

Apr 24, 2015

STEVEN M. LARIMORE
CLERK U.S. DIST. CT.
S.D. OF FLA. - MIAMI

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
15-20296-CR-MARTINEZ/GOODMAN
Case No. _____

18 U.S.C. § 371
52 U.S.C. § 30116(a)(1)(A)
52 U.S.C. § 30116(f)
52 U.S.C. § 30109(d)(1)(A)(ii)

UNITED STATES OF AMERICA

vs.

JEFFREY GARCIA, and
JOSE ROLANDO ARROJO,
a/k/a "Roly Arrojo,"

Defendants.

INFORMATION

The Attorney for the United States in this matter charges that:

GENERAL ALLEGATIONS

At all times material to this Information:

The Federal Election Campaign Act

1. The Federal Election Campaign Act of 1971, as amended, Title 52, United States Code, Sections 30101 through 30146 (the "Election Act"), was a federal statute enacted to regulate certain election campaigns.

2. Among the purposes of the Election Act was disclosure by federal candidates to the public, through the Federal Election Commission ("FEC"), of all persons and entities making contributions, defined as anything of value to influence federal elections, and the enforcement of certain limits on the amount of such contributions.

3. Under the Election Act, in the 2009-2010 election cycle, the limit on contributions from an individual to a federal candidate's authorized campaign committee was \$2,400 per election.

4. Under the Election Act, contributions included (a) contributions to a candidate or agents of that candidate's campaign, and (b) expenditures made in cooperation, consultation, or concert, with, or at the request or suggestion of, a candidate or agents of that candidate's campaign.

The Candidacy of Jose Rolando Arrojo

5. On or about June 30, 2010, defendant **JOSE ROLANDO ARROJO** signed a FEC Form 2 Statement of Candidacy and designated the Roly Arrojo for Congress Committee as his principal campaign committee for the election for Florida's 25th Congressional District.

6. Defendant **JOSE ROLANDO ARROJO** was the Treasurer of the Roly Arrojo for Congress Committee.

7. In 2010, defendant **JOSE ROLANDO ARROJO** was a candidate in the general election for Florida's 25th Congressional District.

Jeffrey Garcia

8. Defendant **JEFFREY GARCIA** was a political consultant, doing business as Palm Media, LLC.

9. Defendant **JEFFREY GARCIA** was also the campaign manager for Candidate A in the 2010 election for Florida's 25th Congressional District.

COUNT 1
Conspiracy to Make and Accept Excessive Campaign Contributions
(18 U.S.C. § 371)

1. The General Allegations portion of this Information is realleged and incorporated by reference as if fully set forth herein.

2. From in or around February 2010 until in or around January 2011, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants,

JEFFREY GARCIA, and
JOSE ROLANDO ARROJO,
a/k/a "Roly Arrojo,"

did knowingly and willfully combine, conspire, confederate, and agree with each other, and with others known and unknown to the United States, to commit an offense against the United States, that is, to:

(a) willfully make contributions to the Roly Arrojo for Congress Committee from Jeffrey Garcia in excess of the limits of the Election Act, which contributions in calendar year 2010 were \$2,000 and more, but less than \$25,000, in violation of Title 52, United States Code, Sections 30116(a)(1)(A) and 30109(d)(1)(A)(ii); and

(b) willfully accept contributions to the Roly Arrojo for Congress Committee from Jeffrey Garcia in excess of the limits of the Election Act, which contributions in calendar year 2010 were \$2,000 and more, but less than \$25,000, in violation of Title 52, United States Code, Sections 30116(f) and 30109(d)(1)(A)(ii).

OBJECTIVE OF THE CONSPIRACY

3. The objective of the conspiracy was to benefit Candidate A in splitting the vote of Candidate A's opponents in the 2010 general election for Florida's 25th Congressional District by causing and funding the existence of the campaign of defendant **JOSE ROLANDO ARROJO**

through excessive contributions and to conceal the conspiracy.

MANNER AND MEANS OF THE CONSPIRACY

The manner and means by which the defendants, **JEFFREY GARCIA** and **JOSE ROLANDO ARROJO**, and others known and unknown to the United States, sought to accomplish the objective of the conspiracy included, among others, the following:

4. Third party checks were utilized to conceal contributions to the campaign of defendant **JOSE ROLANDO ARROJO**.

5. Defendant **JOSE ROLANDO ARROJO** ran as a candidate purportedly opposed to Candidate A in the 2010 general election for Florida's 25th Congressional District.

6. False statements were made to the FEC in response to FEC inquiries about the reporting obligations of the Roly Arrojo for Congress Committee.

OVERT ACTS

In furtherance of this conspiracy, and to accomplish its objective, defendants **JEFFREY GARCIA** and **JOSE ROLANDO ARROJO**, and others known and unknown to the United States, committed and caused to be committed, in the Southern District of Florida and elsewhere, at least one of the following overt acts, among others:

7. On or about April 27, 2010, **JEFFREY GARCIA** wrote a check in the amount of \$12,000, payable to Palm Media, LLC, and drawn on the Bank United campaign account of Candidate A, for which account **JEFFREY GARCIA** was one of two signatories.

8. On or about April 27, 2010, **JEFFREY GARCIA** wrote a check in the amount of \$5,500, payable to cash, and drawn on the Colonial Bank account of Palm Media, LLC.

