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8
 9 **UNITED STATES DISTRICT COURT**
 10 **DISTRICT OF NEVADA**

11 -o0o-

12 UNITED STATES OF AMERICA,)
 13)
 Plaintiff,)
 14)
 v.)
 15)
 16 **MICHAEL SAN CLEMENTE,**)
DAISY MARTINEZ,)
 17 **IRINA SANFORD,**)
URVAN ANDERSON, and)
 18 **FELIKS BALON,**)
)
 19 Defendants.)
)
 20 _____)

CRIMINAL INDICTMENT

2:13-CR- 120

VIOLATIONS: 18 U.S.C. § 371 - Conspiracy;
 18 U.S.C. § 1028(a)(1) - Trafficking in
 and Production of False Identification
 Documents; 18 U.S.C. § 1029(a)(1) -
 Trafficking In, Production of, and Use of
 Counterfeit Access Devices; 18 U.S.C.
 §1028A(a)(1) and (c)(4) - Aggravated Identity
 Theft; and 18 U.S.C. § 2 - Aiding and Abetting.

21 **THE GRAND JURY CHARGES THAT:**

22 **GENERAL ALLEGATIONS**

23 The Carder.su organization

1 1. At all times relevant to this indictment, defendant **MICHAEL SAN**
2 **CLEMENTE** was associated with a criminal organization, hereafter referred to as “the
3 Carder.su organization,” whose members engage in acts of identity theft and financial
4 fraud, including, but not limited to, acts involving trafficking in stolen means of identification;
5 trafficking in, production and use of counterfeit identification documents; identity theft;
6 trafficking in, production and use of unauthorized and counterfeit access devices; and bank
7 fraud; and whose members interfere with interstate and foreign commerce through acts
8 of identity theft and financial fraud. Members and associates of the Carder.su organization
9 operate principally in Las Vegas, Nevada, and elsewhere.

10 2. The Carder.su organization, including its leadership, members, and
11 associates, constitute an ongoing organization whose members function as a continuing
12 unit for a common purpose of achieving the objectives of the organization. The Carder.su
13 organization is engaged in, and its activities affect, interstate and foreign commerce.

14 3. The purposes of the Carder.su organization include, but are not limited to,
15 the following:

- 16 A. to enrich the members and associates of the organization through the
17 unlawful trafficking of means of identification, document-making
18 implements, counterfeit identification documents, device-making
19 equipment, and, unauthorized and counterfeit access devices;
- 20 B. to create, maintain, and control a marketplace for the distribution of
21 stolen property, such as victims’ personal and financial means of
22 identification; and

1 C. to protect the organization and its members from detection,
2 apprehension and prosecution by law enforcement.

3 4. Among the means and methods by which the members and their associates
4 conduct and participate in the conduct of the affairs of the Carder.su organization include,
5 but are not limited to, the following:

6 A. Members of the organization and their associates traffic in and
7 produce, attempt to traffic in and produce, and conspire to traffic in
8 and produce, counterfeit identification documents, which affects
9 interstate and foreign commerce.

10 B. Members of the organization and their associates unlawfully transfer,
11 attempt to unlawfully transfer, and conspire to unlawfully transfer
12 counterfeit identification documents, which affects interstate and
13 foreign commerce.

14 C. Members of the organization and their associates unlawfully transfer,
15 possess and use, attempt to unlawfully transfer, possess and use,
16 and conspire to unlawfully transfer, possess and use a means of
17 identification of another person in the commission of and in
18 connection with the crime of Bank Fraud, which affects interstate and
19 foreign commerce.

20 D. Members of the organization and their associates traffic in and use,
21 attempt to traffic in and use, and conspire to traffic in an use
22 counterfeit and unauthorized access devices, which affects interstate
23 and foreign commerce.
24

1 E. Members of the organization and their associates possess, attempt
2 to possess, and conspire to possess fifteen (15) or more counterfeit
3 and unauthorized access devices, which affects interstate and foreign
4 commerce.

