

DOA: 1/26/2026

UNITED STATES DISTRICT COURT
for the
District of ArizonaUnited States of America
v.

Diego GONZALEZ-Rosales

Defendant

Case No.

26-3019 MJ

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CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

COUNT 1**(Pattern and Practice of Knowingly Employing Unauthorized Aliens)**

Beginning on an unknown date, and continuing through January 2026, in the District of Arizona, the defendant, DIEGO GONZALEZ-ROSALES, engaged in a pattern and practice to hire, recruit, and refer for a fee, for employment of aliens in the United States, knowing the aliens were unauthorized with respect to such employment.

In violation of Title 8, United States Code, Sections 1324a(a)(1), (a)(2) and (f)(1).

COUNT 2**(Knowingly Making False Attestations on a Form I-9)**

On or about June 16, 2023, in Maricopa County, in the District of Arizona, the defendant, DIEGO GONZALEZ-ROSALES, and Juan Carlos Reynosa-Espinoza did knowingly use false attestations, that is, statements that Juan Carlos Reynosa-Espinoza is a United States Citizen and that his name was "O.L." on an employment eligibility Form I-9, Employment Eligibility Verification, for the purpose of satisfying a requirement of section 274A(b) of the Immigration and Nationality Act.

In violation of Title 18, United States Code, Section 1546(b)(3), 2.

COUNT 3

(Knowingly Making False Attestations on a Form I-9)

On or about August 18, 2022, in Maricopa County, in the District of Arizona, the defendant, DIEGO GONZALEZ-ROSALES, and Cauhtemoc Cruz-Reyes did knowingly use false attestations, that is, statements that Cauhtemoc Cruz-Reyes is a United States Citizen and that his name was "J.D.B." on an employment eligibility Form I-9, Employment Eligibility Verification, for the purpose of satisfying a requirement of section 274A(b) of the Immigration and Nationality Act.

In violation of Title 18, United States Code, Section 1546(b)(3), 2.

COUNT 4

(Knowingly Transferring Means of Identification Without Authority)

On or about October 17, 2024, in the District of Arizona, the defendant, DIEGO GONZALEZ-ROSALES, knowingly transferred without lawful authority, a means of identification of "J.J.Z." with the intent to aid or abet any unlawful activity that constitutes a violation of federal law, to wit: the employment of Miguel Torres, an unauthorized alien.

In violation of Title 18, United States Code, Sections 1028(a)(7).

COUNT 5

(Aggravated Identity Theft)

On or about October 17, 2024, in the District of Arizona, DIEGO GONZALEZ-ROSALES, did knowingly transfer, possess, and use, without lawful authority, a means of identification of "J.J.Z." during and in relation to a felony enumerated in 18 U.S.C. § 1028A(c), to wit: Knowingly Transferring a Means of Identification Without Authority, in violation of Title 18, United States Code, Section 1028(a)(7), as alleged in Count 4, knowing that the means of identification belonged to another actual person.

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This criminal complaint is based on these facts:

See attached Statement of Probable Cause, incorporated by reference herein.

Continued on the attached sheet.

AUTHORIZED BY: AUSA Ryan McCarthy



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MCCARTHY
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Sworn to telephonically.

Date: January 28, 2026

City and state: Phoenix, Arizona

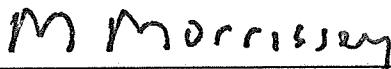
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Complainant's signature

Logan Vogel
HSI Special Agent

Printed name and title



Judge's signature

Michael T. Morrissey
United States Magistrate Judge

Printed name and title

STATEMENT OF PROBABLE CAUSE

I, Special Agent Logan Vogel, declare under penalty of perjury that the following is true and correct.

