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U.S. DISTRICT COURT
EASTERN DISTRICT OF LA *EDL*
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WILLIAM W. BLEVINS
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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

FELONY

**BILL OF INFORMATION FOR CONSPIRACY TO COMMIT WIRE
FRAUD, BANK FRAUD, AND INTERSTATE TRANSPORTATION AND USE
OF AN INTERSTATE FACILITY WITH INTENT TO CARRY ON UNLAWFUL
ACTIVITY, AGGRAVATED IDENTITY THEFT, AND NOTICE OF FORFEITURE**

UNITED STATES OF AMERICA

*

CRIMINAL NO. **19-00155**

v.

*

SECTION: **SECT. L MAG. 4**

DOMINIQUE ALAINA BERRY
(a/k/a Desiree Knowles)

*

VIOLATIONS: 18 U.S.C. § 371

18 U.S.C. § 1028A

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18 U.S.C. § 1343

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18 U.S.C. § 1344(1)

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18 U.S.C. § 1952(a)(3)

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The United States Attorney charges that:

COUNT 1

(Conspiracy to Commit Wire Fraud, Bank Fraud, and Interstate
Transportation and Use of an Interstate Facility with Intent to Carry On Unlawful Activity)

A. AT ALL TIMES MATERIAL HEREIN:

1. The laws of the States of California, Louisiana, New Mexico, Texas, Arizona, and
Georgia, among others, made prostitution a criminally punishable unlawful activity.

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2. The defendant, **DOMINIQUE ALAINA BERRY** (“**BERRY**”), was a United States citizen, residing in Tangipahoa Parish, Louisiana, within the Eastern District of Louisiana.

3. Unindicted co-conspirator R.S. was born in April 1981 and lived for extended periods of time in both California and the New Orleans, Louisiana area.

4. **BERRY** and R.S. met in the New Orleans area in about early 2013 and soon thereafter developed a romantic relationship.

5. Approximately three weeks after **BERRY** met R.S., R.S. convinced **BERRY** to begin working for an escort agency under the supervision of R.S. **BERRY’S** work for the escort agency actually constituted engaging in prostitution activities—sexual acts in exchange for financial compensation—that were directed and supervised by R.S.

6. As part of the business, R.S. and **BERRY** arranged for **BERRY** to engage in prostitution dates on an “out call” basis, meaning that **BERRY** would meet a customer at a location chosen by the customer, such as his residence or hotel room. R.S. would typically transport **BERRY** to and from the out call prostitution date.

7. R.S. and **BERRY** utilized the Internet to post listings on various location-specific online bulletin boards and websites specializing in classified advertisements. The online bulletin boards and websites were commonly used to advertise sexual services in exchange for money. In the advertisements, **BERRY** was frequently referred to by the alias “Desiree Knowles.” Through the online advertisements, R.S. and **BERRY** received telephone calls, emails, and text messages inquiring about, scheduling, and arranging prostitution calls with **BERRY**.

8. R.S. and **BERRY** travelled nationally engaging in this prostitution enterprise.

9. Thereafter, the enterprise evolved into one that involved meeting individuals online

who were interested in companionship, arranging face-to-face interactions with them, and incapacitating them by giving them illegal drugs and prescription medication with neuro-suppressive side effects, including anti-psychotic medications, unwittingly and stealing their valuables.

10. Between not later than November 2015 and September 2017, R.S. and **BERRY** implemented the above-described scheme on not fewer than approximately fifty (50) occasions throughout the United States, including in California, Arizona, New Mexico, Texas, Louisiana, and Georgia.

11. On about September 13, 2017, **BERRY** and R.S. were arrested at a hotel in Sandy Springs, Georgia. When law enforcement authorities found **BERRY** at the hotel, she was bleeding from her nose, had a swollen lip and puncture consistent with her teeth biting through her lip, and black electrical tape around one of her arms.

Metairie, Louisiana – S.A.

12. S.A. was an adult male who resided in Metairie, Louisiana.

13. JPMorgan Chase Bank, N.A. (“Chase Bank”) was a financial institution located in New Orleans, Louisiana, within the Eastern District of Louisiana, and elsewhere, the deposits of which were insured by the Federal Deposit Insurance Corporation.

