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JAN 25 2018
STEVEN M. LARIMORE
CLERK U. S. DIST. CT.
S. D. of FLA. -- MIAMI

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 18-20052

- 18 U.S.C. § 1349
- 18 U.S.C. § 1341
- 18 U.S.C. § 1956(h)
- 18 U.S.C. § 1956(A)(2)(B)(i)
- 18 U.S.C. § 1957
- 18 U.S.C. § 2
- 18 U.S.C. § 982(a)(2)(B)

CR. MARTINEZ
MAGISTRATE JUDGE
OTAZO-REYES

UNITED STATES OF AMERICA

vs.

CHRISTIAN EDUARDO VILLALOBOS HERNANDEZ,

Defendant.

INDICTMENT

The Grand Jury charges that:

GENERAL ALLEGATIONS

At all times relevant to this Indictment:

1. Neutronik, LLC (“Neutronik”) was a Florida limited liability company formed by the defendant **CHRISTIAN EDUARDO VILLALOBOS HERNANDEZ** in July 2015. In its incorporation documents, Neutronik listed several residential addresses in Miami-Dade County as its principal place of business, including 16865 SW 95th Street and 9110 SW 171st Court.

2. MKTG Specialist LLC (“MKTG”) was a Florida limited liability company formed in November 2016, by the ex-wife of **CHRISTIAN EDUARDO VILLALOBOS HERNANDEZ**. After MKTG’s incorporation, **HERNANDEZ** was added as the registered agent and an authorized member of MKTG. MKTG listed several residential address in Miami-Dade County as its principal place of business, including 16865 SW 95th Street and 9110 SW 171st Court.

3. LATAMCS, LLC (“LATAMCS”) was a Florida limited liability company formed in December 2016. In May 2017, an annual report for LATAMCS was filed with the State of Florida listing **CHRISTIAN EDUARDO VILLALOBOS HERNANDEZ** as an authorized member. LATAMCS listed several addresses in Miami-Dade County as its principal place of business, including 16865 SW 95th Street.

4. **CHRISTIAN EDUARDO VILLALOBOS HERNANDEZ** resided in Costa Rica and traveled frequently to the United States between 2015 and the present. **HERNANDEZ** and his co-conspirators established personal bank accounts and corporate accounts for Neutronik, MKTG, and LATAMCS at various banks in Miami-Dade County, including Citibank, Bank of America, Wells Fargo, and Fifth Third Bank.

5. The FedEx Corporation (“Federal Express”) was a commercial interstate carrier and courier service that operated within the United States and internationally.

6. The United Parcel Service, Inc. (“UPS”) was a commercial interstate carrier and courier service that operated within the United States and internationally.

7. MoneyGram International, Inc. (“MoneyGram”) was a company that offered consumer-to-consumer money transfer services in the United States and internationally. Consumers could send funds and retrieve available funds at agent locations. Consumers could also purchase money orders that offered the convenience of a check without the need for a checking account. MoneyGram had agent locations across the United States, in Costa Rica, and elsewhere.

8. The Western Union Company (“Western Union”) was a company that offered consumer-to-consumer money transfer services. Consumers could send funds and retrieve available funds at agent locations. Consumers could also purchase money orders that offered the

convenience of a check without the need for a checking account. Western Union had agent locations across the United States, in Costa Rica, and elsewhere.

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

1. The General Allegations section of this Indictment is re-alleged and incorporated by reference as if fully set forth herein.

2. From in or around February 2015, through in or around August 2017, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

CHRISTIAN EDUARDO VILLALOBOS HERNANDEZ,

did willfully, that is, with the intent to further the object of the conspiracy, and knowingly, combine, conspire, confederate and agree with others known and unknown to the Grand Jury to knowingly, and with intent to defraud, devise, and intend to devise a scheme and artifice to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, knowing that the pretenses, representations, and promises were false and fraudulent when made, and to knowingly cause to be delivered certain mail matter by the United States Postal Service and by private and commercial interstate carrier, according to the directions therein, in violation of Title 18, United States Code, Section 1341.

