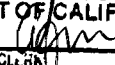


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6 Attorneys for Plaintiff
7 United States of America

8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,
12 Plaintiff,

13 v.

14 ANDREW KIMURA,
PAVITAR DOSANGH SINGH,
15 aka "Peter Singh,"
aka "Pavitar Dosanjh Singh,"
16 MANGAL GILL, and
ROBERT TURCHIN,
17 Defendants.

CASE NO. 2:15 - CR - 0161 KJM

VIOLATIONS: 18 U.S.C. § 371 – Conspiracy to
Commit Bribery and to Commit Identity Fraud (3
counts); 18 U.S.C. § 666(a)(1)(B) – Bribery
Concerning Programs Receiving Federal Funds (1
count); 18 U.S.C. § 666(a)(2) – Bribery Concerning
Programs Receiving Federal Funds (1 count); 18
U.S.C. § 1028(a)(1) – Fraud in Connection with
Identification Documents (12 counts); 18 U.S.C. §§
981(a)(1)(C), 982(a)(2)(B) and 1028(b)(5) and 28
U.S.C. § 2461(c) – Criminal Forfeiture

19 INDICTMENT

20 COUNT ONE: [18 U.S.C. § 371 – Conspiracy to Commit Bribery and to Commit Identity Fraud]

21 The Grand Jury charges

22 ANDREW KIMURA,
23 PAVITAR DOSANGH SINGH,
aka "Peter Singh,"
24 aka "Pavitar Dosanjh Singh," and
MANGAL GILL

25
26 defendants herein, as follows:

27 1. Beginning in or about June 2011, and continuing through in or about March 2015, in the
28 Counties of Sacramento, Stanislaus, and San Joaquin, State and Eastern District of California, and

1 elsewhere, defendants ANDREW KIMURA, PAVITAR DOSANGH SINGH, aka “Peter Singh” aka
 2 “Pavitar Dosanjh Singh,” and MANGAL GILL did knowingly and intentionally conspire with each
 3 other, and with Emma Klem and Kulwinder Dosanjh Singh aka “Sandhu” aka “Sodhi,” both charged
 4 elsewhere, and with others known and unknown to the Grand Jury, to commit bribery concerning
 5 programs receiving federal funds, in violation of Title 18, United States Code, Sections 666(a)(1)(B) and
 6 666(a)(2), and to commit identity fraud, in violation of Title 18, United States Code, Section 1028(a)(1).

7 I. PARTIES AND RELEVANT ENTITIES

8 At all relevant times:

9 2. The California Department of Motor Vehicles (“DMV”) was a political subdivision and
 10 agency of the State of California that registered vehicles in California and licensed California drivers.
 11 The DMV also issued identification cards for individuals in California. The DMV was funded by
 12 vehicle registration and licensing fees paid by residents and licensees of the State of California. The
 13 DMV also received federal grants, including the following grant money:

| <u>Fiscal Year (July 1 – June 30)</u> | <u>Total Approximate Amount of Federal Funds</u> |
|---------------------------------------|--|
| 2011-2012 | \$2,500,000 |
| 2012-2013 | \$726,000 |
| 2013-2014 | \$4,000,000 |
| 2014-2015 | \$800,000 |

19 3. The DMV issued various classes of California driver’s licenses (“CDLs”) based primarily
 20 on the type of vehicle to be operated, including Class A and Class B, which were commercial CDLs, and
 21 Class C, which was a general CDL.

22 4. A Class A commercial CDL licensed a driver to operate motor vehicles weighing more
 23 than 26,001 pounds, including vehicles that tow trailers or more than one vehicle, and vehicles that
 24 transport hazardous waste.

25 5. A Class B commercial CDL also licensed a driver to operate vehicles that weigh more
 26 than 26,001 pounds, but because of the towing capacity requirements, only drivers with a Class A CDL
 27 were permitted to drive an 18-wheel tractor trailer. In contrast, a Class B CDL licensed a driver to
 28 operate a straight truck or bus, but did not allow the driver to pull a tractor trailer.

1 6. A Class C CDL licensed a driver to operate a motor vehicle weighing less than 26,000
2 pounds, including ordinary passenger cars.

3 7. The issuance of a Class A, Class B, or Class C CDL affected interstate commerce in that,
4 among other effects, the licenses enabled recipients to drive passenger cars and commercial vehicles in
5 other states and on interstate highways.

6 8. To obtain a CDL, an applicant was required to pay an application fee and, for Class A or
7 Class B CDLs, a medical certification. After submission of the fee and, if necessary, medical
8 certification, an electronic record was generated in the DMV's computer database for the applicant.

9 9. Thereafter, the applicant was required to pass one or more written examinations based on
10 the type of license. The DMV administered written examinations at most DMV locations.

11 10. After an individual passed the necessary written examinations for a Class A, Class B, or
12 Class C CDL, a DMV employee would access the DMV's computer database for the applicant's
13 electronic DMV record and input the results. Passing the written examination would typically result in a
14 permit being issued for the applicant allowing the applicant to operate the vehicle under defined
15 conditions.

16 11. The behind-the-wheel driving test was administered by a Licensing-Registration
17 Examiner ("LRE") for the DMV. The DMV administered the behind-the-wheel driving examinations
18 for Class A and Class B commercial CDLs at select DMV locations in California, including Salinas,
19 California. In contrast, the DMV typically administered behind-the-wheel driving examinations for a
20 Class C general CDL at most DMV locations.

21 12. After the applicant passed the requisite behind-the-wheel driving examination
22 administered by the LRE for the Class A, Class B, or Class C CDL, an employee of the DMV would
23 access the DMV's computer database for the applicant's electronic record and input the results. The
24 DMV would then issue the licensee a temporary license from the office where the behind-the-wheel
25 driving examination was administered.

26 13. Thereafter, an official, hard plastic CDL was printed in Sacramento, California, and was
27 then mailed to the licensee through the United States mail to an address identified in the licensee's
28 application.