5 F. Members of the organization and their associates plan, attempt to
6 plan, and conspire to plan, with the intent to defraud, schemes to
7 unlawfully obtain money and property from banks and other financial
8 institutions by way of fraud, and material misrepresentations and false
9 promises.

10 G. Members of the organization and their associates use various
11 means of communication designed to protect the membership's
12 anonymity and to provide security for the criminal organization from
13 attack by other rival criminal organizations and from law enforcement
14 detection, including but not limited to, the use of:

15 (i) Various website forums and chat rooms, such as
16 Carder.info, Carder.su, Crdsu.su, Carder.biz, and
17 Carder.pro, which are controlled by the Carder.su
18 organization for use as their online gathering places, that
19 is, as "virtual clubhouses," which provide secure meeting
20 locations for the members and associates of the criminal
21 organization;

22 (ii) Private messaging ("PM") which is a non-forum wide
23 message sent between individual members on the
24 criminal organization's website forums;

- 1 (iii) E-mail, some of which are encrypted and password
2 protected, or use service providers located outside the
3 United States;
- 4 (iv) ICQ chat, which is a free instant messaging electronic
5 communication services provided by ICQ, Inc., a
6 subsidiary of AOL. ICQ user accounts are identified by
7 a Universal Identification Number ("UIN");
- 8 (v) Proxies, which are achieved by bouncing from one
9 computer to another to hide a member's true originating
10 IP address;
- 11 (vi) Virtual Private Networks, ("VPNs"), which are similar to
12 proxies, but with the addition of creating an encrypted
13 tunnel that cannot be monitored; and
- 14 (vii) Protected drop sites in the District of Nevada, and
15 elsewhere, in the event that there is a need to transport,
16 transfer, and receive physical items of contraband.

17 **COUNT ONE**
18 **Conspiracy**

19 1. Paragraphs 1 through 4 of the General Allegations Section are hereby re-
20 alleged and incorporated by reference as if fully set forth herein.

21 2. Beginning on a date unknown, but not later than on or about January 2,
22 2009, continuing to on or about March 19, 2009, in the state and federal district of
23 Nevada and elsewhere,
24

**MICHAEL SAN CLEMENTE,
DAISY MARTINEZ,
IRINA SANFORD,
URVAN ANDERSON, and
FELIKS BALON,**

defendants herein, did conspire and agree together with one another and with others, known and unknown, to commit the following offenses against the United States:

- a) Trafficking In and Production of False Identification Documents, in violation of Title 18, United States Code, Sections 1028(a)(1), (b)(1)(A)(ii), and (c)(3);
- b) Trafficking In, Production, and Use of Counterfeit Access Devices, in violation of Title 18, United States Code, Section 1029(a)(1);
- (c) Possession of Fifteen or More Counterfeit and Unauthorized Access Devices, in violation of Title 18, United States Code, Section 1029(a)(3);
- d) Fraudulent Transactions with Access Devices Issued to Other Persons, in violation of Title 18 United States Code, Sections 1029(a)(5) and (b)(1); and
- e) Aggravated Identity Theft, in violation of Title 18, United States Code, Sections 1028A and (c)(4).

MANNER AND MEANS

3. The manner and means which the defendants and others used to achieve the objectives of the conspiracy are as follows:

- a. **MICHAEL SAN CLEMENTE**, (hereafter "San Clemente"), **DAISY MARTINEZ** (hereafter "Martinez"), **IRINA SANFORD**, (hereafter "Sanford"), **URVAN ANDERSON**, (hereafter "Anderson"), and **FELIKS BALON**, (hereafter "Balon")

1 manufactured, transferred, possessed and used and caused others to manufacture,
2 transfer, possess and use counterfeit identification documents.

3 b. Defendants **SAN CLEMENTE, MARTINEZ, SANFORD, ANDERSON,**
4 and **BALON** trafficked in and possessed and caused others to traffic in and possess
5 device-making equipment, which they obtained from unindicted co-conspirators, some of
6 whom were known to be members of the Carder.su organization.

7 c. Defendants **SAN CLEMENTE, MARTINEZ, SANFORD, ANDERSON,**
8 and **BALON** transferred and possessed and caused others to transfer and possess stolen
9 and otherwise unauthorized financial account information, which they obtained from
10 unindicted co-conspirators, some of whom were known to be members of the Carder.su
11 organization.

