

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

FILED
2018 MAY -2 A 11: 31
WILLIAM W. BLEVINS
CLERK

UNITED STATES OF AMERICA

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CRIMINAL NO. 17-164

v.

*

SECTION: "R"

HERIK LUCIAN ENEDINO DOS SANTOS

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* * *

FACTUAL BASIS

Defendant **HERIK LUCIAN ENEDINO DOS SANTOS** ("DOS SANTOS"), has agreed to plead guilty. Should this matter proceed to trial, the United States would prove beyond a reasonable doubt, through credible testimony and reliable evidence, the following facts. Unless stated otherwise, the following acts occurred within the jurisdiction of the Eastern District of Louisiana.

Arrest of Four Individuals in New Orleans, Louisiana

Agents with the U.S. Secret Service ("USSS") have been conducting an investigation into access device fraud. Agents learned that a group of individuals from Brazil were mailing equipment used for ATM card skimming from Oklahoma City to New Orleans. The items were being mailed to a person named "Caio Lima" at Federal City Inn & Suites, 740 Hebert St., New Orleans, Louisiana.

On August 3, 2017, agents went to the Federal City Inn & Suites. Management at the hotel informed them that four individuals had leased two hotel rooms in the name of "Caio Lima." Agents encountered Fernando Finatto Minguzzi ("Minguzzi") in the lobby. Agents learned he was a Brazilian national. Minguzzi agreed to speak with agents and agreed to let agents search his room.

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Defense Counsel HA

Agents went to Room 208, one of the rooms rented under “Caio Lima,” and knocked on the door. **DOS SANTOS** answered the door. As S/A Darren Vogt spoke with **DOS SANTOS**, S/A Vogt observed in plain view inside the room various tools used to steal debit and credit card information, including skimmers and encoders. He also observed FedEx packages, which corroborated information from Oklahoma City USSS.

S/A Vogt asked **DOS SANTOS** to exit the room, at which time **DOS SANTOS** was detained in the hall. S/A Vogt asked him whether any other persons were in the room. **DOS SANTOS** stated that there were not any other occupants. S/A Vogt then asked for permission to search room 208 for other occupants, and **DOS SANTOS** consented. Agents performed a protective sweep of Room 208 to ensure there were no other occupants. During that sweep, agents again observed skimmers, FedEx packages, and encoders in plain view.

S/A Vogt then knocked on the door of Room 209. After receiving no answer, S/A Vogt opened the room with a key provided by the hotel staff. S/A Vogt performed a protective sweep to ensure there were no other occupants in the room. Minguzzi and **DOS SANTOS** were arrested. Task Force Officer Robert Chadwick applied for search warrants for Rooms 208 and 209, as well as two rental cars in the parking lot, which were also registered to “Caio Lima.” These cars were identified as a blue 2017 Hyundai Accent bearing Louisiana license plate number N458552 and a grey 2017 Nissan Versa bearing Louisiana license plant number N443075.

While waiting for the warrants to be authorized, agents observed a grey 2017 Nissan Altima bearing Florida license plate number GWPH48 park in the side hotel parking lot. Agents observed two males exit the vehicle. One entered the side of the hotel and the other stayed near the vehicle. The male who entered the hotel walked up the side stairs and began walking down the second floor hall towards Room 209. TFO Carl Koppeis saw the male look at Koppeis, at

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Defense Counsel JA

which time the male began running for the exit. TFO Koppeis was able to catch the male, later identified as Andre Lion Goncalves Pereira (“Pereira”), before he reached the side door. S/A Vogt and U.S. Postal Inspector Matthew Pedersen detained the other occupant of the vehicle, later identified as Joao Freire da Silva Neto (“Neto”). Both Pereira and Neto stated that they did not speak English. Both were arrested.

Agents obtained search warrants for Rooms 208 and 209, along with the three rental cars. In the course of the search of Room 209, agents seized two computers (one of which was attached to a credit card encoder), a credit card embosser, approximately 200 re-encoded cards, approximately \$9,000 in cash, two complete ATM skimmers, parts of skimmers, and tools to build ATM skimmers. Agents also recovered fake Brazilian identifications for Neto, Minguzzi, and **DOS SANTOS** from Room 209.

Agents located two wallets during the search of the grey 2017 Nissan Altima that Pereira and Neto drove to the hotel. One wallet contained a card with Neto’s name on it, along with several cards that were re-encoded with bank account information. The second wallet contained a card with the name “Paulo Lorenzo.” That wallet also contained four cards that were re-encoded with bank account information.

Agents learned that Neto had used false identification with the name “Caio Lima” to book the rooms along with a fake credit card. Agents later determined that Pereira used the alias “Paulo Lorenzo” to book a room at the same hotel in June 2017.

Subsequently, Secret Service agents scanned the seized access devices that were encrypted with bank account numbers. All of these 180 cards were not bank cards. Instead, they were gift cards with magnetic strips from businesses, such as Walmart and Subway. Agents uploaded the data from the magnetic strips into a Secret Service database to obtain specific bank information

that was encrypted on each card. Results of the search showed that 175 of the cards were re-encoded with bank account information.