1. I am a Special Agent with Homeland Security Investigations. I have learned the facts recited herein from direct participation in the investigation and from the reports and communications of other agents and officers.
 - a. *Zipps Investigation*
2. In February 2025, HSI Phoenix Special Agents received a tip alleging that Zipps Sports Grill's fourteen restaurant locations in Arizona are employing illegal aliens to staff their kitchens. The reporting party indicated that management is aware these employees are using fraudulent identification documents to verify their eligibility to work, via the E-Verify web-based system.
3. In March 2025, HSI personnel served all 14 Zipps Restaurant locations, plus their corporate headquarters with a Notice of Inspection (NOI) requiring the company to produce their Forms I- 9. The following week, HSI personnel received compliance documents from Zipps, including a list that alleged to contain the original Forms I-9 for all current and former employees within the past two years.
4. HSI personnel reviewed the employment documents provided by Zipps pursuant to the NOI, which identified a list of current and former employees. Analysis of the records revealed multiple instances in which the name, social security number, and date of birth on Form I-9 were being misused to gain employment.

5. A request was made to the Arizona Department of Economic Security (DES) to provide a 2024 and 2025 wage report for each SSN identified during the NOI. DES reported wages are tracked by the individual social security number. The social security numbers listed on the employee Forms I-9 were run in the DES database. DES provided information which showed how many jobs were attributed to each SSN during quarter 2 (April, May and June) of 2025.
6. The review identified seventy-six (76) employees that had three (3) to forty-two (42) active employers other than Zipps Sports Grill in quarter 2 of 2025. These 76 individuals certified themselves as United States citizens, which means that they were not required to list an A-number on their Forms I-9. The DES reports showed multiple jobs and extremely high wages earned in the same quarter which is consistent with aggravated identity fraud. This pattern is consistent among all the individuals who completed their paperwork in the same manner.

b. Identification of Diego Gonzalez-Rosales

7. Investigators conducted a review of I-9 documents previously received from Zipps Sports Grill and located a Form I-9 for Diego GONZALEZ-Rosales. On the certification section of the I-9, GONZALEZ-Rosales began working on December 21, 2006, but the date on the form for when the I-9 was attested was June 11, 2011. According to the Form I-9, GONZALEZ-Rosales indicated that he is a Lawful Permanent Resident and listed his Alien Registration Number as #XXX-XXX-856 and his Social Security Number as XXX-XX-3319. SAs conducted law enforcement database queries for the information listed on GONZALEZ-Rosales' Form I-9 and

found that the Social Security Number XXX-XX-3319 is associated to Connie VILLELA-Delgado and that the Alien Registration Number XXX-XXX-856 is associated to Mohamed CEESAY, a citizen of Gambia. According to information provided by the Law Enforcement Support Center (LESC), GONZALEZ-Rosales does not possess the immigration status allowing him to be legally present in the United States.

c. Employee Identity Theft

8. In August 2025, investigators became aware of a Zipps employee, Maria Lopez-Rojo, whose identity was being used by someone else working for Zipps. Lopez-Rojo had been terminated from Zipps in February 2025, but she was then rehired at Zipps in June 2025 and assigned to the Zipps Park Central location. After Lopez-Rojo was rehired, she did not receive her paycheck after her initial pay period. Upon inquiry with management and human resources, Lopez-Rojo was informed that her wages had been issued to another Zipps employee using her identity at the Zipps restaurant in Glendale, Arizona. Lopez-Rojo attributed responsibility for this incident to GONZALEZ-Rosales, who is responsible for the hiring and staffing of kitchen staff for all Zipps locations in Arizona.
9. Lopez-Rojo informed agents that she receives her pay through a Wisely Pay card. Lopez-Rojo said that when she attempted to activate her new Wisely card after she was rehired in June, she was informed that it was already associated with someone, preventing her from accessing her funds. A Wisely representative told her that the account was registered under her same name, date of birth, and Social Security number,

but a different address and telephone number. The representative stated the account was linked to phone number ending in -6201 and a residential address in Phoenix. Lopez-Rojo told agents she believed her identity had been stolen and she contacted the telephone number provided by Wisely to confront the individual.