12 d. Defendants **SAN CLEMENTE, MARTINEZ, SANFORD, ANDERSON,**
13 and **BALON** manufactured, trafficked and possessed and caused others to manufacture
14 traffic and possess counterfeit access devices containing stolen and otherwise
15 unauthorized magnetic credit card and bank card account information with the intent to
16 fraudulently obtain money for their own personal gain and in furtherance of the criminal
17 conspiracy.

18 e. Defendants **SAN CLEMENTE, MARTINEZ, SANFORD, ANDERSON,**
19 and **BALON**, aiding and abetting one another and others, used and caused others to use,
20 counterfeit access devices containing stolen and otherwise unauthorized magnetic credit
21 card and bank card account information to fraudulently obtain money for their own personal
22 gain and in furtherance of the criminal conspiracy.

23

24

OVERT ACTS

1
2 4. On a date unknown, but not later than or about September 30,
3 2008, defendant **SAN CLEMENTE** became an associate of the Carder.su organization.
4 Defendant **SAN CLEMENTE** associated with member participants in the criminal
5 organization, acting under the direction of and in concert with these members in
6 carrying out unlawful and other activities in furtherance of the conduct of the criminal
7 organization's affairs. Defendant **SAN CLEMENTE's** criminal activities, in association
8 with and in furtherance of the criminal organization include, but are not limited to,
9 production and trafficking in counterfeit identification documents, trafficking in
10 production and use of counterfeit access devices, and possession of fifteen (15) or more
11 counterfeit and unauthorized access devices.

12 5. Beginning on a date unknown, but not later than in or about
13 January 2009, co-defendants **SAN CLEMENTE, MARTINEZ, and SANFORD**, and
14 others known and unknown, did knowingly traffic in, produce, and use counterfeit
15 identification documents, including, but not limited to, counterfeit California drivers'
16 licenses, and counterfeit access devices, containing stolen and otherwise compromised
17 credit and debit card account information belonging to persons other than the co-
18 conspirators, which were used for the personal benefit and financial gain of co-
19 defendants **SAN CLEMENTE, MARTINEZ, SANFORD, ANDERSON, BALON, and**
20 others, as follows:

21 6. On or about January 2, 2009, in the Riviera Hotel and Casino, Las
22 Vegas, Nevada, defendant **SANFORD** possessed and used a counterfeit identification
23 document, that is, a counterfeit California driver's license in the name I. Freeman,
24 bearing defendant **SANFORD's** photograph, and:

1 a) a counterfeit access device, bearing the name of I. Freeman,
2 containing stolen and otherwise compromised credit and debit card account
3 information, to wit: victim MasterCard account, number ending in X-0132 , to unlawfully
4 obtain approximately one thousand dollars (\$1,000); and

5 b) a counterfeit access device, bearing the name of Irin Freeman,
6 containing stolen and otherwise compromised credit and debit card account
7 information, to wit: victim Visa account, number ending in X-2202, to unlawfully obtain
8 approximately five hundred dollars (\$500);

9 7. On or about January 2, 2009, defendant **MARTINEZ** possessed
10 and used a counterfeit identification document, that is, a counterfeit California driver's
11 license in the name C. Jensen, bearing defendant **MARTINEZ's** photograph and a
12 counterfeit access device, bearing the name of C. Jensen, containing stolen and
13 otherwise compromised credit and debit card account information, to wit: victim Visa
14 account, number ending in X-6010, to unlawfully obtain two transactions of
15 approximately one thousand five hundred dollars (\$1,500) and two thousand dollars
16 (\$2,000), for a total aggregate amount of three thousand five hundred dollars (\$3,500),
17 in cash advances from the Riviera Hotel and Casino in Las Vegas, Nevada.

