

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA  
Plaintiff,

v.

SEALED,  
Defendants.

CRIMINAL NO. 17-214

RECEIVED & FILED  
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MAR 30 2017  
US DISTRICT COURT RM  
SAN JUAN, PR 00911  
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MOTION TO SEAL INDICTMENT

TO THE HONORABLE COURT:

COMES NOW, the United States of America, by the undersigned attorneys, and very respectfully states and prays as follows:

1. That attached to this motion is a sealed envelope containing an Indictment.
2. That after due consideration by this Honorable Court, the United States of America

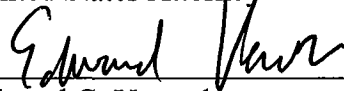
respectfully requests that the pleading be kept under seal until the arrest of any defendants in the instant case.

WHEREFORE, the United States of America respectfully prays the Court to grant this request.

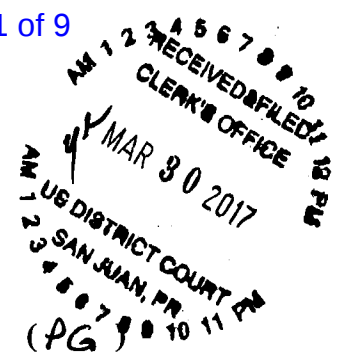
RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 30<sup>th</sup> day of March 2017.

ROSA EMILIA RODRIGUEZ-VÉLEZ  
United States Attorney

  
 Edward G. Veronda  
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3/30/17  
Rosa Emilia Rodriguez-Velez  
Edward G. Veronda  
Filed



IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,

v.

MERARI VELAZQUEZ-ALDARONDO  
Defendant.

INDICTMENT

CRIMINAL NO. 17-214 (PG)

VIOLATIONS:

- 18 U.S.C. Section 1028A;
- 18 U.S.C. Section 1344;
- 18 U.S.C. Section 1347;
- 18 U.S.C. Section 1956(a)(1)(B)(i).

FORFEITURE ALLEGATION:

- 18 U.S.C. Section 982(a)(2)(A) and
- 28 U.S.C. Section 2461(c).

TWENTY-ONE COUNTS

THE GRAND JURY CHARGES:

GENERAL ALLEGATIONS

At all times material to this Indictment and within the District of Puerto Rico:

1. Defendant was an employee of R.H.R., a general medicine doctor.
2. Defendant's responsibilities as an employee of R.H.R. included, but was not limited to, billing for medical services, and coordinating and scheduling appointments for patients, and updating R.H.R.'s calendar.
3. R.H.R. provided electronic access to the Defendant of R.H.R.'s bank account of Banco Popular de Puerto Rico ("Banco Popular") in order to enable the Defendant to fulfill her services as R.H.R.'s employee.
4. Banco Popular was an insured depository institution as defined in section 3(c)(2) of the Federal Deposit Insurance Act. See 18 U.S.C. Section 20.
5. The Medicaid Program ("Medicaid") was a federal health benefit program intended to provide benefits to low-income individuals and families. Medicaid was monitored and funded by the United

States Department of Health and Human Services (“HHS”) through its agency, the Centers for Medicare and Medicaid Services (“CMS”).

6. In the Commonwealth of Puerto Rico, Medicaid was referred to in Spanish as “*Mi Salud*” or “*Plan de Salud de Gobierno*” (PSG). *Mi Salud* beneficiaries included Medicaid participants and “state only funded health care recipients,” commonly referred to as “Commonwealth participants.” Whether an individual was eligible for Medicaid or Commonwealth health care benefits depended on certain eligibility requirements.
7. Although Medicaid was federally-funded, it was administered by the states and/or United States territories, including the Commonwealth of Puerto Rico. The Puerto Rico Department of Health (“PR-DOH”) was the designated single-state agency responsible for Medicaid and the Commonwealth health care plan in the Commonwealth of Puerto Rico.

**COUNT ONE**  
**Aggravated Identity Theft**  
**18 U.S.C. Section 1028A**

8. On or about May 11, 2013, in the District of Puerto Rico, and elsewhere, within the jurisdiction of this Court, the defendant,

**MERARI VELAZQUEZ-ALDARONDO**

did knowingly use, without lawful authority, a means of identification of another person during and in relation to a felony enumerated in Title 18 U.S.C., Section 1028A(c), to wit, Bank Fraud, knowing that the means of identification belonged to another actual person, in violation of Title 18, U.S.C., Section 1028A(a)(1).

