

JUDGE FRANK MONTALVO

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

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U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SEALED
CLERK

UNITED STATES OF AMERICA,

§

Plaintiff,

§

CRIMINAL NO. EP-20-CR

§

v.

§

INDICTMENT

ALLAN FRANCISCO CASTRILLO
BASTOS,

§

Count 1: Conspiracy to Commit Wire
Fraud, 18 U.S.C. § 1343 & 1349,

§

Counts 2-11: Wire Fraud, 18 U.S.C. §
1343,

§

Defendants.

§

Count 12: False Statement to Obtain
Credit, 18 U.S.C. § 1014

§

Count 13: Conspiracy to Commit Money
Laundering, 18 U.S.C. § 1956(h)

§

§

*Notice of Government's Demand for
Forfeiture*

§

THE GRAND JURY CHARGES:

EP20CR2148

INTRODUCTION

At all times relevant to this Indictment, unless otherwise stated:

1. ALLAN FRANCISCO CASTRILLO BASTOS ("BASTOS"), during the time period of this Indictment, lived in El Paso, Texas. BASTOS claims to work in information technology and software development.
2. On September 18, 2018, BASTOS filed for an Assumed Name Certificate with the El Paso County Clerk. The assumed name was for his business, Castrillo Consulting, in El Paso, Texas.
3. On January 31, 2019, BASTOS filed for an Assumed Name Certificate with the El Paso County Clerk. The Assumed name was for his business, REGTRX, in El Paso, Texas.
4. JP Morgan Chase Bank, N.A. is a national bank and federally regulated. BASTOS has two bank accounts at JP Morgan Chase Bank (account number last four digits 3928 and 8358).
5. Bank of America is a multinational bank and is federally regulated. BASTOS has an account at Bank of America (account number last four digits 6216).

6. B.F. is an elderly individual living in or near Salem, New Jersey. B.F. received telephone calls from people fraudulently claiming that B.F. won the lottery. B.F. was told she owed taxes, and had to pay them upfront prior to receiving the prize. B.F. wire transferred approximately \$170,650, over 10 different transactions, to BASTOS.
7. LendUs, LLC is a home loan lender operating in Texas.
8. In early 2019, BASTOS sought the lending services of LendUs LLC to purchase a home in El Paso, Texas, under loan number last four digits 7523.
9. On or before March 1, 2019, BASTOS, in order to substantiate legitimate income, provided LendUS, LLC a fraudulent invoice from REGTRX to B.F. for the purchase of Bitcoin on January 31, 2019.
10. On March 1, 2019, BASTOS signed an acknowledgment that he understood that making a false statement to LendUS, LLC in connection with his loan was a federal crime.

SCHEME AND ARTIFICE OF THE CONSPIRACY COMMIT WIRE FRAUD

Beginning in November of 2017, BASTOS began receiving wire transfers from at least thirty different individuals throughout the United States to bank accounts belonging to his businesses, Castrillo Consulting and REGTRX. The individuals who wired money believed they won the lottery and had to pay a tax in advance of receiving their winnings.

One of those individuals, B.F., wire transferred money to BASTOS on ten separate occasions. The monies were wire transferred to BASTOS' accounts at JP Morgan Chase Bank and Bank of America. B.F. wire transferred the money to BASTOS because she thought she won a lottery prize and was instructed she needed to pay taxes on her winnings before receiving her money.

In early 2019, BASTOS applied for a mortgage, via LendUs LLC, for the purchase of a home in El Paso, Texas. As part of the process to secure a loan for the property, BASTOS provided bank statements. In those bank statements, LendUs LLC found suspicious deposits from various individuals, to include, B.F.

When asked about the deposits, BASTOS provided documentation claiming the funds obtained from B.F. were for the purchase of Bitcoin. B.F. told investigators she sent money to BASTOS in order to collect her promised lottery winnings.

On March 1, 2019, BASTOS signed written acknowledgement memorializing his understanding that making was a false statement regarding income or assets on a loan application to secure financing was a criminal offense.

COUNT ONE
(18 U.S.C. §§ 1343 and 1349)
CONSPIRACY TO COMMIT WIRE FRAUD

The Grand Jury alleges and incorporates the Introduction to this Indictment and Scheme and Artifice of the Conspiracy sections pertaining to Count One of this Indictment as if fully set out herein. Beginning on or about August 1, 2018 and continuing through on or about March 11, 2019, in the Western District of Texas, District of New Jersey, and elsewhere, the defendant,

ALLAN FRANCISCO CASTRILLO BASTOS

conspired and agreed together and with others known and unknown, to commit Wire Fraud, in that the defendant conspired together to knowingly devise a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, promises and omissions; that is, BASTOS conspired and agreed to receive fraudulently obtained funds from various individuals, to include, B.F. and concealed the nature of those funds, that were transmitted by means of wire in interstate or foreign commerce for the purpose of executing the scheme and artifice described herein, all in violation of Title 18 United States Code, Sections 1349 and 1343.