PURPOSE OF THE CONSPIRACY

3. It was the purpose of the conspiracy for the defendant and his co-conspirators to unlawfully enrich themselves by persuading victims through false and fraudulent representations to mail and wire transfer large amounts of cash and money orders to addresses in Miami, Florida, Costa Rica, and elsewhere, and to have those same funds deposited in corporate and personal bank accounts they controlled.

MANNER AND MEANS

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

4. **CHRISTIAN EDUARDO VILLALOBOS HERNANDEZ** and his co-conspirators incorporated several corporate entities in the State of Florida, including Neutronik, MKTG, and LATAMCS. These entities had no actual operations or active businesses.

5. **CHRISTIAN EDUARDO VILLALOBOS HERNANDEZ** and his co-conspirators opened bank accounts for Neutronik, MKTG, and LATAMCS at several banks in Miami-Dade County. **HERNANDEZ** and his co-conspirators also opened a number of bank accounts in Miami-Dade County in their own names.

6. **CHRISTIAN EDUARDO VILLALOBOS HERNANDEZ** maintained in his own name a United States Post Office Box ("P.O. Box") in Miami, Florida. **HERNANDEZ** listed himself and his co-conspirators as authorized persons to receive mail on the application for the P.O. Box.

7. Unknown co-conspirators of **CHRISTIAN EDUARDO VILLALOBOS HERNANDEZ** located in Costa Rica contacted victims throughout the United States by telephone, letter, and/or fax and falsely informed the victims that they had won millions of dollars in a lottery and/or sweepstakes.

8. Unknown co-conspirators of **CHRISTIAN EDUARDO VILLALOBOS HERNANDEZ** falsely explained to victims, who were often elderly or retired individuals, that the victims needed to pay "taxes" on the lottery and/or sweepstake winnings before they could claim their prize.

9. Unknown co-conspirators of **CHRISTIAN EDUARDO VILLALOBOS HERNANDEZ** instructed victims to (a) wire transfer money directly to bank accounts in Costa Rica in the names of companies controlled by the co-conspirators or (b) purchase money orders

and mail them to various addresses in the United States, including to the P.O. Box registered to **HERNANDEZ**.

10. Unknown co-conspirators of **CHRISTIAN EDUARDO VILLALOBOS HERNANDEZ** instructed victims to use Western Union and MoneyGram to wire money to Costa Rica.

11. Unknown co-conspirators of **CHRISTIAN EDUARDO VILLALOBOS HERNANDEZ** instructed victims to purchase money orders from the United States Postal Service, Western Union, and MoneyGram and mail them via United States Postal Service, Federal Express, and UPS to various addresses in the United States, including to the P.O. Box registered to **HERNANDEZ**. **HERNANDEZ**'s co-conspirators instructed victims to mail the money orders to them without filling in the names of the payees on the money orders.

12. **CHRISTIAN EDUARDO VILLALOBOS HERNANDEZ** and his co-conspirators deposited the victims' cash and money orders in Neutronik's corporate bank account and in personal bank accounts in **HERNANDEZ**'s name. **HERNANDEZ**'s co-conspirators also deposited cash and money orders in corporate bank accounts they controlled, such as MKTG and LATAMCS, and in personal bank accounts in their own name.

13. **CHRISTIAN EDUARDO VILLALOBOS HERNANDEZ** and his co-conspirators wire transferred the victims' funds from their bank accounts in the United States to corporate and personal bank accounts in Costa Rica that the co-conspirators controlled.

14. The victims never received any money from their purported lottery/sweepstake winnings.

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

COUNTS 2-11
Mail Fraud
(18 U.S.C. § 1341)

1. The General Allegations section of this Indictment is re-alleged and incorporated by reference as if fully set forth herein.

2. From in or around February 2015, through in or around August 2017, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

CHRISTIAN EDUARDO VILLALOBOS HERNANDEZ,

did knowingly and with the intent to defraud, devise and intend to devise a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, knowing that the pretenses, representations, and promises were false and fraudulent when made, and did knowingly cause to be delivered certain mail matter by the United States Postal Service and by private and commercial interstate carrier, according to the directions therein.