18 8. On or about January 5, 2009, defendant **SAN CLEMENTE**
19 possessed and used a counterfeit identification document, that is, a counterfeit
20 California driver's license in the name B. Gardiner, bearing defendant **SAN**
21 **CLEMENTE's** photograph, and:

22 a) a counterfeit access device, bearing the name of Brya Gardiner,
23 containing stolen and otherwise compromised credit and debit card account
24 information, to wit: victim Visa account, number ending in X-6132, to unlawfully obtain

1 approximately one thousand dollars (\$2,000) in a cash advance from the Riviera Hotel
2 and Casino in Las Vegas, Nevada;

3 b) a counterfeit access device, bearing the name of Brya Gardiner,
4 containing stolen and otherwise compromised credit and debit card account
5 information, to wit: victim Visa account, number ending in X-0097, to unlawfully obtain
6 two transactions of approximately two thousand dollars (\$2,000), for a total aggregate
7 amount of four thousand dollars (\$4,000), in cash advances from the Wynn Hotel and
8 Casino in Las Vegas, Nevada; and

9 c) a counterfeit access device, bearing the name of Brya Gardiner,
10 containing stolen and otherwise compromised credit and debit card account
11 information, to wit: victim Visa account, number ending in X-9324, to unlawfully obtain
12 approximately two thousand dollars (\$2,000), in a cash advance from the Stratosphere
13 Hotel and Casino in Las Vegas, Nevada.

14 9. On or about January 5, 2009, defendant **MARTINEZ** possessed
15 and used a counterfeit identification document, that is, a counterfeit California driver's
16 license in the name C. Jensen, bearing defendant **MARTINEZ's** photograph and a
17 counterfeit access device, bearing the name of C. Jensen, containing stolen and
18 otherwise compromised credit and debit card account information, to wit: victim Visa
19 account, number ending in X-2006, to unlawfully obtain approximately one thousand
20 five hundred dollars (\$1,500), in a cash advance from the Wynn Hotel and Casino in
21 Las Vegas, Nevada.

22 10. On or about March 12, 2009, defendant **ANDERSON** possessed
23 and used a counterfeit identification document, that is, a counterfeit California driver's
24 license in the name T. Patu, bearing defendant **ANDERSON's** photograph and a

1 counterfeit access device, bearing the name of T. Patu, containing stolen and
2 otherwise compromised credit and debit card account information, to wit: victim
3 MasterCard account, number ending in X-7824, to unlawfully obtain to five transactions
4 of approximately two thousand dollars (\$2,000), for a total aggregate amount of ten
5 thousand dollars (\$10,000), in cash advances from Foxwoods Resort, in Mashantucket,
6 Connecticut.

7 11. On or about March 16, 2009, defendant **BALON** possessed and
8 used a counterfeit identification document, that is, a counterfeit California driver's
9 license in the name of N. Demalvinsky, bearing defendant **BALON's** photograph and a
10 counterfeit access device, bearing the name of N. Demalvinsky, containing stolen and
11 otherwise compromised credit and debit card account information, to wit: victim Visa
12 account, number ending in X-2396, to unlawfully obtain to three transactions of
13 approximately five hundred dollars (\$500), for a total aggregate amount of one
14 thousand five hundred dollars (\$1,500), in cash advances from Mohegan Sun, in
15 Montville, Connecticut.

16 12. On or about March 19, 2009, in Niagra Falls, New York, at a port of
17 entry from the United States into Canada, defendants **SAN CLEMENTE, MARTINEZ,**
18 **SANFORD, ANDERSON, BALON,** with intent to defraud, possessed approximately
19 one hundred and eight (108) stolen credit and debit card account numbers, issued to
20 persons other than the co-conspirators; device-making equipment, that is, several
21 hundred blank plastic cards used in the production of counterfeit access devices, a
22 Zebra P330i card printer, and a camera; and approximately five lap top computers
23 containing stolen and otherwise compromised credit and debit card account information
24 belonging to persons other than the co-conspirators.

All in violation of Title 18, United States Code, Section 371.