COUNT TWO THROUGH ELEVEN
(18 U.S.C. §§ 1343)
WIRE FRAUD

Beginning on or about August 1, 2018 and continuing to on or about March 11, 2019, in the Western District of Texas, District of New Jersey, and elsewhere, Defendant,

ALLAN FRANCISCO CASTRILLO BASTOS

knowingly devised and intended to devise a scheme and artifice to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations, promises both by affirmative acts and by deceitful concealment of material facts and omissions, that is, Defendant received funds fraudulently obtained from B.F. and others, via wire transfers. Defendant then transferred those funds, via wire transfers, to other coconspirators in Costa Rica, all in furtherance of the scheme and artifice of the conspiracy to obtain money and property by materially false and fraudulent pretenses, representations, and promises; transmitted and caused to be transmitted in interstate commerce the following writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice of the conspiracy:

Count	Description of Wire
Two	On August 1, 2018, B.F., in Salem, New Jersey, wired \$17,000 from her Wells Fargo Bank account to BASTOS in El Paso, Texas, via his Bank of America account.
Three	On August 8, 2018, B.F., in Salem, New Jersey, wired \$21,000 from her Wells Fargo Bank account to BASTOS in El Paso, Texas, via his Bank of America account.
Four	On September 4, 2018, B.F., in Salem, New Jersey, wired \$35,200 from her Wells Fargo Bank account to BASTOS in El Paso, Texas, via his Bank of America account.

Five	On October 5, 2018, B.F., in Salem, New Jersey, wired \$32,500 from her Wells Fargo Bank account to BASTOS in El Paso, Texas, via his JP Morgan Chase Bank account (3928).
Six	On October 26, 2018, B.F., in Salem, New Jersey, wired \$9,300 from her Wells Fargo Bank account to BASTOS in El Paso, Texas, via his JP Morgan Chase Bank account (3928).
Seven	On November 26, 2018, B.F., in Salem, New Jersey, wired \$11,700 from her Wells Fargo Bank account to BASTOS in El Paso, Texas, via his JP Morgan Chase Bank account (3928).
Eight	On December 11, 2018, B.F., in Salem, New Jersey, wired \$18,000 from her Wells Fargo Bank account to BASTOS in El Paso, Texas, via his JP Morgan Chase Bank account (3928).
Nine	On January 31, 2019, B.F., in Salem, New Jersey, wired \$5,550 from her Wells Fargo Bank account to BASTOS in El Paso, Texas, via his JP Morgan Chase Bank account (8358).
Ten	On February 28, 2019, B.F., in Salem, New Jersey, wired \$9,000 from her Wells Fargo Bank account to BASTOS in El Paso, Texas, via his JP Morgan Chase Bank account (8358).
Eleven	On March 11, 2019, B.F., in Salem, New Jersey, wired \$11,400 from her Wells Fargo Bank account to BASTOS in El Paso, Texas, via his JP Morgan Chase Bank account (8358).

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

COUNT TWELVE
(18 USC § 1014)

FALSE STATEMENTS OR OMISSIONS TO OBTAIN CREDIT

The Introduction and Scheme and Artifice of the Conspiracy for Count One is incorporated by reference herein as if fully set out.

On or about March 1, 2019, in the Western District of Texas and elsewhere, the defendant,

ALLAN FRANCISCO CASTRILLO BASTOS

knowingly made a false statement by affirmative acts and by omission and concealment of facts for the purpose of influencing the action of LendUS, LLC, a federally insured financial institution

located in El Paso, Texas, in connection with an application for, and with a change, extension and renewal of, a loan and a line of credit, in that the defendant failed to notify the lender that he falsely over represented his income by failing to disclose that the funds obtained from B.F. were fraudulently obtained and disguised the income as from the sale of Bitcoin, in violation of Title 18, United States Code, Section 1014.

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

The Introduction and Scheme and Artifice of the Conspiracy for Count One is incorporated by reference herein as if fully set out.