9. On or about April 27, 2010, **JEFFREY GARCIA** wrote a check in the amount of \$5,000, payable to cash, and drawn on the Colonial Bank account of Palm Media, LLC.

10. On or about April 28, 2010, **JOSE ROLANDO ARROJO** caused two checks in the amounts of \$5,500 and \$5,000, payable to cash and drawn on the Colonial Bank account of Palm Media, LLC, to be deposited into the personal Regions Bank account of **JOSE ROLANDO ARROJO**.

11. On or about April 28, 2010, **JOSE ROLANDO ARROJO** wrote a check in the amount of \$10,500, payable to "Roly Arrojo for Congress," drawn on his personal Regions Bank account, and then deposited that check into the Bank United account of the Roly Arrojo for Congress Committee.

12. On or about April 28, 2010, **JOSE ROLANDO ARROJO** caused a check in the amount of \$10,440, payable to the "Department of State," and drawn on the Bank United account of the Roly Arrojo for Congress Committee, to be provided to the Florida Department of State, Division of Elections, along with an Oath of Candidate form for Roly Arrojo for the 2010 election for Florida's 25th Congressional District, identifying Roly Arrojo as purportedly opposed to Candidate A by affiliation with a different political party.

13. On or about April 29, 2010, **JEFFREY GARCIA** deposited the \$12,000 check drawn on the Bank United campaign account of Candidate A, into the Colonial Bank account of Palm Media, LLC.

14. In or around October 2010, **JEFFREY GARCIA** participated in creating campaign flyers to be used for the political campaign of defendant **JOSE ROLANDO ARROJO**.

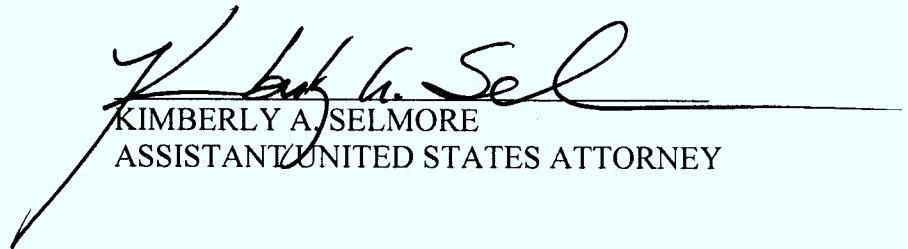
15. In or around November and December 2010, in response to inquiries from the FEC, **JEFFREY GARCIA** submitted false statements to the FEC to concerning his identity and

the contributions to the Roly Arrojo for Congress Committee.

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

 *Chief, Criminal Div.*

BENJAMIN G. GREENBERG
ATTORNEY FOR THE UNITED STATES
ACTING UNDER AUTHORITY
CONFERRED BY 28 U.S.C. § 515



KIMBERLY A. SELMORE
ASSISTANT UNITED STATES ATTORNEY

UNITED STATES OF AMERICA

CASE NO. _____

vs.

CERTIFICATE OF TRIAL ATTORNEY*

JEFFREY GARCIA, and
 JOSE ROLANDO ARROJO,
 a/k/a "Roly Arrojo,"

Defendants. /

Superseding Case Information:

Court Division: (Select One)

X Miami Key West
 FTL WPB FTP

New Defendant(s) Yes No
 Number of New Defendants
 Total number of counts

I do hereby certify that:

1. I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.
2. I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. Section 3161.
3. Interpreter: (Yes or No) No
 List language and/or dialect
4. This case will take 0 days for the parties to try.
5. Please check appropriate category and type of offense listed below:

(Check only one)

(Check only one)

I	0 to 5 days	<u>X</u>	Petty	<u> </u>
II	6 to 10 days	<u> </u>	Minor	<u> </u>
III	11 to 20 days	<u> </u>	Misdem.	<u>X</u>
IV	21 to 60 days	<u> </u>	Felony	<u> </u>
V	61 days and over	<u> </u>		

6. Has this case been previously filed in this District Court? (Yes or No) No

If yes:

Judge:

Case No. _____

(Attach copy of dispositive order)

Has a complaint been filed in this matter?

(Yes or No)

No

If yes:

Magistrate Case No. _____

Related Miscellaneous numbers: _____

Defendant(s) in federal custody as of _____

Defendant(s) in state custody as of _____

Rule 20 from the _____

District of _____

Is this a potential death penalty case? (Yes or No) No

7. Does this case originate from a matter pending in the Northern Region of the U.S. Attorney's Office prior to October 14, 2003? Yes X No

8. Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to September 1, 2007? Yes X No


 KIMBERLY A. SELMORE
 ASSISTANT UNITED STATES ATTORNEY
 Florida Bar No. 616524

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: JEFFREY GARCIA

Case No: _____

Count #: 1

Conspiracy to Commit an Offense Against the United States

Title 18, United States Code, Section 371

* Max.Penalty: 1 year

Count #:

* Max.Penalty:

Count #:

* Max.Penalty:

Count #:

* Max.Penalty:

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: JOSE ROLANDO ARROJO, a/k/a "Roly Arrojo"

Case No: _____

Count #: 1

Conspiracy to Commit an Offense Against the United States

Title 18, United States Code, Section 371

* Max.Penalty: 1 year

Count #:

* Max.Penalty:

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***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**