PURPOSE OF THE SCHEME AND ARTIFICE

3. It was the purpose of the scheme and artifice for the defendant and his accomplices to unlawfully enrich themselves by persuading victims through false and fraudulent representations to mail and wire transfer large amounts of cash and money orders to addresses in Miami, Florida, Costa Rica, and elsewhere, and to have those same funds deposited in corporate and personal bank accounts they controlled.

THE SCHEME AND ARTIFICE

4. Paragraphs 4 through 14 of the Manner and Means section in Count 1 of this Indictment are re-alleged and incorporated by reference as if fully set forth herein as a description of the scheme and artifice.

USE OF THE MAILS

5. On or about the dates enumerated below, the defendant and his accomplices, for the purpose of executing and in furtherance of the scheme and artifice to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, knowing that the pretenses, representations, and promises were false and fraudulent when made, did knowingly cause to be delivered certain mail matter by the United States Postal Service and by private and commercial carrier, according to the directions thereon, as more particularly described below:

Count	Approx. Date	Description Of Mailing
2	February 3, 2017	A Federal Express mail package, Tracking number 785487085445, from victim C.M. in Mishawaka, Indiana, to the defendant's P.O. Box located in the Southern District of Florida
3	February 16, 2017	A Federal Express mail package, tracking number 785634748040, from victim C.K. in McAlester, Oklahoma, to the defendant's P.O. Box located in the Southern District of Florida
4	February 23, 2017	A UPS mail package, tracking number 1z7280351394815250, from victim C.K. in McAlester, Oklahoma, to the defendant's P.O. Box located in the Southern District of Florida
5	February 27, 2017	A Federal Express mail package, tracking number 785743156418, from victim C.K. in McAlester, Oklahoma, to the defendant's P.O. Box located in the Southern District of Florida
6	February 27, 2017	A UPS mail package, tracking number 1z1V04XQ186427213, from B.J.R. in Jasper, Georgia, to the defendant's P.O. Box located in the Southern District of Florida
7	March 6, 2017	A UPS mail package, tracking number 1z1V04QX1318952108, from B.J.R. in Jasper, Georgia, to the defendant's P.O. Box located in the Southern District of Florida
8	March 9, 2017	A UPS mail package, tracking number 1z1V04XQ186435613, from B.J.R. in Jasper, Georgia, to the defendant's P.O. Box located in the Southern District of Florida

Count	Approx. Date	Description of Mailing
9	March 13, 2017	A UPS mail package, tracking number 1z1V04Q0185710917, from B.J.R. in Jasper, Georgia, to the defendant's P.O. Box located in the Southern District of Florida
10	March 21, 2017	A UPS mail package, tracking number 1Z1V04QX0119157300, from B.J.R. in Jasper, Georgia, to the defendant's P.O. Box located in the Southern District of Florida
11	March 27, 2017	A Federal Express mail package, Tracking number, 786042475629, from victim B.J.R. in Jasper, Georgia, to the defendant's P.O. Box located in the Southern District of Florida

In violation of Title 18, United States Code, Sections 1341 and 2.

COUNT 12
Conspiracy to Commit Money Laundering
(18 U.S.C. § 1956(h))

1. The General Allegations section of this Indictment is re-alleged and incorporated by reference as if fully set forth herein.

2. From in or around February 2015, through in or around August 2017, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

CHRISTIAN EDUARDO VILLALOBOS HERNANDEZ,

did willfully, that is, with the intent to further the objects of the conspiracy, and knowingly combine, conspire, confederate, and agree, with persons known and unknown to the Grand Jury, to commit certain offenses against the United States, in violation of Title 18, United States Code, Sections 1956 and 1957, that is, to:

(a) knowingly transport, transmit, and transfer, and attempt to transport, transmit, and transfer a monetary instrument and funds from a place in the United States to and through a place outside the United States, knowing that the monetary instrument and funds involved in the

transportation, transmission, and transfer, represented the proceeds of some form of unlawful activity, and knowing that such transportation, transmission, and transfer was designed in whole and in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(2)(B)(i); and

(b) knowingly engage in and attempt to engage in monetary transactions affecting interstate and foreign commerce, by, through, and to a financial institution, in criminally derived property of a value greater than \$10,000, such property having been derived from a 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 1957.