Beginning on or about August 2, 2018 and continuing to on or about March 15, 2019, in the Western District of Texas, District of New Jersey, Costa Rica, and elsewhere, the defendant,

ALLAN FRANCISCO CASTRILLO BASTOS

did knowingly combine, conspire, and agree with other persons known and unknown to the Grand Jury to commit offenses against the United States in violation of Title 18, United States Code, Section 1956, namely:

- a. To knowingly conduct and attempt to conduct financial transactions affecting interstate commerce and foreign commerce, which transactions involved the proceeds of specified unlawful activity, that is, Conspiracy to Commit Wire Fraud and Wire Fraud as described in Counts 1 through 11 of this Indictment, knowing that the transactions were designed in whole or in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of specified unlawful activity, and that while conducting and attempting to conduct such financial transactions, knew 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); and

- b. To knowingly transport, transmit, transfer and attempt to transport, transmit, transfer funds and monetary instruments, from a place in the United States to a place outside the United States, knowing that the funds and monetary instruments involved in the transportation, transmittal, and transfer represented the proceeds of some form of unlawful activity and knowing that such transportation, transmittal, and transfer was designed in whole or in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of specified unlawful activity, that is, Conspiracy to Commit Wire Fraud and Wire Fraud, as described in Counts 1 through 11 of this Indictment, in violation of Title 18, United States Code, Section 1956(a)(2)(B)(i).

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

NOTICE OF GOVERNMENT'S DEMAND FOR FORFEITURE

[See Fed. R. Crim. P. 32.2]

I.

**Conspiracy to Commit Wire Fraud and False Statement
to Obtain Credit Violation and Forfeiture Statutes**

**[Title 18 U.S.C. §§ 1349, 1343 and 1014, subject to forfeiture pursuant
to Title 18 U.S.C § 982(a)(2)(A) and 981(a)(1)(C), as made applicable
to criminal forfeiture by Title 28 U.S.C. 2461(c)]**

As a result of the foregoing criminal violations set forth in Counts One through Twelve, the United States of America gives notice to Defendant **ALLAN FRANCISCO CASTRILLO BASTOS**, of its intent to seek the forfeiture of the properties described below upon conviction and pursuant to FED. R. CRIM. P. 32.2 and Title 18 U.S.C. § 981(a)(1)(C), as made applicable to criminal forfeiture by Title 28 U.S.C. § 2461(c). Title 18 U.S.C. § 981(a)(1)(C) state in pertinent part:

Title 18 U.S.C. § 982. Criminal Forfeiture

* * *

(a)(2) The court, in imposing sentence on a person convicted of an offense in violation of, or a conspiracy to violate—

shall order that the person forfeit to the United States any property constituting, or derived from, proceeds the person obtained directly or indirectly, as the result of such violation.

Title 18 U.S.C. § 981. Civil Forfeiture

(a)(1) The following property is subject to forfeiture to the United States:

* * *

(C) Any property, real or personal, which constitutes or is derived from proceeds traceable to a violation . . . of this title or any offense constituting “specified unlawful activity” (as defined in section 1956(c)(7) of this title), or a conspiracy to commit such offense.

Wire Fraud is an offense constituting “specified unlawful activity” as defined in section 1956(c)(7).

II.

Money Laundering Violation and Forfeiture Statutes

[Title 18 U.S.C. § 1956(h), subject to forfeiture pursuant to Title 18 U.S.C. § 982(a)(1)]

As a result of the foregoing criminal violation set forth in Count Thirteen, the United States of America gives notice to Defendant **ALLAN FRANCISCO CASTRILLO BASTOS**, of its intent to seek the forfeiture of the properties described below upon conviction pursuant to FED. R. CRIM. P. 32.2 and Title 18 U.S.C. § 982(a)(1). Title 18 U.S.C. § 982(a)(1) states in pertinent part:

Title 18 U.S.C. § 982. Criminal Forfeiture

(a)(1) The court, in imposing sentence on a person convicted of an offense in violation of section 1956, 1957, or 1960 of this title, shall order that the person forfeit to the United States any property, real or personal, involved in such offense, or any property traceable to such property.

This Notice of Demand of Forfeiture includes but is not limited to the property described below in Paragraph III.

III.
Money Judgment

A sum of money equal to **One Million Two Hundred Nineteen Thousand Three hundred Fifty-Seven dollars and Forty-Two cents (\$1,219,357.42)** which represents the value of the proceeds obtained from and property involved in the violations charged in the Indictment for which Defendant **EDGAR SANCHEZ** is liable.

Substitute Assets

If any of the above described forfeitable properties, 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 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;

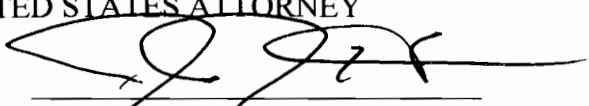
it is the intent of the United States to seek forfeiture, pursuant to Title 21 U.S.C. § 853(p) and Fed. R. Crim. P. 32.2, of any other property (substitute assets) of said Defendants up to the value of the forfeitable properties.

A TRUE BILL
ORIGINAL SIGNATURE
REDACTED PURSUANT TO
E-GOVERNMENT ACT OF 2002

FOREPERSON OF THE GRAND JURY

JOHN F. BASH
UNITED STATES ATTORNEY

By:



Assistant United States Attorney