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JAN 5 2016

JAMES N. HATTEN, Clerk
By: *[Signature]* Deputy Clerk

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

UNITED STATES OF AMERICA

v.

ANTHONY ALIKA,
SONIA ALIKA, AND
RAPHEAL ATEBEFIA

Criminal Indictment

No. **1:16-CR-0005**

UNDER SEAL

THE GRAND JURY CHARGES THAT:

COUNT ONE

18 U.S.C. § 1956(h)

(Conspiracy to Commit Money Laundering)

1. Beginning on a date unknown, but from at least in or about January 2015, and continuing through the date of this Indictment, in the Northern District of Georgia and elsewhere, the Defendants, ANTHONY ALIKA, SONIA ALIKA, and RAPHEAL ATEBEFIA, did knowingly combine, conspire, confederate, agree, and have a tacit understanding with each other and others known and unknown to the Grand Jury, to conduct and attempt to conduct financial transactions affecting interstate and foreign commerce and which involved the proceeds of a specified unlawful activity, that is, wire fraud, in violation of Title 18, United States Code, Section 1343, knowing that the transactions were designed in whole and in part to conceal and disguise the nature, location, source, ownership and control of the proceeds of said specified unlawful activity, and knowing that the property involved in the financial transactions represented

the proceeds of some form of unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i).

DEFINITIONS

At times relevant to this Indictment:

2. Defendant ANTHONY ALIKA was married to Defendant SONIA ALIKA and they resided in Austell, Georgia.

3. Defendant RAPHEAL ATEBEFIA resided in Austell, Georgia.

4. A “means of identification” was any name or number that may be used, alone or in conjunction with any other information, to identify a specific individual, including a name, Social Security number, or date of birth.

5. A “prepaid debit card” was a card linked to an account at a financial institution, which can be used to receive deposits electronically, like a traditional bank account, and can be used to make purchases and cash withdrawals with funds in the account, like a traditional debit card.

6. An “access device” was any card, plate, code, account number, electronic serial number, mobile identification number, personal identification number, or other telecommunications service, equipment, or instrument identifier, or other means of account access, that could be used alone or in conjunction with another access device, to obtain money, goods, services, or any other thing of value, or that could be used to initiate a transfer of funds (other than a transfer originated solely by paper instrument), such as a prepaid debit card.

7. A “currency transaction report” (“CTR”) was a report that was submitted on United States Department of the Treasury, Financial Crimes Enforcement

Network Form 104. A domestic financial institution was required by federal law to file a CTR with the Treasury for each financial transaction that involved United States currency in excess of \$10,000. Such financial transactions included deposits, withdrawals, or exchanges of currency, or other transactions involving the physical transfer of currency from one person to another.

8. The Internal Revenue Service (“IRS”) was an agency of the United States Department of the Treasury responsible for administering the tax laws of the United States, and collecting taxes owed to the United States.

MANNER AND MEANS

9. ANTHONY ALIKA, RAPHEAL ATEBEFIA, and others would and did obtain, without authority, the means of identification of individuals, including their names and Social Security numbers, from an unknown source.

10. ANTHONY ALIKA, RAPHEAL ATEBEFIA, and others would and did access the IRS’s “Get Transcript” web application to obtain tax information of the individuals whose means of identification were obtained without authority.

11. ANTHONY ALIKA, RAPHEAL ATEBEFIA, and others would and did cause to be prepared and electronically filed fraudulent income tax returns in the names of those individuals. Those tax returns were transmitted by means of wire communications in interstate commerce and directed anticipated tax refunds to prepaid debit cards activated in the names of those individuals. In an attempt to disguise the filing of the returns, the Defendants and others would and did use websites referred to as “anonymizers.” An anonymizer acted as an

intermediary and privacy shield between the computers used by the Defendants and others and the rest of the Internet.

12. ANTHONY ALIKA, RAPHEAL ATEBEFIA, and others would and did purchase prepaid debit cards from stores located in several states, and activated the prepaid debit cards in the names of individuals whose identities had been obtained without authorization. The financial accounts linked to the cards were then funded with tax refunds generated from tax returns that were filed in the individuals' names and without their authorization.