1 14. ANDREW KIMURA was an employee of the DMV, and worked as an LRE in the
2 DMV's office in Sacramento, California. KIMURA's job duties as an LRE included, but were not
3 limited to, administering the written examinations for Class A, Class B, and Class C CDLs;
4 administering the behind-the-wheel driving examinations for Class C CDLs; processing driver's license
5 applications for Class A, Class B, and Class C CDLs; and processing applications for identification
6 cards.

7 15. Emma Klem, charged elsewhere, was an employee of the DMV, and worked as a motor
8 vehicle representative ("MVR") in the DMV's office in Salinas, California. Klem's job duties as an
9 MVR included, but were not limited to processing driver's license applications for Class A, Class B, and
10 Class C CDLs; and processing applications for identifications cards.

11 16. PAVITAR DOSANGH SINGH, aka "Peter," aka "Pavitar Dosanjh Singh" ("PAVITAR
12 DOSANGH"), was a resident of Sacramento, California, and owned and operated a truck driving school
13 in Sacramento, California. PAVITAR DOSANGH also acted as a broker to assist individuals in
14 obtaining Class A, Class B, and Class C CDLs.

15 17. Kulwinder Dosanjh Singh, aka "Sandhu," aka "Sodhi" ("Kulwinder Dosanjh"), charged
16 elsewhere, was a resident of Turlock, California, and owned and operated a truck driving school in
17 Turlock, California. Kulwinder Dosanjh also acted as a broker to assist individuals in obtaining Class
18 A, Class B, and Class C CDLs.

19 18. MANGAL GILL was a resident of San Ramon, California, and owned and operated the
20 Central Truck Driving School, which had branches in Union City, Lathrop, and Fresno, California.
21 GILL also owned the Salinas Valley Truck School, in Salinas, California. GILL also acted as a broker
22 to assist individuals in obtaining Class A, Class B, and Class C CDLs and acted as an intermediary
23 between Kulwinder Dosanjh and Emma Klem.

24 II. OBJECTS OF THE CONSPIRACY

25 19. The objects of the conspiracy were to obtain Class A CDLs for individuals who had not
26 taken or passed the necessary DMV examinations in return for the payment of money to employees of
27 the DMV, in violation of Title 18, United States Code, Sections 666(a)(1)(B) and 666(a)(2), and to
28

1 produce identification documents without lawful authority, in violation of Title 18, United States Code,
2 Section 1028(a)(1).

3 III. THE MANNERS AND MEANS OF THE CONSPIRACY

4 The objects of the conspiracy were carried out, in substance, as follows:

5 20. In summary, defendant PAVITAR DOSANGH and Kulwinder Dosanjh offered to
6 individuals that, in exchange for the payment of money, they could obtain for the individuals Class A
7 commercial CDLs without the individuals taking or passing the requisite DMV examinations.
8 PAVITAR DOSANGH and Kulwinder Dosanjh then paid or caused to be paid, through MANGAL
9 GILL and others, money to defendant ANDREW KIMURA, Emma Klem, and others in return for
10 KIMURA, Klem, and others accessing the DMV's computer database and altering individuals'
11 electronic DMV records to fraudulently and incorrectly indicate that the individuals had passed
12 examinations that, in truth and in fact, the individuals had not taken or passed. These incorrect and
13 fraudulent entries into the DMV database caused the DMV to issue Class A CDLs to individuals who
14 were not qualified to receive such licenses.

15 21. Beginning in or about June 2011, PAVITAR DOSANGH solicited and recruited
16 individuals, many of whom were students of PAVITAR DOSANGH's truck driving school, to pay
17 \$1,500 or more to PAVITAR DOSANGH in return for PAVITAR DOSANGH having a contact at the
18 DMV access the DMV database and alter the individual's record to fraudulently and incorrectly indicate
19 that the individual had passed the written examination for Class A CDLs, without the individual having
20 to take the written examination.

21 22. Based on these solicitations, individuals paid money to PAVITAR DOSANGH for the
22 purpose of obtaining Class A CDLs without having to take or pass the written examination.

23 23. PAVITAR DOSANGH, through an intermediary, paid ANDREW KIMURA money for
24 accessing the DMV computer database and altering individuals' electronic DMV records to fraudulently
25 and incorrectly indicate that individuals had passed the written examinations for Class A CDLs.

26 24. ANDREW KIMURA, in return for these payments and without authorization, repeatedly
27 accessed the DMV's computer database and altered electronic DMV records to fraudulently and
28 incorrectly indicate that individuals had passed the written examinations for Class A CDLs, when, in

1 truth and in fact, the individuals had not taken or passed the written examinations.

2 25. PAVITAR DOSANGH further solicited and recruited individuals to pay Kulwinder
3 Dosanjh in return for Kulwinder Dosanjh arranging to have a DMV contact access the DMV database
4 and fraudulently and incorrectly indicate that the individual had passed the behind-the-wheel driving
5 examination necessary for Class A CDLs, without the individual taking that examination.

6 26. At PAVITAR DOSANGH's instruction, individuals paid money to Kulwinder Dosanjh,
7 typically \$5,000 or more, for the purpose of obtaining Class A CDLs without having to take or pass the
8 behind-the-wheel examination.

9 27. Kulwinder Dosanjh, through MANGAL GILL, paid Emma Klem money for accessing
10 the DMV computer database and altering individuals' electronic DMV records to fraudulently and
11 incorrectly indicate that the individuals had passed the behind-the-wheel driving examination for Class
12 A CDLs.

13 28. Emma Klem, in return for these payments and without authorization, repeatedly accessed
14 the DMV computer database and altered electronic DMV records to fraudulently and incorrectly
15 indicate that individuals had passed the behind-the-wheel driving examination for Class A CDLs when,
16 in truth and in fact, the individuals had not taken or passed the behind-the-wheel driving examination for
17 the CDLs.