COUNTS TWO THROUGH FOUR
Trafficking in and Production of False Identification Documents

1. The General Allegations and factual allegations of Count One of this Indictment are incorporated by reference.

2. On or about the dates set forth below, in the State and Federal District of Nevada, and elsewhere,

**MICHAEL SAN CLEMENTE,
 DAISY MARTINEZ,
 IRINA SANFORD,
 URVAN ANDERSON, and
 FELIKS BALON,**

defendants herein, together with and aiding and abetting one another, and others known and unknown, did knowingly and without lawful authority produce, and did cause others to produce, false identification documents, in and affecting interstate and foreign commerce, with the offense involving the production and transfer of false identification documents that are and appear to be drivers' licenses, with each false identification document set forth below constituting a separate violation of Title 18, United States Code, Sections 1028(a)(1), (b)(1)(A)(ii), and (c)(3); and Title 18, United States Code, Section 2, as follows:

<u>Count</u>	<u>Date</u>	<u>Defendant Pictured</u>	<u>Type of Document</u>	<u>Name on Document</u>
TWO	1/02/2009	SANFORD	CA DL	I. Freeman
THREE	1/02/2009	MARTINEZ	CA DL	C. Jensen
FOUR	1/05/2009	SAN CLEMENTE	CA DL	B. Gardiner

(CA DL refers to California Driver's License).

1 All in violation of Title 18, United States Code, Sections 1028(a)(1),
 2 (b)(1)(A)(ii), and (c)(3); and Title 18, United States Code, Section 2.

3 **COUNTS FIVE THROUGH ELEVEN**

4 **Trafficking In, Production of, and Use of Counterfeit Access Devices**

5 1. The General Allegations and factual allegations of Count One of
 6 this Indictment are incorporated by reference.

7 2. On or about the dates set forth below, in the State and Federal
 8 District of Nevada, and elsewhere,

9 **MICHAEL SAN CLEMENTE,**
 10 **DAISY MARTINEZ,**
 11 **IRINA SANFORD,**
URVAN ANDERSON, and
FELIKS BALON,

12 defendants herein, together with and aiding and abetting one another, and others
 13 known and unknown, knowingly and with intent to defraud, did traffic in, produce and
 14 use, in and affecting interstate commerce, one or more counterfeit access devices,
 15 containing account numbers issued to persons other than the defendants, with each
 16 false identification document set forth below constituting a separate violation of Title 18,
 17 United States Code, Section 1029(a)(1); and Title 18, United States Code, Section 2,
 18 as follows:

<u>Count</u>	<u>Date</u>	<u>Defendant in Possession</u>	<u>Card No.</u>	<u>Name On Card</u>
21 FIVE	1/02/2009	SANFORD	X-0132	I. Freeman
22 SIX	1/02/2009	SANFORD	X-2202	I. Freeman
23 SEVEN	1/02/2009	MARTINEZ	X-6010	C. Jensen
24 EIGHT	1/05/2009	SAN CLEMENTE	X-6132	B. Gardiner

1	NINE	1/05/2009	SAN CLEMENTE	X-0097	B. Gardiner
2	TEN	1/05/2009	SAN CLEMENTE	X-9324	B. Gardiner
3	ELEVEN	1/05/2009	MARTINEZ	X-2006	C. Jensen

4 All in violation of Title 18, United States Code, Section 1029(a)(1); and
5 Title 18, United States Code, Section 2.

6 **COUNT TWELVE**
7 **Aggravated Identity Theft and**
8 **Aiding and Abetting**

9 1. The General Allegations and factual allegations of Count One of this
10 Indictment are incorporated by reference.

11 2. On or about January 5, 2009, in the State and Federal District of
12 Nevada and elsewhere

13 **MICHAEL SAN CLEMENTE,**
14 **DAISY MARTINEZ,**
15 **IRINA SANFORD,**
16 **URVAN ANDERSON, and**
17 **FELIKS BALON,**

18 defendants herein, aiding and abetting one another and others, did knowingly transfer,
19 possess, and use, without lawful authority, means of identification of another person, to wit:
20 B.Gardiner's name, date of birth, and address, during and in relation to a specified felony
21 enumerated in Title 18, United States Code, Section 1028A(c), to wit: Trafficking In,
22 Production, and Use of Counterfeit Access Devices, a violation of Title 18, United States
23 Code, Section 1029(a)(1).

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