13. ANTHONY ALIKA, RAPHEAL ATEBEFIA, and others would and did use these prepaid debit cards, funded by fraudulent tax refunds, to purchase money orders. The Defendants and others would and did make the money orders payable to ANTHONY ALIKA, SONIA ALIKA, RAPHEAL ATEBEFIA, and others.

14. ANTHONY ALIKA, SONIA ALIKA, RAPHEAL ATEBEFIA and others would and did deposit the money orders into bank accounts they and others controlled, including but not limited to the following accounts:

OWNER/SIGNATORY OF ACCOUNT	FINANCIAL INSTITUTION	BANK ACCOUNT ENDING IN
RAPHEAL ATEBEFIA	Wells Fargo	-7477
RAPHEAL ATEBEFIA	Wells Fargo	-0322
RAPHEAL ATEBEFIA	Bank Of America	-7068
ANTHONY ALIKA	Wells Fargo	-5277
ANTHONY ALIKA	Wells Fargo	-3808
ANTHONY ALIKA	Wells Fargo	-1631
ANTHONY ALIKA	Wells Fargo	-0300
SONIA ALIKA	Wells Fargo	-6129
SONIA ALIKA	Wells Fargo	-6618
Person A	Bank Of America	-9204

15. ANTHONY ALIKA, SONIA ALIKA, RAPHEAL ATEBEFIA, and others would and did structure cash withdrawals of the proceeds in order to avoid CTRs.

16. ANTHONY ALIKA, SONIA ALIKA, RAPHEAL ATEBEFIA, and others would and did take steps to conceal the existence of the conspiracy.

All in violation of Title 18, United States Code, Section 1956(h).

COUNTS TWO THROUGH TWENTY

18 U.S.C. § 1956(a)(1)(B)(i)
(Money Laundering)

17. The Grand Jury re-alleges and incorporates by reference the factual allegations contained in paragraphs two through sixteen of this Indictment as if fully set forth herein.

18. On or about each date listed below, in the Northern District of Georgia and elsewhere, the defendants, ANTHONY ALIKA, SONIA ALIKA, and RAPHEAL ATEBEFIA, aided and abetted by each other and others known and unknown to the Grand Jury, did knowingly conduct and attempt to conduct financial transactions affecting interstate and foreign commerce, as specified below with respect to each count, each such transaction involving the proceeds of a specified unlawful activity, that is, wire fraud, in violation of Title 18, United States Code, Section 1343, knowing that the transactions were designed in whole and in part to conceal and disguise the nature, location, source, ownership and control of the proceeds of said specified unlawful activity, and knowing that the property

involved in the financial transactions represented proceeds of some form of unlawful activity:

COUNT	DATE OF OFFENSE	DEFENDANT(S)	FINANCIAL TRANSACTION
2	2/23/2015	RAPHEAL ATEBEFIA	Deposited a \$1,000 money order into Wells Fargo bank account ending in -7477
3	2/23/2015	RAPHEAL ATEBEFIA	Deposited \$7,000 in money orders into Wells Fargo bank account ending in -0322
4	2/23/2015	RAPHEAL ATEBEFIA	Deposited \$3,950 in money orders into Wells Fargo bank account ending in -7477
5	2/23/2015	RAPHEAL ATEBEFIA	Deposited \$5,800 in money orders into Wells Fargo bank account ending in -7477
6	2/23/2015	RAPHEAL ATEBEFIA	Deposited \$1,000 in money orders into Bank of America bank account ending in -7068
7	3/06/2015	SONIA ALIKA	Deposited \$5,693 in money orders and cash into Wells Fargo bank account ending in -6129
8	3/24/2015	SONIA ALIKA	Deposited \$3,000 in money orders into Wells Fargo bank account ending in -6618
9	3/25/2015	ANTHONY ALIKA	Deposited \$6,000 in money orders into Wells Fargo bank account ending in -5277
10	3/25/2015	ANTHONY ALIKA	Deposited \$6,700 in money orders into Wells Fargo bank account ending in -3808
11	3/30/2015	ANTHONY ALIKA	Cashed \$4,000 in money orders using Bank of America bank account ending in -9204 as the reference