10. Lopez-Rojo said immediately after that phone call, she received a phone call from GONZALEZ-Rosales. GONZALEZ-Rosales told Lopez-Rojo to stop contacting the woman who was utilizing her identity. GONZALEZ-Rosales told Lopez-Rojo that the matter was being handled. Lopez-Rojo provided agents with a photo of the woman who utilized her identity and Lopez-Rojo believes the woman is still employed by Zipps.

11. HSI Phoenix Criminal Analyst conducted law enforcement financial database queries for the telephone number registered to Lopez-Rojo's Wisely Pay card. The returned records relating to the telephone number (ending in -6201) showed financial transactions for an individual named Lidia Eloisa Lescas. Investigators obtained a probable address of Lescas for a residential address in Phoenix.

12. On October 23, 2025, and October 29, 2025, agents conducted surveillance at the residence in Phoenix. On both occasions, SAs observed a Hispanic female matching the description of Lescas enter a Red Kia Sportage. On both occasions, investigators observed the vehicle drive to the Zipps Bethany Home location in Phoenix, AZ. The Hispanic female matching the description of Lescas exited the vehicle near the back entrance where employees enter.

d. Federal Search Warrants

13. On January 26, 2026, HSI Arizona executed 29 federal search warrants at 15 Zipps Grill

restaurants in Phoenix, AZ. These included 15 federal criminal search warrants and 14 civil administrative warrants. The operation resulted in the arrest of 39 individuals working at Zipps who were unlawfully present in the United States.

e. *Interview of Material Witness 1*

14. On January 26, 2026, agents encountered and interviewed Juan Carlos Reynosa-Espinoza (“Reynosa.”) Reynosa said that he grew up in Michoacan, Mexico and he came to the United States when he was seventeen years old. Reynosa said that in 2023 he was referred by a friend to Diego GONZALEZ-Rosales to work at Zipps. Reynosa said his friend told him that Diego could get documents for him to work at Zipps. Reynosa said that “Diego” oversees everything that is happening within all the restaurants and the staff. Reynosa said that GONZALEZ-Rosales told him he could start working for him and he was going to give him a name to start working. Reynosa said that he started working at the Zipps located on Hayden Road and the Zipps in the downtown location.
15. Reynosa stated GONZALEZ-Rosales never gave him any documents or identification with the name he used to work at the restaurant. Reynosa stated GONZALEZ-Rosales told him that he would be using the name of “O.L.” but GONZALEZ-Rosales never gave him a social security number. Reynosa said that he paid GONZALEZ-Rosales \$300 for the name he was able to use for work. Reynosa stated that he gets paid by check and with the name of O.L. Reynosa stated where he goes to cash in his check is fraudulent or a shady business, so they do not ask for any identification.
16. Reynosa stated he never went through a hiring process, but he does remember when he started the job GONZALEZ-Rosales told him that he had to sign a document with the

name given to him. Reynosa stated he never received a W-2 tax form or social security number. Reynoza stated that he did fill out what he thinks was an application with the name of O.L. and it was put into a computer. Investigators showed Reynosa an I-9 form with the name of O.L. dated June 16, 2023. Reynosa stated he did remember signing a document like that what that given name. Reynosa stated, however, that GONZALEZ-Rosales had already filled in the document. SAs reviewed the DES report for the SSN listed on O.L.'s Form I-9. The DES report revealed the SSN earned \$180,792.58 across seventeen jobs during quarter 2 of 2025. At the time of his arrest, Reynosa had a paycheck in his possession with name "O.L." listed on the paycheck.

f. Interview of Material Witness 2

17. On January 26, 2026, agents encountered and interviewed Cauhtemoc Cruz-Reyes ("Cruz"). Cruz stated that he entered the United States approximately 15 years ago through Nogales, Arizona. Cruz claimed to have held different jobs before he began working at Zipps. Cruz stated he found the job advertisement online. He called the number provided in the advertisement, and a male subject later identified as Diego GONZALEZ-Rosales answered the phone. Cruz said he met with, and was hired by, GONZALEZ-Rosales. Cruz stated that GONZALEZ-Rosales hired him under a fraudulent name. Investigators obtained an I-9 that showed Cruz was hired at Zipps on August 18, 2022, under the name "J.D.B."

