

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
CENTRAL DIVISION
LEXINGTON

UNDER SEAL
Eastern District of Kentucky
FILED

JAN 17 2019

AT LEXINGTON
ROBERT R. CARR
CLERK U.S. DISTRICT COURT

UNITED STATES OF AMERICA

V.

INDICTMENT NO. 5:19cr-10-JMH
18 U.S.C. § 1349

BENIAMIN-FILIP OLOGEANU,
aka BENI,
aka JOHNLA73, and
aka MARIAN BRADISTEANU

* * * * *

THE GRAND JURY CHARGES:

INTRODUCTION

1. At all times relevant to this Indictment, a criminal organization, herein referred to as the “Alexandria Online Auction Fraud Network,” engaged in, among other things, acts of wire fraud. These acts were committed in furtherance of perpetrating a wide-scale online auction fraud scheme, that is, posting false advertisements for goods online with the intent to defraud United States-based victims out of money, and laundering the money through channels in the United States and ultimately Eastern Europe. The Alexandria Online Auction Fraud Network operated principally out of Alexandria, Romania and other locations throughout Europe and the United States.

2. The Alexandria Online Auction Fraud Network, through its leaders, members, and associates, exploited online auction sites to perpetrate their fraud, including among others eBay Inc. (“eBay”), a company that facilitates consumer-to-consumer and

business-to-consumer sales online; and Craigslist, a company that enables individuals to post a variety of online, classified advertisements, for items such as jobs, houses, retail goods, and services. Consumers can use these websites as online auction sites to sell their goods.

3. The Confidential Source (“CS”) is an American citizen, who, beginning in late 2014, began laundering funds on behalf of several individuals conducting online auction fraud. In June of 2015, the CS was confronted about his illegal activity by the U.S. government and began cooperating with law enforcement at that time. He conducted all activities in furtherance of the crimes described herein in the Eastern District of Kentucky.

COUNT 1
18 U.S.C. § 1349

4. BENIAMIN-FILIP OLOGEANU, a.k.a. Beni, a.k.a. Johnla73, a.k.a. Marian Bradisteanu, is a Romanian national, from Alexandria, Romania. At all times relevant to this Indictment, OLOGEANU and his co-conspirators acted as leaders, members, and associates of the Alexandria Online Auction Fraud Network.

5. From at least December 13, 2014, through September of 2017, in Boyd and Fayette Counties, in the Eastern District of Kentucky and elsewhere,

BENIAMIN-FILIP OLOGEANU,
aka BENI,
aka JOHNLA73,
aka MARIAN BRADISTEANU,

and others known and unknown to the grand jury, willfully and knowingly combined, conspired, confederated, and agreed together and with each other to commit wire fraud,

that is, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, would and did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, in violation of Title 18, United States Code, Section 1343.

Purpose of the Conspiracy

6. It was the purpose of the conspiracy to entice victims based in the United States to send money to purchase items advertised on the internet that did not exist.

Manner and Means

7. The manner and means used to accomplish the objectives of the conspiracy included, among others, the following:

8. OLOGEANU and others used the internet to post advertisements for goods to online auction websites, including Craigslist and eBay.

9. OLOGEANU and his co-conspirators persuaded victims that the advertisements were legitimate through various means, including impersonating an American and by pretending to be customer support. For example, OLOGEANU and his co-conspirators used the email account kaithybennett@gmail.com and dineewilliam@gmail.com to communicate with victims.

10. OLOGEANU also persuaded victims that his advertisements were legitimate by sending the victims convincing invoices for their purchases. On at least one occasion,

on or about August 26 and 27, 2016, OLOGEANU discussed the design and content of invoices he sent or intended to send to victims with the CS through online communication. He requested that the CS send him invoices, that the CS review his invoice, and that the CS help him modify the steps for payment he provides on his invoices. OLOGEANU repeated his request to the CS for invoices on several occasions.

11. OLOGEANU shared his invoices with others members of the Alexandria Online Auction Fraud Network, including one who used the online moniker, "garethbale."

12. OLOGEANU requested payment for the items he advertised in various methods, depending on which payment method was the easiest to convert into cryptocurrency at the time, including bank wire, money orders, and prepaid debit or gift cards. Through online communications, OLOGEANU consulted the CS about the best methods of payment in the United States at the time.

13. In this way, OLOGEANU convinced numerous victims to send him payment for nonexistent items advertised online.

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

FORFEITURE ALLEGATIONS

18 U.S.C. § 981(a)(1)(C)

18 U.S.C. § 982(a)(8)

28 U.S.C. § 2461

1. The allegation contained in this Indictment are hereby re-alleged and incorporated herein by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and 982(a)(8) and Title 28, United States Code, Section 2461.

2. Upon conviction of the offense charged in this Indictment, **BENIAMIN-FILIP OLOGEANU, aka BENI, aka JOHNLA73, and aka MARIAN BRADISTEANU**, shall forfeit to the United States of America any property, real or personal, which is involved in such offense and/or constitutes or is derived from proceeds traceable to violations of Title 18, United States Code, Sections 1349.

3. If any property subject to forfeiture pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and 982(a)(8) and Title 28, United States Code, Section 2461(c), 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 comingled 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, United States Code, Section 853(p).

All pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and 982(a)(8),

and Title 28, United States Code, Section 2461(c), which incorporates Title 21, United States Code, Section 853(p).

A TRUE BILL



FOREPERSON



ROBERT M. DUNCAN, JR.
UNITED STATES ATTORNEY

PENALTIES

Not more than 20 years imprisonment, \$250,000 fine or twice the gross gain or loss, and 3 years supervised release.

PLUS: Mandatory special assessment of \$100 per count.

PLUS: Restitution, if applicable.