COUNT	DATE OF OFFENSE	DEFENDANT(S)	FINANCIAL TRANSACTION
12	3/30/2015	ANTHONY ALIKA	Deposited \$4,760 in money orders into Bank of America bank account ending in -4652
13	3/30/2015	ANTHONY ALIKA	Deposited \$4,230 in money orders and cash into Wells Fargo bank account ending in -5277
14	3/30/2015	SONIA ALIKA	Deposited \$4,905 in money orders and cash into Wells Fargo bank account ending in -6129
15	4/01/2015	RAPHEAL ATEBEFIA; ANTHONY ALIKA	Deposited a \$250 money order into Bank of America bank account ending in -7068
16	4/01/2015	ANTHONY ALIKA	Deposited \$4,741 in money orders and cash into Wells Fargo bank account ending in -3808
17	4/02/2015	RAPHEAL ATEBEFIA; ANTHONY ALIKA	Cashed a \$1,000 money order using Bank of America bank account ending in -7068 as the reference account
18	4/21/2015	ANTHONY ALIKA	Deposited \$9,000 in money orders and cash into Wells Fargo bank account ending in -5277
19	4/30/2015	SONIA ALIKA	Deposited \$5,220 in money orders and cash into Wells Fargo bank account ending in -6129
20	4/30/2015	ANTHONY ALIKA	Deposited \$8,630 in money orders and cash into Wells Fargo bank account ending in -3808

All in violation of Title 18, United States Code, Sections 1956(a)(1)(B)(i) and 2.

COUNTS TWENTY-ONE THROUGH TWENTY-FOUR

18 U.S.C. § 1029(a)(2)
(Access Device Fraud)

19. The Grand Jury re-alleges and incorporates by reference the factual allegations contained in paragraphs two through sixteen of this Indictment as if fully set forth herein.

20. On or about each date listed below, in the Northern District of Georgia and elsewhere, the Defendants, ANTHONY ALIKA and RAPHEAL ATEBEFIA, aided and abetted by each other and others known and unknown to the Grand Jury, knowingly and with intent to defraud, used an unauthorized access device, namely, a prepaid debit card activated in the name of the individual listed below, and by such conduct, obtained a thing of value, namely, money orders, in the aggregate value of \$1,000 or more, said use affecting interstate commerce:

COUNT	DATE OF OFFENSE	DEFENDANT(S)	INDIVIDUAL
21	3/24/2015	ANTHONY ALIKA	J.V.
22	3/28/2015	ANTHONY ALIKA	R.C.
23	3/30/2015	ANTHONY ALIKA	M.H.
24	4/01/2015	RAPHEAL ATEBEFIA; ANTHONY ALIKA	P.B.

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

COUNT TWENTY-FIVE
18 U.S.C. § 1029(a)(2) & (b)(1)
(Attempted Access Device Fraud)

21. The Grand Jury re-alleges and incorporates by reference the factual allegations contained in paragraphs two through sixteen of this Indictment as if fully set forth herein.

22. On or about April 1, 2015, in the Northern District of Georgia and elsewhere, the Defendants, ANTHONY ALIKA and RAPHEAL ATEBEFIA, aided and abetted by each other and others known and unknown to the Grand Jury, knowingly and with intent to defraud, used an unauthorized access device, namely, a prepaid debit card activated in the name of R.O., and by such conduct, attempted to obtain a thing of value, namely, money orders, in the aggregate value of \$1,000 or more, said use affecting interstate commerce.

All in violation of Title 18, United States Code, Sections 1029(a)(2) & (b)(1), and 2.

COUNTS TWENTY-SIX THROUGH THIRTY

18 U.S.C. § 1028A

(Aggravated Identity Theft)

23. The Grand Jury re-alleges and incorporates by reference the factual allegations contained in paragraphs two through sixteen of this Indictment as if fully set forth herein.

24. On or about each date listed below, in the Northern District of Georgia and elsewhere, the Defendants, ANTHONY ALIKA and RAPHEAL ATEBEFIA, aided and abetted by each other and others known and unknown to the Grand Jury, did knowingly possess, transfer, and use a means of identification of another person, without lawful authority, during and in relation to an access device fraud count charged in this Indictment and identified as a Related Count below; that is, they knowingly possessed, transferred, and used the name, Social Security number, and prepaid debit card account number of an actual person, identified by their initials below, to commit access device fraud in violation of 18 U.S.C. § 1029(a)(2):

COUNT	DEFENDANT(S)	RELATED COUNT	DATE	ACTUAL PERSON
26	ANTHONY ALIKA	21	3/24/2015	J.V.
27	ANTHONY ALIKA	22	3/28/2015	R.C.
28	ANTHONY ALIKA	23	3/30/2015	M.H.
29	RAPHEAL ATEBEFIA; ANTHONY ALIKA	24	4/01/2015	P.B.
30	RAPHEAL ATEBEFIA; ANTHONY ALIKA	25	4/01/2015	R.O.