Furthermore, Louisiana State Police Technical Support Officer Andrew Pratt completed a forensic examination on the laptops, hard drives, and cell phones seized from the four arrestees in New Orleans pursuant to search warrants. TSO Pratt discovered text files that contained credit card information. These files were marked in Portuguese with terms such as “good for use,” suggesting that these were credit card numbers that were intended to be used by the four arrestees in New Orleans. A total of approximately 400 card numbers were located on the computer.

Arrest of Rubens Eleuterio de Almeida Junior in Oklahoma

USSS agents in Oklahoma City handled the investigation and arrest of Rubens Eleuterio de Almeida Junior (“Almeida”). Agents had received information from bank sources that an individual was using counterfeit or stolen cards. Agents obtained video from bank ATMs that showed the person using these cards. This person was later identified as Almeida. One of the videos showed the subject in a drive-up ATM in an Audi with a rental sticker. Two agents went to the airport rental car shops and asked about any recent Audi rentals. Alamo’s representative stated that two Brazilians rented an Audi several days earlier. A computer printout from Alamo showed the car was rented to “Vanderlei Cachoeira,” who identified as a Brazilian. Alamo advised that the vehicle license plate was North Carolina plate EKL1276. Agents later determined that the vehicle was rented with a skimmed credit card.

On August 2, 2017, agents also learned that stolen or counterfeit cards were being used at a FedEx store in Midwest City, OK, a suburb of Oklahoma City. A witness identified the person who mailed the package to “Caio Lima” in New Orleans as the same individual who was recorded in the ATM video. The TFO seized the package and OKC agent Wind notified New Orleans

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USSS of the delivery destination address in New Orleans.

On August 3, 2017, agents returned to the FedEx store and found Almeida. He had a rental car with him, which was the same Audi that was rented to a Brazilian named "Vanderlei Cachoeira." He was found in possession of six FedEx boxes, two of which were sealed. Almeida was detained. Agents searched the vehicle and found 83 re-encoded cards, an embosser, and a credit card tipper.

Agents obtained warrants for the sealed boxes (the initial "Caio Lima" box and the two other boxes). The "Caio Lima" box destined for New Orleans contained a pinhole camera with a memory card insert, various blank credit cards, and cards with names embossed on the front but with blank magnetic strips. One of the cards was embossed with the name "Vandelei Cachoeira," nearly the same spelling as the name under which Almeida's Audi was rented ("Vanderlei Cachoeira").

The other two unopened boxes contained three green ATM insert cover skimmers, ATM strips with 32 GB memory cards wired to it, Bluetooth receivers, ATM strips with pinhole cameras and memory cards, power adapters, and power strips. Agents would testify that these are all tools used for manufacturing counterfeit access devices. Agents searched the 32GB memory cards and one of them had a video of Almeida on it with pictures of an ATM keypad. Agents would testify that this video was likely taken using a pinhole camera, which is placed on an ATM to record an individual entering his/her PIN number while the skimmer pulls the magnetic strip information.

Follow-Up Investigation Regarding Stolen Identities

Of the 175 cards with bank account information recovered in New Orleans, many corresponded to stolen bank information. The following means of identification were stolen from the following cardholders:

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Means of Identification
Debit card number ending in ****2045 and belonging to C.G.
Debit card number ending in ****4518 and belonging to J.R.
Debit card number ending in ****3734 and belonging to M.G.
Debit card number ending in ****3937 and belonging to B.P.
Debit card number ending in ****6539 and belonging to A.C.
Debit card number ending in ****8942 and belonging to M.B.
Debit card number ending in ****8831 and belonging to A.G.
Debit card number ending in ****1501 and belonging to F.J.
Debit card number ending in ****1743 and belonging to N.D.

Additionally, agents determined that the several cards recovered from Almeida's possession in Oklahoma likewise contained stolen bank information. The following means of identification were stolen from the following cardholders:

Means of Identification
Debit card number ending in ****4296 and belonging to G.H.
Debit card number ending in ****2550 and belonging to R.P.
Debit card number ending in ****4319 and belonging to R.P.


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Limited Nature of Factual Basis


This proffer of evidence is not intended to constitute a complete statement of all facts known by **DOS SANTOS**, and it is not a complete statement of all facts described by **DOS SANTOS** to the government. Rather, it is a minimum statement of facts intended to prove the necessary factual predicate for his guilty plea. The limited purpose of this proffer is to demonstrate that there exists a sufficient legal basis for **DOS SANTOS**'s plea of guilty to the charged offense.



Matthew R. Payne 5/2/2018
Assistant United States Attorney Date



Ian Atkinson 5.2.18
Counsel for Herik Lucian Enedino Dos Santos Date



Herik Lucian Enedino Dos Santos 5.2.18
Defendant Date