHDI KHELIFI	Stolen Vehicle: 2009 Ducati Monster 696, VIN ZDM1RADN19B023167
C.	10/02/14	Progressive	ISSA KAYYALI	Stolen Vehicle: 2006 Dodge Charger, VIN 2B3KA43G06H461310
D.	03/05/15	Esurance Property and Casualty Insurance Company	A.P.	Stolen Vehicle: 2000 Mercedes ML 320, VIN 4JGAB72E4YA182948

All in violation of Title 18, United States Code, Sections 1343, 1349.

COUNT 4

(Conspiracy to Commit Wire Fraud)
[18 U.S.C. §§ 1343, 1349]

15. The allegations and assertions stated in Paragraphs 1 through 8 and 10, above, are hereby incorporated by reference and as if stated herein in full.

16. Beginning in or around August 2011 and continuing through approximately September 2015, in Marion County in the Southern District of Indiana and elsewhere, the Defendants,

**MOHAMED NOSHI MAHMOUD,
a/k/a "Noshi,"
MAHDI KHELIFI,
ISSA KAYYALI,**

together, and with other ELITE ENTERPRISE members known and unknown to the Grand Jury, did knowingly and intentionally, conspire, combine, confederate, and agree to commit certain offenses against the United States, that is: to devise and intend to devise a scheme and artifice to defraud and to obtain monies from the financial and lending institutions by means of materially false and fraudulent pretenses, representations, promises, and omissions and, for the purpose of executing and attempting to execute the scheme and artifice to defraud, transmitted and caused to be transmitted, by means of interstate wire communications in the form of certain wirings, signs, signals, pictures, and sounds, in violation of Title 18, United States Code, Section 1343.

Overt Acts

In furtherance of the conspiracy and to achieve its object, the defendants committed and caused to be committed, in Marion County in the Southern District of Indiana and elsewhere, at least one of the following overt acts, among others:

OVERT ACT	APPROXIMATE DATE	FALSE PRETENSE, REPRESENTATION AND OMISSION
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A.	8/30/11 – 12/18/13	Failure to Properly Deliver Title to Purchasers of Vehicles
B.	09/22/15	Twenty-Nine (29) Vehicles, more or less, “Sold and Unpaid” out of trust from NextGear Capital, Inc.
C.	09/22/15	Thirty-Five (35) Vehicles, more or less, “Sold-Out-Of-Trust” from Automotive Finance Corporation

All in violation of Title 18, United States Code, Sections 1343, 1349.

COUNT 5

**(Money Laundering)
[18 U.S.C. § 1957]**

17. Paragraphs 1 through 8 and 10, above, are re-alleged and incorporated by reference as if fully set out herein.

18. On or about May 6, 2015, in the Southern District of Indiana and elsewhere, the Defendant,

**MOHAMED NOSHI MAHMOUD,
a/k/a “Noshi,”**

did knowingly engage in a monetary transaction in criminally derived property in the following amounts, \$10,870.00, more or less, derived from specified unlawful activity, in that the defendant **MOHAMED NOSHI MAHMOUD** did cause to be transferred or exchanged, in and affecting interstate commerce, funds drawn on account ending 0295 maintained by J.P. Morgan Chase Bank, N.A., said funds having been derived from the mail fraud and wire fraud perpetrated by **MOHAMED NOSHI MAHMOUD** as charged in this Indictment.

All in violation of Title 18, United States Code, Section 1957.

COUNT 6

**(Interstate Transportation of Stolen Property)
[18 U.S.C. §§ 2314, 2]**

19. The allegations and assertions stated in Paragraphs 1 through 8 and 10, above, are hereby incorporated by reference and as if stated herein in full.

20. Beginning on or about October 7, 2013 and continuing through approximately October 24, 2014, in Marion County in the Southern District of Indiana and elsewhere, the Defendants,

**MOHAMED NOSHI MAHMOUD,
a/k/a "Noshi,"
ISSA KAYYALI,**

did unlawfully transport, transmit, and transfer and cause to be transported, transmitted, and transferred in interstate commerce money in the form of a negotiable instrument valued in excess of \$5,000.00 or more, to-wit: \$17,623.66, more or less, from Business #1 operating at P.O. Box 105019, Atlanta, Georgia to 4550 N. Keystone Avenue, Indianapolis, Indiana, knowing the same to have been stolen, converted, and taken by fraud.