18. At the time of his arrest, Cruz had two pay stubs on his person: one under the name "J.D.B," and the second under the name "A.M.M." At first, Cruz said those pay stubs belonged to other coworkers who had already left the Zipps location. Later, Cruz said

those were the names GONZALEZ-Rosales provided to him. He stated that he was using the name "J.D.B", and "A.M.M." was being used by his girlfriend, Elvia Valvina Reyes Garcia, who was also working there. Reyes-Garcia was identified and determined to be unlawfully present in the United States during the execution of the federal search warrants at the Zipps Bethany Home location.

19. Cruz also stated that GONZALEZ-Rosales is in charge of all Zipps kitchens and is the one who hires other undocumented workers for the company. Cruz said there are others that do the same as GONZALEZ-Rosales, but he does not know their names.

g. *Interview of Diego GONZALEZ-Rosales*

20. GONZALEZ-Rosales stated that he came to the United States in 2006. He said he walked across the Mexican border near Sonora Mexico into Arizona. After he crossed the border without inspection, he was apprehended by Border Patrol approximately six hours later. He stated he was returned to Mexico the following day. GONZALES-Rosales said he reentered the United States illegally again just a few days later.

21. GONZALEZ-Rosales stated that Zipps was his first job when he arrived in the United States. GONZALEZ-Rosales stated that at that time he was hired, there was no E Verify. GONZALEZ-Rosales said he obtained a fake identification and brought it to Zipps to gain initial employment. His first position was as a dishwasher. He worked as a dishwasher for two years, then was promoted to kitchen manager and worked approximately eight more years as a kitchen manager. Afterward, he was promoted to his current position. GONZALEZ-Rosales says he oversees the kitchens at every Zipps restaurant.

22. When asked about the hiring process, GONZALEZ-Rosales stated he does not formally

hire anyone. He said he works for all the stores, but does not have hiring authority. According to him, Zipps uses Indeed to place job postings and lists GONZALEZ-Rosales as the point of contact. GONZALEZ-Rosales explained that he personally contacts the applicants, and explains the job to them. GONZALEZ-Rosales ensures the applicants have the correct experience. GONZALEZ-Rosales indicated that he conducts interviews with the applicants and chooses the location where the applicants will work. GONZALEZ-Rosales passes along the information of the candidates that he wants to be hired to restaurant managers.

23. GONZALEZ-Rosales indicated if someone calls out of work, he ensures the locations are properly staffed. He stated that normally he does not offer his friends jobs because there are usually about 200 applicants, so he does not need to hire friends. He did state that he helped his girlfriend get a job at Zipps.

24. GONZALEZ-Rosales explained that the new-hire paperwork process has changed. Previously, they filled out paperwork in person using hard copies; now it is done through an online system. Once the forms are completed online, applicants are called back into the restaurant they are hired to work at for ID verification and to complete all employee onboarding. GONZALEZ-Rosales said the kitchen managers of each store help applicants fill out the Form I 9 because most, if not all, of them do not speak English. GONZALEZ-Rosales indicated the corporate office receives applicant information once a candidate is selected for hire. He stated that management checks identity documents.

25. GONZALEZ-Rosales initially said he does not know if employees have legal status. He stated employees show IDs all the time, usually a driver's license and Social Security

card/number. He said the office staff are the ones who check the documents and the I 9 forms. He stated that when they run E Verify and if they do not pass E Verify, they will not work for the company.