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

COUNTS THIRTY-ONE THROUGH FORTY-FOUR

31 U.S.C. § 5324(a)(1) & (d)(1)
(Structuring)

25. The Grand Jury re-alleges and incorporates by reference the factual allegations contained in paragraphs two through sixteen of this Indictment as if fully set forth herein.

26. On or about each date listed below, in the Northern District of Georgia and elsewhere, the Defendant, ANTHONY ALIKA, did knowingly and for the purpose of evading the reporting requirements of Section 5313(a) of Title 31, United States Code ("Section 5313"), and the regulations promulgated thereunder, cause and attempt to cause Wells Fargo Bank, a domestic financial institution, to fail to file a Currency Transaction Report required by Section 5313 for currency transactions in excess of \$10,000, and did so as part of a pattern of illegal activity involving more than \$100,000 in a 12 month period:

COUNT	DATE OF OFFENSE	TRANSACTIONS
31	3/26/2015	\$8,800 cash withdrawal from Wells Fargo Bank, account ending in -3808; \$9,000 cash withdrawal from Wells Fargo Bank, account ending in -5277
32	4/01/2015	\$9,500 cash withdrawal from Wells Fargo Bank, account ending in -3808; \$5,000 cash withdrawal from Wells Fargo Bank, account ending in -1631

33	4/09/2015	<p>\$7,000 cash withdrawal from Wells Fargo Bank, account ending in -3808; \$9,650 cash withdrawal from Wells Fargo Bank, account ending in -1631; \$2,500 cash withdrawal from Wells Fargo Bank, account ending in -5277; \$300 cash withdrawal from Wells Fargo Bank, account ending in -5277</p>
34	4/10/2015	<p>\$8,700 cash withdrawal from Wells Fargo Bank, account ending in -3808; \$7,300 cash withdrawal from Wells Fargo Bank, account ending in -5277</p>
35	4/13/2015	<p>\$8,200 cash withdrawal from Wells Fargo Bank, account ending in -3808; \$300 cash withdrawal from Wells Fargo Bank, account ending in -3808; \$300 cash withdrawal from Wells Fargo Bank, account ending in -5277; \$2,500 cash withdrawal from Wells Fargo Bank, account ending in -0300</p>
36	4/14/2015	<p>\$9,500 cash withdrawal from Wells Fargo Bank, account ending in -3808; \$2,500 cash withdrawal from Wells Fargo Bank, account ending in -5277</p>
37	4/17/2015	<p>\$9,000 cash withdrawal from Wells Fargo Bank, account ending in -0300; \$2,500 cash withdrawal from Wells Fargo Bank, account ending in -5277</p>
38	4/23/2015	<p>\$9,500 cash withdrawal from Wells Fargo Bank, account ending in -3808; \$300 cash withdrawal from Wells Fargo Bank, account ending in -3808; \$300 cash withdrawal from Wells Fargo Bank, account ending in -5277</p>

39	4/27/2015	\$8,000 cash withdrawal from Wells Fargo Bank, account ending in -5277; \$2,500 cash withdrawal from Wells Fargo Bank, account ending in -0300
40	4/30/2015	\$9,000 cash withdrawal from Wells Fargo Bank, account ending in -1631; \$2,500 cash withdrawal from Wells Fargo Bank, account ending in -5277
41	5/07/2015	\$9,500 cash withdrawal from Wells Fargo Bank, account ending in -3808; \$300 cash withdrawal from Wells Fargo Bank, account ending in -3808; \$300 cash withdrawal from Wells Fargo Bank, account ending in -0300
42	5/13/2015	\$9,800 cash withdrawal from Wells Fargo Bank, account ending in -3808; \$2,500 cash withdrawal from Wells Fargo Bank, account ending in -0300
43	5/18/2015	\$9,800 cash withdrawal from Wells Fargo Bank, account ending in -3808; \$9,600 cash withdrawal from Wells Fargo Bank, account ending in -5277
44	5/19/2015	\$9,500 cash withdrawal from Wells Fargo Bank, account ending in -5277; \$300 cash withdrawal from Wells Fargo Bank, account ending in -5277; \$300 cash withdrawal from Wells Fargo Bank, account ending in -3808

All in violation of Title 31, United States Code, Section 5324(a)(1) and (d)(2).