It is further alleged that the specified unlawful activity is conspiracy to commit mail fraud, in violation of Title 18, United States Code, Section 1349, and mail fraud, in violation of Title 18, United States Code, Section 1341.

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

COUNTS 13-16
International Money Laundering
(18 U.S.C. § 1956(A)(2)(B)(i))

1. The General Allegations section of this Indictment is re-alleged and incorporated by reference as if fully set forth herein.

2. On or about the dates enumerated below, **CHRISTIAN EDUARDO VILLALOBOS HERNANDEZ** did knowingly transport, transmit, and transfer, and attempt to transport, transmit, and transfer monetary instruments and funds from a place in the United States to and through a place outside the United States, as more particularly described below, knowing

that the monetary instruments and funds involved in the transportation, transmission, and transfer, and attempted transportation, transmission, and transfer, represented the proceeds of some form of unlawful activity, and knowing that such transportation, transmission, and transfer, and attempted transportation, transmission, and transfer was designed in whole or in part to conceal the nature, the source, the ownership, and the control of the proceeds of specified unlawful activity, as set forth below:

Count	Approx. Date of Transaction	Approx. Amount	Description Of Financial Transaction
13	June 24, 2016	\$12,700	Electronic wire transfer from HERNANDEZ'S Citibank account ending in 8775 located in Miami, Florida, to X.M.H.'s Bank account in Costa Rica
14	October 31, 2016	\$14,750	Electronic wire transfer from Neutronik's Citibank account ending in 9820 located in Miami, Florida, to a Brisas Frias de la Montana account in Costa Rica
15	November 9, 2016	\$8,895	Electronic wire transfer from Neutronik's Citibank account ending in 9820 located in Miami, Florida, to a American Realty Connection account in Costa Rica
16	December 8, 2016	\$16,821	Electronic wire transfer from Neutronik's Bank of America account ending in 7046 located in Miami, Florida, to American Realty Connection account in Costa Rica

It is further alleged that the specified unlawful activity is conspiracy to commit mail fraud, in violation of Title 18, United States Code, Section 1349, and mail fraud, in violation of Title 18, United States Code, Sections 1341 and 2.

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

COUNTS 17-21
Money Laundering
(18 U.S.C. § 1957)

1. The General Allegations section of this Indictment is re-alleged and incorporated by reference as if fully set forth herein.

2. On or about the dates enumerated below, **CHRISTIAN EDUARDO VILLALOBOS HERNANDEZ** did knowingly engage in and attempt to engage in monetary transactions affecting interstate and foreign commerce, by, through, and to a financial institution, in criminally derived property of a value greater than \$10,000, such property having been derived from a specified unlawful activity, and knowing that the property involved in the financial transactions represented the proceeds of some form of unlawful activity, as more particularly described in each count below:

Count	Approx. Date of Transaction	Approx. Amount	Description of Financial Transaction
17	June 24, 2016	\$20,300	Electronic wire transfer from Neutronik's Citibank account ending in 9820 located in Miami, Florida, to Y.A.Q.'s Bank account in Costa Rica.
18	October 3, 2016	\$22,000	Electronic wire transfer from Neutronik's Citibank account ending in 9820 located in Miami, Florida, to American Realty Connection account in Costa Rica.
19	October 6, 2016	\$11,354	Electronic wire transfer from Neutronik's Citibank account ending in 9820 located in Miami, Florida, to American Realty Connection account in Costa Rica.
20	December 9, 2016	\$13,928	Electronic wire transfer from Neutronik's Bank of America account ending in 7046 located in Miami, Florida, to American Realty Connection account in Costa Rica
21	December 12, 2016	\$14,250	Electronic wire transfer from Neutronik's Bank of America account ending in 7046 located in Miami, Florida, to American Realty Connection account in Costa Rica

In violation of Title 18, United States Code, Sections 1957 and 2.