All in violation of Title 18, United States Code, Sections 2314 and 2.

COUNT 7

**(Interstate Transportation of Stolen Property)
[18 U.S.C. §§ 2314, 2]**

21. The allegations and assertions stated in Paragraphs 1 through 8 and 10, above, are hereby incorporated by reference and as if stated herein in full.

22. Beginning on or about September 12, 2014 and continuing through approximately November 20, 2014, in Marion County in the Southern District of Indiana and elsewhere, the Defendants,

MAHDI KHELIFI,

**HAMZA DRIDI,
a/k/a "Alex,"**

did unlawfully transport, transmit, and transfer and cause to be transported, transmitted, and transferred in interstate commerce a negotiable instrument valued in excess of \$5,000.00 or more, to-wit: \$6,720.50, more or less, from Business #2 operating at P.O. Box 8038, Stevens Point, Wisconsin to 9550 Colony Point East Drive, Indianapolis, Indiana, knowing the same to have been stolen, converted, and taken by fraud.

All in violation of Title 18, United States Code, Sections 2314 and 2.

COUNT 8

**(Interstate Transportation of Stolen Property)
[18 U.S.C. §§ 2314, 2]**

23. The allegations and assertions stated in Paragraphs 1 through 8 and 10, above, are hereby incorporated by reference and as if stated herein in full.

24. Beginning on or about October 2, 2014 and continuing through approximately March 5, 2015, in Marion County in the Southern District of Indiana and elsewhere, the Defendant,

ISSA KAYYALI,

did unlawfully transport, transmit, and transfer in interstate commerce and cause to be transported, transmitted, and transferred in interstate commerce a negotiable instrument valued in excess of \$5,000.00 or more, to-wit: \$9,073.88, more or less, from Business #3 operating at 5975 Castle Creek Parkway, Indianapolis, Indiana to Business #4 operating at P.O. Box 29002, Phoenix, Arizona, knowing the same to have been stolen, converted, and taken by fraud.

All in violation of Title 18, United States Code, Sections 2314 and 2.

FORFEITURE

1. Pursuant to Federal Rule of Criminal Procedure 32.2, the United States hereby notifies the Defendants that it will seek forfeiture of property pursuant to Title 18, United States Code, Section 1963 and Title 28, United States Code, Section 2461(c).

2. Pursuant to Title 18, United States Code, Section 1963, upon conviction of the offense in Count One, in violation of Title 18, United States Code, Section 1962(d), the United States will seek forfeiture of: (a) any interest acquired or maintained in violation of Section 1962; (b) any interest in, security of, claim against, or property or contractual right of any kind affording a source of influence over, any enterprise which the Defendants established, operated, controlled, conducted, or participated in the conduct of, in violation of section 1962; and (c) any property constituting, or derived from, any proceeds obtained, directly or indirectly, from racketeering activity, in violation of 1962. The property to be forfeited includes, but is not limited to:

- funds up to the amount of \$30,651.02, held in JP Morgan Chase checking account number 239890295, in the name of Elite Imports, LLC, and
- funds up to the amount of \$4,936.18, held in JP Morgan Chase checking account number 611139556, in the name of Elite Imports, LLC.

3. Pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 982 the court shall order the forfeiture of any other property of the Defendants, up to the value of any property described in paragraph 2, if, by any act or omission of the Defendants, the property described in paragraph 2, or any portion thereof:

- 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.

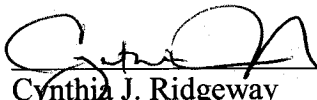
All pursuant to Title 18, United States Code, Section 1963.

A TRUE BILL:



JOSH J. MINKLER
United States Attorney

By:


Cynthia J. Ridgeway
Assistant United States Attorney