

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	Crim. No. 12- <i>cr</i> 10261
)	
)	Violations:
)	18 U.S.C. § 641 - Conversion of
)	Government Property -
)	21 Counts;
ODALIS CASTILLO-LOPEZ)	18 U.S.C. § 1956(a)(3)(B) -
)	Money Laundering - 6 Counts
Defendant.)	
)	18 U.S.C. § 981, 982 and
)	28 U.S.C. § 2461 – Criminal Forfeiture

INDICTMENT

The Grand Jury charges:

Counts 1 to 21: Conversion of Government Property – Title 18 U.S.C. § 641

From on or about April 24, 2012, through on or about June 7, 2012, in District of
Massachusetts and elsewhere the defendant,

ODALIS CASTILLO-LOPEZ

did willfully and knowingly receive and intend to convert to his use and gain property of

the United States government, to wit: the United States Treasury Checks listed in Counts

One (1) through Twenty – One (21), knowing said property had been embezzled, stolen, purloined and otherwise fraudulently obtained. Specifically, said Treasury checks represented the erroneous refund of United States' income tax and were issued pursuant to the filing of materially false U.S. Individual Income Tax Returns, Forms 1040 with the United States Internal Revenue Service.

	<u>Date</u>	<u>Treasury Check</u>	<u>Amount</u>
Count 1:	4/24/2012	3158-03819786	\$ 6,020.00
Count 2:	4/24/2012	4500-55412338	\$ 5,933.06
Count 3:	4/24/2012	3158-02029149	\$ 8,070.00
Count 4:	5/1/2012	3158-27220903	\$ 7,536.00
Count 5:	5/1/2012	3158-27220915	\$ 7,546.00
Count 6:	5/1/2012	4500-55636241	\$ 1,362.71
Count 7:	5/1/2012	3158-02815561	\$ 8,404.58
Count 8:	5/25/2012	3158-02282517	\$ 8,503.00
Count 9:	5/25/2012	3158-02282516	\$ 8,190.00

Count 10:	5/25/2012	3158-02282486	\$ 8,177.00
Count 11:	5/25/2012	3158-02282487	\$ 8,157.00
Count 12:	6/7/2012	3158-33723614	\$ 8,449.00
Count 13:	6/7/2012	3158-02516136	\$ 9,124.00
Count 14:	6/7/2012	3158-02795471	\$ 7,692.11
Count 15:	6/7/2012	3158-02014567	\$ 7,632.00
Count 16:	6/7/2012	3158-33723615	\$ 7,731.28
Count 17:	6/7/2012	3158-03831306	\$ 7,549.29
Count 18:	6/7/2012	3158-02516085	\$ 8,758.00
Count 19:	6/7/2012	3158-02516231	\$ 6,377.97
Count 20:	6/7/2012	3158-04367909	\$ 7,326.49
Count 21:	6/7/2012	3158-33047288	\$ 5,168.00

All in violation of Title 18, United States Code, Sections 641 and 2.

Counts 22 to 27: Money Laundering – Title 18 U.S.C. § 1956(a)(3)(B)

From on or about April 24, 2012, through on or about June 7, 2012, in District of Massachusetts and elsewhere the defendant,

ODALIS CASTILLO-LOPEZ

did knowingly conduct, attempt to conduct, and cause to be conducted, financial transactions involving property represented to him to be the proceeds of a specified unlawful activity, to wit: the conversion of United States' government property which had been embezzled, stolen, purloined and otherwise fraudulently obtained. The financial transactions in question, being more particularly described as deposits of criminally derived proceeds into the bank accounts listed in Counts Twenty-Two (22) through Twenty-Seven (27), were made with the intent to conceal and disguise the nature, locations, source, ownership and control of said criminally derived proceeds.

	<u>Date</u>	<u>Account No.</u>	<u>Amount</u>
Count 22:	May 4, 2012	TD Bank 4255595064	\$ 2,000

Count 23:	May 8, 2012	Bank of America 483039104073	\$ 5,000
Count 24:	May 8, 2012	TD Bank 4255595064	\$ 4,000
Count 25:	May 11, 2012	Bank of America 004627188877	\$ 5,000
Count 26:	May 18, 2012	TD Bank 4255595064	\$ 800
Count 27:	May 30, 2012	TD Bank 4255595064	\$ 3,000

All in violation of Title 18, United States Code, Sections 1956(a)(3)(B) and 2.

Conversion Forfeiture Allegation (18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c))

The Grand Jury further charges:

1. Upon conviction of one or more of the offenses in violation of 18 U.S.C. § 641, charged in Counts One through Twenty-One of the Indictment, the defendant,

ODALIS CASTILLO-LOPEZ,

shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), any property, real or personal, that constitutes, or is derived from, proceeds traceable to the commission of the offenses.

2. If any of the property described in paragraph 1 hereof as being forfeitable pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 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 to, sold to, or deposited with a third party;
- c. has been placed beyond the jurisdiction of this Court;
- d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be divided without difficulty;

it is the intention of the United States, pursuant to 28 U.S.C. § 2461(c), incorporating 21 U.S.C. § 853(p), to seek forfeiture of all other property of the defendant up to the value of the property described in paragraph 1 above.

All pursuant to Title 18, United States Code, Section 981 and Title 28, United States Code, Section 2461(c).

Money Laundering Forfeiture Allegation (18 U.S.C. § 982(a)(1))

The Grand Jury further charges:

1. Upon conviction of one or more of the offenses in violation of 18 U.S.C. § 1956, charged in Counts Twenty-Two through Twenty-Seven of the Indictment, the defendant,

ODALIS CASTILLO-LOPEZ,

shall forfeit to the United States, pursuant to 18 U.S.C. § 982(a)(1), any property, real or personal, involved in such offense, or any property traceable to such property.

2. If any of the property described in paragraph 1 hereof as being forfeitable pursuant to 18 U.S.C. § 982(a)(1), 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 to, sold to, or deposited with a third party;
 - c. has been placed beyond the jurisdiction of this Court;
 - d. has been substantially diminished in value; or
 - e. has been commingled with other property which cannot be divided without

difficulty;

it is the intention of the United States, pursuant to 18 U.S.C. § 982(a)(1), incorporating 21 U.S.C. § 853(p), to seek forfeiture of all other property of the defendant up to the value of the property described in paragraph 1 above.

All pursuant to Title 18, United States Code, Section 982.

A TRUE BILL



FOREPERSON OF THE GRAND JURY



COREY J. SMITH

Senior Litigation Counsel

Department of Justice

Tax Division

DISTRICT OF MASSACHUSETTS

August 28, 2012

Returned into the District Court by the Grand Jurors and filed.



Deputy Clerk

w 8.28.12

w 3:15PM