18 IV. THE OVERT ACTS IN FURTHERANCE OF THE CONSPIRACY

19 29. In furtherance of the conspiracy and to accomplish its objects, ANDREW KIMURA,
20 PAVITAR DOSANGH, MANGAL GILL, Kulwinder Dosanjh, and Emma Klem, and others known and
21 unknown to the Grand Jury, committed and caused to be committed the following overt acts, among
22 others, in the State and Eastern District of California and elsewhere:

23 30. On or about September 23, 2011, PAVITAR DOSANGH met with an individual
24 (hereinafter "Person A") and received ^{\$2000} ~~\$1,200~~ from Person A in exchange for PAVITAR DOSANGH
25 having ANDREW KIMURA access the DMV database and fraudulently and incorrectly indicate that
26 Person A had passed the written examination for a Class A CDL without Person A having to take or
27 pass the examination.
28

1 31. On or about January 14, 2013, KIMURA, without authorization, altered the electronic
2 DMV record for Person A to fraudulently and incorrectly indicate that Person A had taken and passed
3 the written examination for a Class A CDL.

4 32. On or about January 14, 2013, KIMURA met with Person A at the Sacramento DMV and
5 issued to Person A a Class A permit indicating that Person A had passed the written examination for a
6 Class A CDL.

7 33. On or about January 14, 2013, PAVITAR DOSANGH met with Person A and received
8 an additional \$1,200 from Person A in exchange for having PAVITAR DOSANGH's contact at DMV
9 access the DMV database and fraudulently and incorrectly indicate that Person A had passed the behind-
10 the-wheel driving examination for a Class A CDL without Person A having to take or pass the
11 examination.

12 34. On or about April 10, 2013, Kulwinder Dosanjh met with Person A and received \$5,000
13 from Person A in exchange for having a DMV employee access the DMV database and fraudulently and
14 incorrectly indicate that Person A had passed the behind-the-wheel driving examination for a Class A
15 CDL without Person A having to take the examination.

16 35. On or about May 31, 2013, Kulwinder Dosanjh met with Person A and returned \$5,000 to
17 Person A because of the delay in obtaining a Class A CDL for Person A. Kulwinder Dosanjh
18 represented to Person A that he (Dosanjh) would continue to work to get a Class A CDL for Person A
19 and that Person A would pay Kulwinder Dosanjh \$5,000 when the license was issued.

20 36. On or about June 18, 2013, Emma Klem, without authorization, altered the electronic
21 DMV record for Person A to fraudulently and incorrectly indicate that Person A had taken and passed
22 the behind-the-wheel driving examination.

23 37. On or about June 26, 2013, Kulwinder Dosanjh met with Person A and received \$5,000
24 from Person A in exchange for Person A's receipt of the Class A CDL.

25 38. In or about July 2013, PAVITAR DOSANGH met with Person A and received \$1,500
26 from Person A to have the written examination for a Class A CDL passed for Person A's brother
27 (hereinafter "Person B") without Person B having to take or pass the written examination for a Class A
28 CDL.

1 39. On or about August 7, 2013, ANDREW KIMURA, without authorization, altered the
2 electronic DMV record for Person B to fraudulently and incorrectly indicate that Person B had taken and
3 passed the written examination for a Class A CDL.

4 40. On or about November 25, 2013, Emma Klem, without authorization, altered the
5 electronic DMV record for Person B to fraudulently and incorrectly indicate that Person B had taken and
6 passed the behind-the-wheel driving examination.

7 41. On or about December 11, 2013, Kulwinder Dosanjh met with Person A and received
8 \$5,000 from Person A in exchange for Person B's receipt of the Class A CDL.

9 42. In or about May 2014, PAVITAR DOSANGH met with Person A and instructed Person
10 A to pay \$1,500 to have the written examination for a Class A CDL passed for Person A's associate
11 (hereinafter "Person C").

12 43. On or about May 22, 2014, ANDREW KIMURA, without authorization, altered the
13 electronic DMV record for Person C to fraudulently and incorrectly indicate that Person C had taken and
14 passed the written examination for a Class A CDL.

15 44. On or about June 3, 2014, Kulwinder Dosanjh met with Person A and received \$5,500
16 from Person A to obtain a Class A CDL for Person C without Person C having to take or pass the
17 behind-the-wheel driving examination for a Class A CDL.

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

19
20 COUNT TWO: [18 U.S.C. § 371 – Conspiracy to Commit Bribery and to Commit Identity Fraud]

21 The Grand Jury further charges

22 ROBERT TURCHIN, and
23 MANGAL GILL

24 defendants herein, as follows:

25 1. Beginning in or about July 2012, and continuing through in or about April 2015, in the
26 County of San Joaquin, State and Eastern District of California, and elsewhere, defendants ROBERT
27 TURCHIN and MANGAL GILL did knowingly and intentionally conspire with each other, and with
28 Emma Klem, charged elsewhere, and with others known and unknown to the Grand Jury, to commit

1 bribery concerning programs receiving federal funds, in violation of Title 18, United States Code,
2 Sections 666(a)(1)(B) and 666(a)(2), and to commit identity fraud, in violation of Title 18, United States
3 Code, Section 1028(a)(1).

4 I. PARTIES AND RELEVANT ENTITIES

5 2. Paragraphs 2 through 13, 15, and 18 of Count 1 are hereby incorporated by reference.

6 3. At all relevant times, ROBERT TURCHIN was an employee of the California DMV and
7 was as an LRE at the DMV office in Salinas, California. TURCHIN's job duties as an LRE included,
8 but were not limited to, administering the written and behind-the-wheel driving examinations for Class
9 A and Class B CDLs; the processing of driver's license and identification card applications including
10 Class A and Class B commercial CDLs and Class C general CDLs; and other duties as assigned.

11 II. OBJECTS OF THE CONSPIRACY

12 4. The objects of the conspiracy were to obtain Class A and Class B CDLs for individuals
13 who had not taken or passed the necessary DMV examinations in return for payment of money to
14 employees of the DMV, in violation of Title 18, United States Code, Sections 666(a)(1)(B) and
15 666(a)(2), and to produce identification documents without lawful authority, in violation of Title 18,
16 United States Code, Section 1028(a)(1).