FORFEITURE
(18 U.S.C. § 982(a)(2)(B))

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

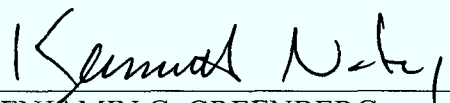
2. Upon conviction of a violation of Title 18, United States Code, Section 1349, as alleged in this Indictment, the defendant shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 981(a)(1)(C), any property real or personal, which constitutes or is derived from proceeds traceable to such violation.

3. Upon conviction of a violation of Title 18, United States Code, Section 1956, as alleged in this Indictment, the defendant shall forfeit to the United States of America any property, real or personal, involved in such offense, or any property traceable to such property, pursuant to Title 18, United States Code, Section 982(a)(1).

All pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and 982(a)(1) and the procedures set forth at Title 21, United States Code, Section 853.

A TRUE BILL 

FOR:



BENJAMIN G. GREENBERG
UNITED STATES ATTORNEY



MAURICE A. JOHNSON
ASSISTANT UNITED STATES ATTORNEY

UNITED STATES OF AMERICA

CASE NO. _____

vs.

CERTIFICATE OF TRIAL ATTORNEY*

Christian Eduardo Villalobos Hernandez,
 Defendant.

Superseding Case Information:

Court Division: (Select One)

X Miami _____ Key West _____
 _____ FTL _____ WPB _____ FTP _____

New Defendant(s) Yes _____ No _____
 Number of New Defendants _____
 Total number of counts _____

I do hereby certify that:

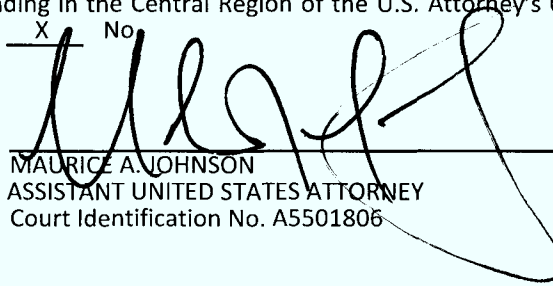
- I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.
- I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. Section 3161.
- Interpreter: (Yes or No) Yes
 List language and/or dialect Spanish
- This case will take 5 days for the parties to try.
- Please check appropriate category and type of offense listed below:

(Check only one)	(Check only one)
I 0 to 5 days <u> X </u>	Petty _____
II 6 to 10 days _____	Minor _____
II 11 to 20 days _____	Misdem. _____
IV 21 to 60 days _____	Felony <u> X </u>
V: 61 days and over _____	

6. Has this case been previously filed in this District Court? (Yes or No) No
 If yes: Judge: _____ Case No. _____
 (Attach copy of dispositive order)
 Has a complaint been filed in this matter? (Yes or No) No
 If yes: Magistrate Case No. _____
 Related Miscellaneous numbers: _____
 Defendant(s) in federal custody as of _____
 Defendant(s) in state custody as of _____
 Rule 20 from the _____ District of _____

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

- Does this case originate from a matter pending in the Northern Region of the U.S. Attorney's Office prior to October 14, 2003? _____ Yes X No
- Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to September 1, 2007? _____ Yes X No


 MAURICE A. JOHNSON
 ASSISTANT UNITED STATES ATTORNEY
 Court Identification No. A5501806

*Penalty Sheet(s) attached

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: CHRISTIAN EDUARDO VILLALOBOS HERNANDEZ

Case No: _____

Count #: 1

Conspiracy to Commit Mail Fraud

Title 18, United States Code, Section 1349

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

Counts #: 2-11

Mail Fraud

Title 18, United States Code, Section 1341

***Max. Penalty:** Twenty (20) Years' Imprisonment as to Each Count

Count #: 12

Conspiracy to Commit Money Laundering

Title 18, United States Code, Section 1956(h)

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

Counts #: 13-16

International Money Laundering

Title 18, United States Code, Section 1956(A)(2)(B)(i)

***Max. Penalty:** Twenty (20) Year's Imprisonment as to Each Count

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: CHRISTIAN EDUARDO VILLALOBOS HERNANDEZ

Case No: _____

Counts #: 17-21

Money Laundering _____

Title 18, United States Code, Section 1957 _____

***Max. Penalty:** Ten (10) Year's Imprisonment as to Each Count

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