**COUNT TWO**  
**Aggravated Identity Theft**  
**18 U.S.C. Section 1028A**

9. On or about March 25, 2014, in the District of Puerto Rico, and elsewhere, within the jurisdiction of this Court, the defendant,

**MERARI VELAZQUEZ-ALDARONDO**

did knowingly use, without lawful authority, a means of identification of another person during and in relation to a felony enumerated in Title 18 U.S.C. Section 1028A(c), to wit, Bank Fraud, knowing that the means of identification belonged to another actual person, in violation of Title 18, U.S.C., Section 1028A(a)(1).

**COUNTS THREE TO TWENTY**  
**Bank Fraud**  
**18 U.S.C. Section 1344**

10. Paragraphs One (1) through Seven (7) of the General Allegations are hereby re-alleged and incorporated in full.
11. From in or about January 2012 through in or about December 2015, in the District of Puerto Rico, and elsewhere within the jurisdiction of this Court, the defendant,

**MERARI VELAZQUEZ-ALDARONDO**

did knowingly execute and attempt to execute a scheme to defraud Banco Popular, a financial institution whose deposits were insured by the Federal Deposit Insurance Corporation, all in violation of Title 18, U.S.C., Section 1344(1)

**THE SCHEME AND ARTIFICE TO DEFRAUD**

12. It was part of the scheme and artifice to defraud Banco Popular that the Defendant had electronic access to the Banco Popular personal bank account, and the Banco Popular business account

belonging to R.H.R., through her employment by R.H.R., including the username and password to electronically access both bank accounts.

13. It was further part of the scheme to defraud that the Defendant would prepare, without R.H.R.'s authorization, checks to be paid out of R.H.R.'s Banco Popular business account. The Defendant would use these illegitimate checks in order to cash them, or deposit them directly into Defendant's personal bank account.

14. The Defendant would sometimes make these illegitimate checks payable to "Cash."

15. It would be further part of the scheme to defraud that the Defendant would deposit the illegitimate checks payable to "Cash" directly into the Defendant's personal bank account.

16. The Defendant would also make the forged illegitimate checks payable directly to herself, written as "Merari Velazquez."

17. The Defendant would also have custody and control of legitimate checks payable to the full name of "R.H.R." The Defendant would further deposit these legitimate checks directly into the Banco Popular business account of R.H.R., forging the signature of R.H.R. in order to deposit the legitimate checks.

18. It would be further part of the scheme that after the legitimate checks were deposited into the account of R.H.R., the Defendant would access R.H.R.'s Banco Popular account electronically, and withdraw or transfer the money from R.H.R.'s Banco Popular account, directly into the Defendant's personal bank account.

19. It would be further part of the scheme that the Defendant would use R.H.R.'s Banco Popular personal account for her own personal use, including, but not limited to, to pay for satellite television service or to pay auto-finance loans.

**MATERIALITY**

20. Each execution of the scheme and artifice constituted a false representation that was material to Banco Popular.

**EXECUTIONS OF THE SCHEME AND ARTIFICE**

21. The allegations contained in paragraphs 1-7 of the General Allegations and Counts One, Two, and paragraphs 8 through 20 this Indictment are hereby incorporated by reference and re-alleged as if set forth herein.

<b><u>COUNT</u></b>	<b><u>DATE OF CHECK OR BILL PAID</u></b>	<b><u>AMOUNT</u></b>	<b><u>CHECK PAYABLE TO OR CREDITOR PAID</u></b>
<b>THREE</b>	3/25/2014	\$13,000.00	Merari Velazquez
<b>FOUR</b>	12/22/2014	\$10,246.65	R.H.R.
<b>FIVE</b>	01/20/2015	\$8,639.70	R.H.R.
<b>SIX</b>	4/10/2014	\$8,500.00	Merari Velazquez
<b>SEVEN</b>	5/12/2014	\$4,935.00	Cash
<b>EIGHT</b>	6/10/2014	\$4,000.00	Cash
<b>NINE</b>	12/18/2012	\$3,513.22	Cash
<b>TEN</b>	2/15/2013	\$3,241.65	R.H.R.
<b>ELEVEN</b>	8/31/2012	\$3,162.00	R.H.R.
<b>TWELVE</b>	7/17/2014	\$3,000.00	Cash
<b>THIRTEEN</b>	11/17/2014	\$2,853.24	R.H.R.
<b>FOURTEEN</b>	10/16/2014	\$2,853.24	R.H.R.
<b>FIFTEEN</b>	11/7/2012	\$2,406.90	R.H.R.