17 III. THE MANNERS AND MEANS OF THE CONSPIRACY

18 The objects of the conspiracy were carried out, in substance, as follows:

19 5. In summary, defendant MANGAL GILL offered to individuals that, in exchange for the
20 payment of money, he could obtain for the individuals Class A or Class B CDLs without the individuals
21 taking or passing the requisite DMV examinations. GILL then paid money to defendant ROBERT
22 TURCHIN; Emma Klem, who is charged elsewhere; and others in return for Klem, TURCHIN, and
23 others accessing the DMV's computer database and altering individuals' electronic DMV records to
24 fraudulently and incorrectly indicate that individuals had passed examinations that, in truth and in fact,
25 the individuals had not taken or passed. The incorrect and fraudulent entries into the DMV database
26 caused the DMV to issue Class A and Class B CDLs to individuals who were not qualified to receive
27 such licenses.

1 6. Beginning in at least July 2012, GILL solicited and recruited individuals, many of whom
2 were students of GILL's truck driving school, to pay money to GILL in return for GILL providing the
3 individuals with the answers to the written examinations used by the DMV or to have a contact at the
4 DMV access the DMV database and alter the individual's record to fraudulently indicate that the
5 individual had passed the written examination for Class A and Class B CDLs without the individual
6 having to take the written examination.

7 7. Beginning in at least July 2012, GILL further solicited and recruited individuals to pay
8 him more money, up to \$5,000, in return for GILL arranging to have contacts at the DMV access the
9 DMV database and alter the individual's record to fraudulently and incorrectly indicate that the
10 individual passed both the written and the behind-the-wheel driving examinations necessary for Class A
11 and Class B CDLs without the individuals taking any examinations.

12 8. GILL instructed individuals to intentionally fail the DMV written examination so that an
13 electronic record would be generated for the individual. GILL further instructed individuals to submit
14 medical certifications.

15 9. Individuals paid money to GILL for the purpose of obtaining Class A or Class B CDLs,
16 including at times \$5,000, without having to pass the written or behind-the-wheel driving examinations
17 for issuance of Class A or Class B CDLs.

18 10. GILL paid TURCHIN, Klem and others money in exchange for them accessing the DMV
19 computer database and altering individuals' electronic DMV records to fraudulently and incorrectly
20 indicate that individuals had passed the written and the behind-the-wheel driving examinations for Class
21 A CDLs and Class B CDLs.

22 11. ROBERT TURCHIN, in return for these payments and without authorization, repeatedly
23 accessed the DMV computer database and altered electronic DMV records to fraudulently and
24 incorrectly indicate that individuals had passed the written examinations for Class A and Class B CDLs
25 when, in truth and in fact, individuals had not taken or passed the written examinations for Class A or
26 Class B CDLs.

27 12. Emma Klem, charged elsewhere, in return for these payments without authorization,
28 repeatedly accessed the DMV computer database and altered electronic DMV records to fraudulently

1 and incorrectly indicate that individuals had passed the behind-the-wheel driving examinations for Class
2 A and Class B CDLs when, in truth and in fact, individuals had not taken or passed the behind-the-wheel
3 driving examinations for Class A or Class B CDLs.

4 IV. THE OVERT ACTS IN FUTUREANCE OF THE CONSPIRACY

5 13. In furtherance of the conspiracy and to accomplish its objects, defendants MANGAL
6 GILL, ROBERT TURCHIN, Emma Klem, and others known and unknown to the Grand Jury,
7 committed and caused to be committed the following overt acts, among others, in the State and Eastern
8 District of California and elsewhere:

9 14. On or about May 29, 2013, GILL met with an individual (hereinafter "Person D") at
10 which time GILL instructed Person D that, if Person D paid GILL \$2,800, GILL would arrange for
11 Person D to obtain a Class A CDL without having to take or pass the behind-the-wheel driving
12 examination.

13 15. On or about August 23, 2013, Person D deposited \$2,800 into a bank account specified
14 by GILL.

15 16. On or about December 2, 2013, Klem, without authorization, altered the electronic DMV
16 record for Person D to fraudulently and incorrectly indicate that Person D had taken and passed the
17 behind-the-wheel driving examination for a Class A CDL.

18 17. On or about December 13, 2013, Person D met with GILL and GILL provided Person D
19 with an interim Class A CDL.

20 18. At the same meeting on or about December 13, 2013, GILL offered to obtain a Class A
21 CDL for an associate of Person D (hereinafter "Person E") if Person D paid GILL \$5,000.

22 19. On or about December 17, 2013, Person D deposited \$2,500 into the same bank account
23 for GILL to obtain a Class A CDL for Person E.

24 20. Thereafter, on or about December 18, 2013, Person D met with GILL and paid GILL an
25 additional \$2,500 for a total of \$5,000 to pass the written and the behind-the-wheel driving examinations
26 for a Class A CDL for Person E without Person E having to take the examinations.

27 21. On or about December 18, 2013, TURCHIN, without authorization, altered the electronic
28 DMV record for Person E to fraudulently and incorrectly indicate that Person E had taken and passed

1 the written examination for a Class A CDL.

2 22. On or about January 22, 2014, Klem, without authorization, altered the electronic DMV
3 record for Person E to fraudulently and incorrectly indicate that Person E had taken and passed the
4 behind-the-wheel driving examination for a Class A CDL.

5 23. On or about March 13, 2014, Person D deposited \$3,500 into the same bank account for
6 GILL in order to obtain a Class B CDL for another associate of Person D (hereinafter "Person F").

7 24. On or about March 14, 2014, TURCHIN, without authorization, altered the electronic
8 DMV record for Person F to fraudulently and incorrectly indicate that Person F had taken and passed the
9 written examination for a Class B CDL.

10 25. On or about March 25, 2014, GILL instructed that Person F should submit a medical
11 certificate to the DMV.