COUNT FORTY-FIVE

31 U.S.C. § 5324(a)(3)

(Structuring)

27. The Grand Jury re-alleges and incorporates by reference the factual allegations contained in paragraphs two through sixteen of this Indictment as if fully set forth herein.

28. From at least on or about March 24, 2015, through at least on or about May 8, 2015, in the Northern District of Georgia and elsewhere, the Defendant, SONIA ALIKA, did knowingly and unlawfully and for the purpose of evading the reporting requirements of Section 5313 and the regulations promulgated thereunder, structure, attempt to structure, and assist in structuring the following transactions with Wells Fargo Bank, a domestic financial institution:

DATE OF WITHDRAWAL	TRANSACTIONS
03/24/2015	\$9,500 cash withdrawal from Wells Fargo Bank, account ending in -6129
03/27/2015	\$8,000 cash withdrawal from Wells Fargo Bank, account ending in -6129
03/30/2015	\$7,800 cash withdrawal from Wells Fargo Bank, account ending in -6129
04/17/2015	\$9,000 cash withdrawal from Wells Fargo Bank, account ending in -6129
04/28/2015	\$9,000 cash withdrawal from Wells Fargo Bank, account ending in -6129
05/01/2015	\$9,500 cash withdrawal from Wells Fargo Bank, account ending in -6129
05/05/2015	\$9,500 cash withdrawal from Wells Fargo Bank, account ending in -6129
05/08/2015	\$9,600 cash withdrawal from Wells Fargo Bank, account ending in -6129

All in violation of Title 31, United States Code, Section 5324(a)(3).

COUNT FORTY-SIX

31 U.S.C. § 5324(a)(1)

(Structuring)

29. The Grand Jury re-alleges and incorporates by reference the factual allegations contained in paragraphs two through sixteen of this Indictment as if fully set forth herein.

30. On or about February 26, 2015, within the Northern District of Georgia, the Defendant, RAPHEAL ATEBEFIA, did knowingly and for the purpose of evading the reporting requirements of Section 5313 and the regulations promulgated thereunder, cause and attempt to cause Wells Fargo Bank, a domestic financial institution, to fail to file a Currency Transaction Report required by Section 5313 for currency transactions in excess of \$10,000, by withdrawing \$17,675 from Wells Fargo bank account ending in -7477 in two separate transactions; that is, RAPHEAL ATEBEFIA withdrew \$8,875 in cash at 10:33 a.m. at a branch of Wells Fargo located in Austell, Georgia, and then withdrew \$8,800 in cash less than an hour later at a Wells Fargo branch located in Mableton, Georgia.

All in violation of Title 31, United States Code, Section 5324(a)(1).

FORFEITURE PROVISION

31. Upon conviction for one or more of the offenses alleged in Counts 1 through 25 of this Indictment, the Defendants shall forfeit to the United States, pursuant to Title 18, United States Code, Sections 981(a)(1)(A) and (C) and Title 28, United States Code, Section 2461(c), any property involved in said violations, and any property constituting or derived from proceeds obtained directly or indirectly as a result of said violations.

32. Upon conviction for one or more of the offenses alleged in Counts 21 through 24 of this Indictment, the Defendants shall forfeit to the United States, pursuant to Title 18, United States Codes, Sections 982(a)(2)(B) and 1029(c)(1)(C), any property constituting or derived from proceeds obtained directly or indirectly as a result of said violations, and any personal property used or intended to be used to commit said violations.

33. Upon conviction for one or more of the offenses alleged in Counts 31 through 46 of this Indictment, the Defendants shall forfeit to the United States, pursuant to Title 31, United States Code, Section 5317(c)(1), all property, real or personal, involved in said violations and any property traceable thereto.

34. If, as a result of any act or omission of any Defendant, any property subject to forfeiture:


- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- 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 intends, pursuant to Title 18, United States Code, Section 982(b) and Title 21, United States Code, Section 853(p), and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of said Defendant up to the value of the forfeitable property.

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