

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -x

INFORMATION

UNITED STATES OF AMERICA :
 :
14 Cr. (KPF)
- v. - :
 :
JOHN L. MONTANEZ, :
a/k/a "Lenny," :
 :
Defendant. :
 :
- - - - -x

COUNT ONE
(Access Device Fraud)

The United States Attorney charges:

1. From at least in or about 2011, up to and including at least in or about March 2014, in the Southern District of New York and elsewhere, JOHN L. MONTANEZ, a/k/a "Lenny," the defendant, knowingly and with intent to defraud, effected transactions, with one and more access devices issued to another person and persons, to receive payment and any other thing of value during any one-year period the aggregate value of which was equal to and greater than \$1,000, to wit, MONTANEZ used, attempted to use, and caused another to use and attempt to use fraudulently obtained, funded, and/or stolen credit cards and debit cards to purchase personal items.

(Title 18, United States Code, Sections 1029(a)(5), 1029(b)(1), and 2.)

COUNT TWO
(Aggravated Identity Theft)

The United States Attorney further charges:

2. From at least in or about 2011, up to and including at least in or about March 2014, in the Southern District of New York and elsewhere, JOHN L. MONTANEZ, a/k/a "Lenny," the defendant, willfully and knowingly did transfer, possess, and use, without lawful authority, a means of identification of another person, during and in relation to a felony violation enumerated in Section 1028A(c), to wit, MONTANEZ used and caused another to use credit and/or debit cards in the names of others, and traded names of others and their personal identifying information, including driver's license identification numbers, in return for credit and/or debit cards, during and in relation to the offense charged in Count One of this Information.

(Title 18, United States Code, Sections 1028A and 2.)

FORFEITURE ALLEGATION

3. As a result of committing the offense charged in Count One of this Information, JOHN L. MONTANEZ, a/k/a "Lenny," the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Sections 982(a)(2)(a) and 1029(c)(1)(C), any and all property, real or personal, constituting or derived, directly or indirectly, from proceeds

traceable to the commission of such offense, including but not limited to a sum of United States currency representing the amount of proceeds obtained as a result of the offense, and any personal property used or intended to be used to commit the offense.

Substitute Assets Provision

4. If any of the above-described forfeitable property, as a result of any act or omission of JOHN L.

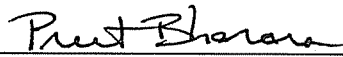
MONTANEZ, a/k/a "Lenny," the defendant:

- 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 commingled with other property which cannot be divided without difficulty;

it is the intention of the United States, pursuant to Title 18, United States Code, Section 982(b)(1), and Title 21, United States Code, Section 853(p), to seek forfeiture of any other

property of the defendant up to the value of the above
forfeitable property.

(Title 18, United States Code, Sections 982 and 1029.)



PREET BHARARA
UNITED STATES ATTORNEY

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(18 U.S.C. §§ 1028A, 1029(a)(5), 1029(b)(1), and 2.)

PREET BHARARA
United States Attorney.