12 26. On or about April 29, 2014, Klem, without authorization, altered the electronic DMV
13 record for Person F to fraudulently and incorrectly indicate that Person F had taken and passed the
14 behind-the-wheel driving examination for a Class B CDL.

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

16
17 COUNT THREE: [18 U.S.C. § 371 – Conspiracy to Commit Bribery and to Commit Identity Fraud]

18 The Grand Jury further charges

19 ANDREW KIMURA, and
20 PAVITAR DOSANGH SINGH,
21 aka "Peter Singh,"
aka "Pavitar Dosanjh Singh,"

22 defendants herein, as follows:

23 1. Beginning in or about April 1, ²⁰¹⁵~~2013~~, and continuing through at least July 2015, in the
24 County of Sacramento, State and Eastern District of California, and elsewhere, defendants ANDREW
25 KIMURA and PAVITAR DOSANGH SINGH aka "Peter Singh" aka "Pavitar Dosanjh Singh"
26 (hereinafter "PAVITAR DOSANGH") did knowingly and intentionally conspire with each other, and
27 with others known and unknown to the Grand Jury, to commit bribery concerning programs receiving
28

1 federal funds, in violation of Title 18, United States Code, Sections 666(a)(1)(B) and 666(a)(2), and to
2 commit identity fraud, in violation of Title 18, United States Code, Section 1028(a)(1).

3 I. PARTIES AND RELEVANT ENTITIES

4 2. Paragraphs 2 through 13, 14, 16, and 21 through 24 of Count One are hereby
5 incorporated by reference.

6 3. In most cases, after a licensee obtained a Class A or Class B CDL, the licensee was
7 permitted to renew the license by submitting a medical examination every two years and taking and
8 passing vision and written tests periodically.

9 II. OBJECTS OF THE CONSPIRACY

10 4. The objects of the conspiracy were to obtain Class C CDLs for individuals who had not
11 taken or passed the necessary DMV examinations; to obtain Class A CDLs for individuals who had not
12 taken or passed the written examination for Class A CDLs; and to obtain renewals for Class A and Class
13 B CDLs without completing the necessary requirements in return for payment of money to employees of
14 the DMV, in violation of Title 18, United States Code, Sections 666(a)(1)(B) and 666(a)(2), and to
15 produce identification documents without lawful authority, in violation of Title 18, United States Code,
16 Section 1028(a)(1).

17 III. THE MANNERS AND MEANS OF THE CONSPIRACY

18 The objects of the conspiracy were carried out, in substance, as follows:

19 5. In summary, defendant PAVITAR DOSANGH offered to individuals that, in exchange
20 for payment of money, he could obtain for individuals Class C CDLs without the individuals taking or
21 passing the requisite written or behind-the-wheel driving examinations, or could have the individuals'
22 DMV records altered to indicate that they had passed the written examination for a Class A CDL
23 without taking the examination, or have DMV records altered to indicate that existing Class A or Class
24 B CDLs were renewed without completing the necessary requirements for renewal. PAVITAR
25 DOSANGH then paid or caused to be paid money to defendant ANDREW KIMURA through an
26 intermediary (hereinafter "Person G") for KIMURA to access the DMV's computer database and alter
27 individuals' electronic DMV records to fraudulently and incorrectly indicate that applicants had passed
28 examinations for Class C CDLs, or had passed the written examination for Class A CDLs, or had

1 fulfilled the requirements for a Class A or Class B CDL renewal. These incorrect and fraudulent entries
2 in the DMV database caused the DMV to issue CDLs to individuals who were not qualified to receive
3 such licenses.

4 6. Beginning in or about April 2015, individuals paid money to PAVITAR DOSANGH for
5 the purpose of obtaining Class C CDLs without having to take the written and/or the behind-the-wheel
6 driving examinations for issuance of Class C CDLs, for having the written portion of the Class A
7 commercial CDL passed without having to take the test, and for obtaining renewals of their Class A and
8 Class B CDLs without completing the necessary requirements.

9 7. PAVITAR DOSANGH, through Person G, paid KIMURA money for accessing the
10 DMV computer database and altering individuals' electronic DMV records to fraudulently and
11 incorrectly indicate that individuals had passed the written examinations for Class A CDLs, to
12 fraudulently and incorrectly indicate that individuals had passed the written and behind-the-wheel
13 driving examinations for Class C CDLs, and to fraudulently and incorrectly renew Class A and Class B
14 CDLs without individuals having completed the necessary requirements.

15 8. ANDREW KIMURA, in return for these payments and without authorization, accessed
16 and altered electronic DMV records to fraudulently and incorrectly indicate that individuals had passed
17 the written and behind-the-wheel driving examinations for Class C CDLs, or had completed the
18 necessary requirements for renewal of Class A or Class B CDLs when, in truth and in fact, individuals
19 had not taken or passed the behind-the-wheel driving examinations for Class C CDLs or had not
20 completed the necessary requirements for renewal of Class A or Class B CDLs.

21 9. Between April 1, 2015, and July 16, 2015, KIMURA accessed and fraudulently altered
22 DMV records for approximately 20 individuals at the request of and in return for payment or the
23 promise of payment from PAVITAR DOSANGH.

24 IV. THE OVERT ACTS IN FURTHERANCE OF THE CONSPIRACY

25 10. In furtherance of the conspiracy and to accomplish its objects, defendants ANDREW
26 KIMURA, PAVITAR DOSANGH, and others known and unknown to the Grand Jury, committed and
27 caused to be committed the following overt acts, among others, in the State and Eastern District of
28 California and elsewhere:

1 11. On or about June 3, 2015, PAVITAR DOSANGH met with Person G and provided
2 \$2,300 to Person G, with \$1,100 of the \$2,300 to be paid to KIMURA for four CDLs for which
3 KIMURA had accessed the DMV's database and fraudulently altered the individuals' records.

4 12. At the same meeting on or about June 3, 2015, PAVITAR DOSANGH provided Person
5 G with the information of five additional individuals for KIMURA to access the DMV's database and to
6 fraudulently and incorrectly alter the individuals' records.