<u>COUNT</u>	<u>DATE OF CHECK OR BILL PAID</u>	<u>AMOUNT</u>	<u>CHECK PAYABLE TO OR CREDITOR PAID</u>
SIXTEEN	1/24/2012	\$1,927.32	R.H.R.
SEVENTEEN	1/5/2012	\$1,799.00	Merari Velazquez
EIGHTEEN	7/26/2013	\$1,777.36	R.H.R.
NINETEEN	12/18/2015	\$262.82	Dish Network
TWENTY	3/18/2011	\$230.03	Toyota Financial

All in violation of Title 18, U.S.C., Section 1344(1).

**COUNT TWENTY ONE**  
**18 U.S.C. Section 1347**  
**Health Care Fraud**

22. Paragraphs One (1) through Seven (7) of the General Allegations are hereby re-alleged and incorporated in full.
23. Beginning no later than in or around the year 2011, and continuing through in or around August, 2016, in the District of Puerto Rico, and elsewhere within the jurisdiction of this Court, the defendant,

**MERARI VELAZQUEZ-ALDARONDO**

did knowingly and willfully execute and attempt to execute the below-described scheme and artifice to defraud Medicaid, a health care benefit program as defined in Title 18, U.S.C., Section 24(b), in connection with the payment for health care benefits, items, and services, all in violation of Title 18, U.S.C., Section 1347.

**THE SCHEME AND ARTIFICE TO DEFRAUD**

24. Defendant would submit medical expenses certifications that reduced her family income and thereby qualified herself and her family to receive Medicaid benefits.
25. As supporting documentation, Defendant included a certification of permanent medical expenses (prescriptions) that were signed by R.H.R. These signatures were forged by the Defendant, and were not genuine prescriptions or genuine medical expenses.
26. Defendant received Medicaid benefits as a result, despite the fact that neither Defendant nor her family spent the amount claimed on medical expenses and prescriptions.
27. Defendant would submit further false documentations annually certifying medical expenses that reduced her income and therefore representing that the Defendant was still eligible for the Medicaid benefits.

**(This part intentionally blank).**



**BANK FRAUD AND HEALTH CARE FRAUD FORFEITURE ALLEGATION**

28. The allegations contained in Counts One through Twenty-One of this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, U.S.C., Section 982(a)(2)(A), and Title 18, U.S.C., Section 981 (a)(7)
29. Upon conviction of one or more of the violations of Title 18, U.S.C., Sections 1344 and 1347 set forth in this Indictment, the defendants,

**MERARI VELAZQUEZ-ALDARONDO**

shall forfeit to the United States of America, pursuant to Title 18, U.S.C., Section 982(a)(2)(A), and Title 18, U.S.C., Section 981 (a)(7) any property, constituting, or derived from, proceeds obtained, directly or indirectly, as a result of such violations. The property to be forfeited includes, but is not limited to, the following:

- a. U.S. Currency totaling two hundred eight-five thousand nine hundred twenty-nine dollars (\$285,929.75)
- b. a If any of the property described above, as a result of any act or omission of the defendants:
  - 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,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, U.S.C., Section 853(p), as incorporated by Title 18, U.S.C., Section 982(b)(1) and Title 28,

U.S.C., Section 2461(c).

All pursuant to Title 18, U.S.C., Section 982(a)(2)(A), Title 18, U.S.C., Section 981 and  
Title 28, U.S.C., Section 2461(c).

**TRUE BILL.**

**FOREPERSON**

Date: 3/30/2017

**ROSA EMILIA RODRÍGUEZ-VÉLEZ**

United States Attorney

  
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Chief, Criminal Division

  
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