26. GONZALEZ-Rosales then stated that every manager knows that many of IDs that are used are fake. He said, as an example, you can see a guy named William with a Mexican face. He stated that managers know they can get through the E Verify inspection with fake identity documents and that they do not care. He said the IDs have American names with Mexican workers using them, and that the fake IDs are poorly made, like a playing card. GONZALEZ-Rosales stated the store managers know the IDs are fake, and they attest to the I 9s.

27. He stated that every cook in the restaurant is working under fraudulent identities, although there may be a couple that are here legally. GONZALEZ-Rosales indicated he was placed in this position because he speaks English and Spanish, and he helps applicants fill out the Form I 9 for employees at any Zipps location. He said the manager would check the identity documents after GONZALEZ-Rosales helped the applicants fill out the paperwork, even though he and the manager knew the identities were fake. He stated he would help fill out the top section of the Form I 9 for the employee. Employees would bring their driver's license and Social Security card when they filled out the Form I 9.

28. GONZALEZ-Rosales stated he never personally provided physical IDs to people to use to pass the Form I 9 or E Verify inspection. However, GONZALEZ-Rosales stated that he would take pictures of driver's licenses and Social Security cards belonging to real U.S. citizens so he could later provide those images to an employee needing IDs to pass the E

Verify process. He said he did not fill out the paperwork himself, but helped employees fill it out, knowing the identities were fake.

29. When asked again if GONZALEZ-Rosales ever provided physical IDs, he said no, only pictures (of identity documents), and that happened one time. He stated he did not receive money for providing those pictures.

30. GONZALEZ-Rosales stated he provided a picture of an Arizona driver's license and Social Security card belonging to a real person for his friend "Gato" to use to gain employment at Zipps. He stated he provided the identity of "J.J.Z." (DOB XX/XX/1988). This identity was first used for employment at the Zipps 36th Street restaurant approximately three or four years ago. That person was approved through E-Verify but never showed up. GONZALEZ-Rosales said he kept the cleared ID information to use in the future. GONZALEZ said he knew that identity was a real person because it would pass E verify.

31. GONZALEZ-Rosales said Gato's real name is Miguel Torres. GONZALEZ-Rosales stated he had a picture of these IDs on his phone and sent them via text to Torres. Investigators observed in GONZALEZ-Rosales' cellphone that on October 17, 2024, GONZALEZ-Rosales sent Torres the identity of "J.J.Z." with an Arizona driver's license, date of birth, and social security number. GONZALEZ-Rosales said this occurred approximately one year ago. Torres no longer works for Zipps. Torres initially started at Hayden and then moved to a kitchen manager position at Goldie's Sports Café, a restaurant owned by the parent company of Zipps. A review of the DES records for wages earned for "J.J.Z." corroborate Torres time working for Zipps.

32. GONZALEZ-Rosales stated there were multiple times that Zipps rehired the same person under multiple different names. He explained that if an employee was fired, the identity (name and Social Security number) that person had been using would be passed on to a new illegal alien employee. If the original person later tried to come back and work under that same name and Social Security number, it might fail because the identity was then being used by someone else, so they would find another fake ID for that person to use. He indicated this happens a lot at the Kierland restaurant.

33. In a review of GONZALEZ-Rosales' email, on December 28, 2025, GONZALEZ-Rosales emailed a person in operations and asked if he could get approval to rehire the name "Senaida Romero" for back-of-house staff, knowing that the person using Romero's identity was not her and was not a U.S. citizen, but that the name would clear E-Verify. The person in operations responded that it was GONZALEZ-Rosales' decision and that they were okay with it if GONZALEZ-Rosales was. GONZALEZ-Rosales then replied, "That's fine with me."

**LOGAN A
VOGEL**

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Logan Vogel
Special Agent
Homeland Security Investigations

Sworn to before me and subscribed telephonically on this 28th of January, 2026.

M Morrissey
HONORABLE MICHAEL T. MORRISSEY
United States Magistrate Judge