7 13. On or about June 3, 2015, KIMURA received \$1,100 from Person G in exchange for
8 KIMURA accessing the DMV's database and fraudulently and incorrectly altering the records for four
9 CDLs.

10 14. On or about June 10, 2015, PAVITAR DOSANGH met with Person G and provided
11 \$3,400 to Person G, with \$1,700 of the \$3,400 to be paid to KIMURA for five CDLs for which
12 KIMURA had accessed the DMV's database and fraudulently and incorrectly altered the individuals'
13 records.

14 15. At the same meeting on or about June 10, 2015, PAVITAR DOSANGH provided Person
15 G with the information of three additional individuals for KIMURA to access the DMV's database and
16 to fraudulently and incorrectly alter the individuals' records.

17 16. On or about June 11, 2015, KIMURA received \$1,400 from Person G in exchange for
18 KIMURA accessing the DMV's database and fraudulently and incorrectly altering the records for four
19 CDLs.

20 17. On or about July 2, 2015, PAVITAR DOSANGH provided Person G with the
21 information of three individuals for KIMURA to access the DMV's database and to fraudulently and
22 incorrectly alter the individuals' records.

23 18. On or about July 6, 2015, PAVITAR DOSANGH met with Person G and provided
24 \$1,800 to Person G, with \$900 of the \$1,800 to be paid to KIMURA for three CDLs for which
25 KIMURA had accessed the DMV's database and fraudulently and incorrectly altered the individuals'
26 records.

1 19. At the same meeting on or about July 6, 2015, PAVITAR DOSANGH provided Person G
2 with the information of nine additional individuals for KIMURA to access the DMV's database and to
3 fraudulently and incorrectly alter the individuals' records.

4 20. On or about July 6, 2015, KIMURA received \$300 from Person G for accessing the
5 DMV's database and fraudulently and incorrectly altering the record for one CDL.

6 21. On or about July 10, 2015, KIMURA received \$900 from Person G for accessing the
7 DMV's database and fraudulently and incorrectly altering the records for three CDLs.

8 22. On or about July 16, 2015, KIMURA received \$1,300 from Person G for accessing the
9 DMV's database and fraudulently and incorrectly altering the records for five CDLs.

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

11
12 COUNT FOUR: [18 U.S.C. § 666(a)(1)(B) – Bribery Concerning Programs Receiving Federal Funds]

13 The Grand Jury further charges:

14 ANDREW KIMURA

15 defendant herein, as follows:

16 1. Paragraphs 2 through 13, 14, 16, and 21 through 24 of Count One and Paragraphs 7
17 through 10 and 12 through 22 of Count Three are hereby incorporated by reference.

18 2. At all times material to this indictment, the California Department of Motor Vehicles was
19 an agency of the State of California that received federal assistance in excess of \$10,000 during the one-
20 year period beginning July 1, 2014, and ending June 30, 2015.

21 3. Defendant ANDREW KIMURA was an agent of the DMV, whose duties included, but
22 were not limited to, administering the written examinations for Class A, Class B, and Class C CDLs;
23 administering the behind-the-wheel driving examinations for Class C CDLs; processing driver's license
24 applications for Class A, Class B, and Class C CDLs; and other duties as assigned.

25 4. Between on or about May 6, 2015, and July 16, 2015, in the State and Eastern District of
26 California, defendant KIMURA did corruptly accept and agree to accept a thing of value from a person,
27 intending to be influenced and rewarded in connection with a transaction and series of transactions of
28 the DMV valued at \$5,000 or more, in violation of Title 18, United States Code section 666(a)(1)(B).

1 COUNT FIVE: [18 U.S.C. § 666(a)(2) – Bribery Concerning Programs Receiving Federal Funds]

2 The Grand Jury further charges:

3 PAVITAR DOSANGH SINGH,
4 aka “Peter Singh,”
5 aka “Pavitar Dosanjh Singh,”

6 defendant herein, as follows:

7 1. Paragraphs 2 through 13, 14, 16, and 21 through 24 of Count One and Paragraphs 7
8 through 10 and 12 through 22 of Count Three are hereby incorporated by reference.

9 2. At all times material to this indictment, the California Department of Motor Vehicles was
10 an agency of the State of California that received federal assistance in excess of \$10,000 during the one-
11 year period beginning July 1, 2014, and ending June 30, 2015.

12 3. Andrew Kimura was an agent of the DMV, whose duties included, but were not limited
13 to, administering the written examinations for Class A, Class B, and Class C CDLs; administering the
14 behind-the-wheel driving examinations for Class C CDLs; processing driver’s license applications
15 including, Class A, Class B, and Class C CDLs; and other duties as assigned.

16 4. Between on or about May 6, 2015, and July 16, 2015, in the State and Eastern District of
17 California, defendant PAVITAR DOSANGH SINGH did corruptly give, offer, and agree to give a thing
18 of value to Andrew Kimura intending to influence and reward Kimura in connection with a transaction
19 and series of transactions of DMV valued at \$5,000 or more, in violation of Title 18, United States Code
20 Section 2 & Section 666(a)(2).

21 COUNTS SIX AND SEVEN: [18 U.S.C. § 1028(a)(1) – Fraud Involving Identification Documents]

22 The Grand Jury further charges:

23 ANDREW KIMURA,
24 PAVITAR DOSANGH SINGH,
25 aka “Peter Singh,”
26 aka “Pavitar Dosanjh Singh,” and
27 MANGAL GILL

28 defendants herein, as follows:

1. Paragraphs 2 through 18, 20 through 28, and 30 through 44 of Count One are hereby
incorporated by reference.

2. On or about the dates below, in the State and Eastern District of California and elsewhere, Emma Klem, charged elsewhere, and defendants ANDREW KIMURA, PAVITAR DOSANGH SINGH, and MANGAL GILL did knowingly and without lawful authority induce and cause the production of an identification document, to wit, a California driver’s license, the production of which was in and affected interstate commerce, and the driver’s license was transported in the United States mail in the course of the unauthorized production:

| <u>Count</u> | <u>Type of Document</u> | <u>Identification Number</u> | <u>Date</u> |
|--------------|-------------------------|------------------------------|-------------------|
| 6 | Class A CDL | Bxxxx385 | June 20, 2013 |
| 7 | Class A CDL | Dxxxx534 | November 27, 2013 |

In violation of Title 18, United States Code, Section 2 and Section 1028(a)(1).

COUNTS EIGHT THROUGH TEN: [18 U.S.C. § 1028(a)(1) – Fraud Involving Identification Documents]

The Grand Jury further charges:

ROBERT TURCHIN, and
MANGAL GILL

defendants herein, as follows:

1. Paragraphs 2 through 13, 15, and 18 of Count One and Paragraphs 3, 5 through 12, and 14 through 26 of Count Two are hereby incorporated by reference.

2. On or about the dates below, in the State and Eastern District of California and elsewhere, Emma Klem, charged elsewhere, and defendants ROBERT TURCHIN and MANGAL GILL did knowingly and without lawful authority induce and cause the production of an identification document, to wit, a California driver’s license, the production of which was in and affected interstate commerce, and the driver’s license was transported in the United States mail in the course of the unauthorized production:

| <u>Count</u> | <u>Type of Document</u> | <u>Identification Number</u> | <u>Date</u> |
|--------------|-------------------------|------------------------------|-------------------|
| 8 | Class A CDL | Bxxxx542 | December 11, 2013 |
| 9 | Class A CDL | Fxxxx108 | January 24, 2014 |

| | | | |
|----|-------------|----------|-------------|
| 10 | Class B CDL | Fxxxx493 | May 1, 2014 |
|----|-------------|----------|-------------|

In violation of Title 18, United States Code, Section 2 and Section 1028(a)(1).

COUNTS ELEVEN THROUGH SIXTEEN: [18 U.S.C. § 1028(a)(1) – Fraud Involving Identification Documents]

The Grand Jury further charges:

ANDREW KIMURA, and
PAVITAR DOSANGH SINGH,
aka “Peter” Singh,

defendants herein, as follows:

1. Paragraphs 2 through 13, 14 and 16, and 21 through 24 of Count One and Paragraphs 3, 6 through 10, and 12 through 22 of Count Three are hereby incorporated by reference.

2. On or about the dates below, in the State and Eastern District of California and elsewhere, defendants ANDREW KIMURA and PAVITAR DOSANGH SINGH did knowingly and without lawful authority induce and cause the production of an identification document, to wit, a California driver’s license, the production of which was in and affected interstate commerce, and the driver’s license was transported in the United States mail in the course of the unauthorized production:

| Count | Type of Document | Identification Number | Date |
|-------|------------------|-----------------------|---------------|
| 11 | Class C CDL | Yxxxx844 | April 3, 2015 |
| 12 | Class C CDL | Dxxxx489 | April 3, 2015 |
| 13 | Class A Renewal | Dxxxx645 | May 28, 2015 |
| 14 | Class B Renewal | Bxxxx550 | May 28, 2015 |
| 15 | Class C CDL | Yxxxx656 | June 10, 2015 |
| 16 | Class A Renewal | Fxxxx245 | June 13, 2015 |

In violation of Title 18, United States Code Section, 2 and Section 1028(a)(1).

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1 COUNT SEVENTEEN: [18 U.S.C. § 1028 – Fraud Involving Identification Documents]

2 The Grand Jury further charges: THAT

3 ANDREW KIMURA

4 defendant herein, on or about May 8, 2015, in the State and Eastern District of California and elsewhere,
5 did without lawful authority induce and cause the production of an identification document, to wit, a
6 Class C CDL with the identification number Dxxxx551, the production of which was in and affected
7 interstate commerce, and the driver's license was transported in the United States mail in the course of
8 the unauthorized production, in violation of Title 18, United States Code, Section 2 and Section
9 1028(a)(1).

10
11 FORFEITURE ALLEGATION: [18 U.S.C. §§ 982(a)(2)(B), 981(a)(1)(C), 1028(b)(5), and 28
12 U.S.C. § 2461(c) – Criminal Forfeiture]

13 1. Upon conviction of one or more of the offenses alleged in Counts One through Five of
14 this indictment, defendants ANDREW KIMURA, ROBERT TURCHIN, PAVITAR DOSANGH
15 SINGH, and MANGAL GILL shall forfeit to the United States pursuant to 18 U.S.C. § 981(a)(1)(C) and
16 28 U.S.C. § 2461(c), all property, real and personal, which constitutes or is derived from proceeds
17 traceable to such violations, including but not limited to:

18 a. A sum of money equal to the amount of proceeds traceable to such offenses, for
19 which the defendants are convicted.

20 2. Upon conviction of one or more of the offenses alleged in Counts One through Three and
21 Six through Seventeen of this indictment, defendants ANDREW KIMURA, ROBERT TURCHIN,
22 PAVITAR DOSANGH SINGH, and MANGAL GILL shall forfeit to the United States pursuant to 18
23 U.S.C. § 982(a)(2)(B), any property constituting or derived from proceeds obtained directly or
24 indirectly, as the result of such violations, including but not limited to:

25 a. A sum of money equal to the total amount of proceeds obtained as the result of
26 the offenses, for which defendant is convicted.

27 3. Upon conviction of one or more of the offenses alleged in Counts One through Three and
28 Six through Seventeen of this Indictment, defendants ANDREW KIMURA, ROBERT TURCHIN,

1 PAVITAR DOSANGH SINGH, and MANGAL GILL shall forfeit to the United States pursuant to 18
2 U.S.C. § 1028(b)(5), any personal property used or intended to be used to commit the offenses.

3 4. If any property subject to forfeiture, as a result of the offenses alleged in Counts One
4 through Seventeen of this Indictment, for which the defendants are convicted:

- 5 a) cannot be located upon the exercise of due diligence;
- 6 b) has been transferred or sold to, or deposited with, a third party;
- 7 c) has been placed beyond the jurisdiction of the court;
- 8 d) has been substantially diminished in value; or
- 9 e) has been commingled with other property which cannot be divided without difficulty;

10 it is the intent of the United States, pursuant to 18 U.S.C. §§ 982(b)(1), 1028(g), and 28 U.S.C.
11 § 2461(c), incorporating 21 U.S.C. § 853(p), to seek forfeiture of any other property of defendants, up to
12 the value of the property subject to forfeiture.

13 A TRUE BILL.

14
15 
16 _____
FOREPERSON

16 BENJAMIN B. WAGNER
17 United States Attorney

No. _____

UNITED STATES DISTRICT COURT

Eastern District of California

Criminal Division

THE UNITED STATES OF AMERICA

vs.

ANDREW KIMURA,
PAVITAR DOSANGH SINGH,
aka "Peter Singh,"
aka "Pavitar Dosanjh Singh,"
MANGAL GILL, and
ROBERT TURCHIN

INDICTMENT

VIOLATION(S): 18 U.S.C. § 371 – Conspiracy to Commit Bribery and to Commit Identity Fraud (3 counts);
18 U.S.C. § 666(a)(1)(B) – Bribery Concerning Programs Receiving Federal Funds (1 count);
18 U.S.C. § 666(a)(2) – Bribery Concerning Programs Receiving Federal Funds (1 count);
18 U.S.C. § 1028(a)(1) – Fraud in Connection with Identification Documents (12 counts);
18 U.S.C. §§ 981(a)(1)(C), 982(a)(2)(B) and 1028(b)(5) and 28 U.S.C. § 2461(c) – Criminal Forfeiture

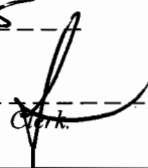
A true bill,

/s/ Signature on file w/AUSA

Foreman.

Filed in open court this 6 day

of August, A.D. 20 15



Bail, \$ Defendants Kimura & Singh - Previously Released On bond, orders to remain in effect.

Defendants Gill & Turchin - ^{2AD} Bench Warrants, Bail to be determined at hearings.

Dale A. Dyd

United States v. Andrew Kimura, et al.
Penalties for

DEFENDANTS

ANDREW KIMURA,
PAVITAR DOSANGH SINGH,
 aka "Peter Singh,"
 aka "Pavitar Dosanjh Singh,"
MANGAL GILL, and
ROBERT TURCHIN,

COUNT 1: **ANDREW KIMURA,
PAVITAR DOSANGH SINGH, and
MANGAL GILL,**

VIOLATION: 18 U.S.C. § 371 - Conspiracy to Commit Bribery and to Commit Identity Fraud

PENALTIES: A maximum of 5 years of imprisonment; or
Fine of up to \$250,000; or both fine and imprisonment
Supervised release of up to three years

COUNT 2: **ROBERT TURCHIN, MANGAL GILL**

VIOLATION: 18 U.S.C. § 371 - Conspiracy to Commit Bribery and to Commit Identity Fraud

PENALTIES: A maximum of 5 years of imprisonment; or
Fine of up to \$250,000; or both fine and imprisonment
Supervised release of up to three years

COUNT 3: **ANDREW KIMURA, PAVITAR DOSANGH SINGH**

VIOLATION: 18 U.S.C. § 371 - Conspiracy to Commit Bribery and to Commit Identity Fraud

PENALTIES: A maximum of 5 years of imprisonment; or
Fine of up to \$250,000; or both fine and imprisonment
Supervised release of up to three years

COUNT 4: **ANDREW KIMURA**

VIOLATION: 18 U.S.C. § 666(a)(1)(B) – Bribery Involving Federal Funds

PENALTIES: A maximum of 10 years of imprisonment; or
Fine of up to \$250,000; or both fine and imprisonment
Supervised release of up to three years

COUNT 5: **PAVITAR DOSANGH SINGH**

VIOLATION: 18 U.S.C. § 666(a)(2) – Bribery Involving Federal Funds

PENALTIES: A maximum of 10 years of imprisonment; or

Fine of up to \$250,000; or both fine and imprisonment
Supervised release of up to three years

**COUNTS 6-7: ANDREW KIMURA,
PAVITAR DOSANGH SINGH, and
MANGAL GILL,**

VIOLATION: 18 U.S.C. § 1028(a)(1) & § 2 – Fraud Involving Identification Documents

PENALTIES: A maximum of 15 years of imprisonment; or
Fine of up to \$250,000; or both fine and imprisonment
Supervised release of up to five years

COUNTS 8-10: ROBERT TURCHIN, MANGAL GILL

VIOLATION: 18 U.S.C. § 1028(a)(1) & § 2 – Fraud Involving Identification Documents

PENALTIES: A maximum of 15 years of imprisonment; or
Fine of up to \$250,000; or both fine and imprisonment
Supervised release of up to five years

COUNTS 11-16: ANDREW KIMURA, PAVITAR DOSANGH SINGH

VIOLATION: 18 U.S.C. § 1028(a)(1) & § 2 – Fraud Involving Identification Documents

PENALTIES: A maximum of 15 years of imprisonment; or
Fine of up to \$250,000; or both fine and imprisonment
Supervised release of up to five years

COUNT 17: PAVITAR DOSANGH SINGH

VIOLATION: 18 U.S.C. § 1028(a)(1) & § 2 – Fraud Involving Identification Documents

PENALTIES: A maximum of 15 years of imprisonment; or
Fine of up to \$250,000; or both fine and imprisonment
Supervised release of up to five years

SPECIAL ASSESSMENT: \$100 (mandatory on each count)

FORFEITURE ALLEGATION: ALL DEFENDANTS

VIOLATION: 18 U.S.C. §§ 981(a)(1)(C), 982(a)(2)(B), 1028(b)(5), and 28 U.S.C. § 2461(c)

PENALTIES: As stated in the charging document