14. S.A. had a checking account at Chase Bank bearing account number x8230. S.A. also had a debit card, which drew on the funds contained in the Chase Bank account bearing account number x8230.

15. On or about February 24, 2017, S.A. met **BERRY** through a social media cellular phone application designed to meet and interact with strangers. Thereafter, S.A. exchanged numerous phone calls and text messages with phone number (504) 339-3990, a phone number

used by **BERRY**.

16. On or about February 24, 2017, at approximately 9:30 p.m., R.S. dropped **BERRY** off at S.A.'s apartment, located in Metairie, Louisiana, within the Eastern District of Louisiana.

17. On or about February 25, 2017, R.S. and **BERRY** used a debit card bearing S.A.'s name to make a series of unauthorized purchases, including at a Walmart Super Center located in New Orleans, Louisiana in the amount of \$81.04, and at a Discount City market/gas station located in New Orleans, Louisiana in the amount of \$71.16.

18. On or about February 25, 2017, detectives with the Jefferson Parish Sheriff's Office responded to a wellness check at S.A.'s residence and found him to be deceased. Among its findings, toxicology tests found anti-psychotic medications in S.A.'s body and determined them to have contributed to his death.

B. THE CONSPIRACY:

Beginning at a time unknown, and continuing to on or about September 13, 2017, in the Eastern District of Louisiana and elsewhere, the defendant, **DOMINIQUE ALAINA BERRY**, and others known and unknown to the United States Attorney, did knowingly and willfully combine, conspire, and agree:

19. To devise and intend to devise a scheme and artifice to defraud and to obtain money and property by means of false and fraudulent pretenses, representations, and promises by use of interstate wire transmissions, in violation of Title 18, United States Code, Section 1343;

20. To knowingly execute and attempt to execute a scheme and artifice to defraud Chase Bank, a financial institution with deposits insured by the Federal Deposit Insurance Corporation (FDIC), as defined in Title 18, United States Code, Section 20, as to material matters, in violation of Title 18, United States Code, Section 1344(1); and

21. To travel in interstate commerce and use facilities of interstate commerce, namely the Internet, with the intent to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of an unlawful activity, that is, prostitution offenses in violation of the laws of the States in which they were committed, and thereafter performed and attempted to perform acts to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of such unlawful activity, in violation of Title 18, United States Code, Section 1952(a)(3).

C. PURPOSE OF THE CONSPIRACY:

22. The purpose of the conspiracy was for **BERRY**, R.S., and others to enrich themselves unjustly by obtaining the valuables of others, including credit and debit cards, without the authorization or knowledge of the owners and, in the case of the credit and debit cards, use them to purchase goods and services for the benefit of **BERRY** and R.S.

D. MANNER AND MEANS OF THE CONSPIRACY:

23. During the course and in furtherance of the conspiracy, in addition to other acts, the defendant:

- a) Met putative victims on social media websites;
- b) Arranged “out call” interactions at the residence of the putative victims;
- c) Placed illegal and prescription drugs, including anti-psychotic prescription medications, into the beverages of victims for the purpose of “spiking” their drinks and rendering them unconscious;
- d) Stole the valuables of unconscious victims; and

- e) Used the stolen debit and credit cards of the victims to purchase goods and services for the benefit of **BERRY** and R.S. fraudulently, that is, without their knowledge or authorization.

E. OVERT ACTS IN FURTHERANCE OF THE CONSPIRACY:

In furtherance of the conspiracy and to achieve the objects thereof, the defendant, **DOMINIQUE ALAINA BERRY**, and others known and unknown to the United States Attorney, committed and caused to be committed the following overt acts, among others, in the Eastern District of Louisiana and elsewhere:

24. In about October 2016, **BERRY** used the Internet to meet an adult male via an online dating application/website in the Tucson, Arizona area.

25. In about December 2016, **BERRY** used the Internet to meet an adult male via an online classified advertisement marketplace in the Peoria, Arizona area.

26. In about December 2016, **BERRY** used the Internet to meet an adult male via an online classified advertisement marketplace in the Sacramento, California area.

27. In about February 2017, **BERRY** used the Internet to meet S.A. via a social media cellular phone application deigned to meet and interact with strangers in the Metairie, Louisiana area.

28. On or about February 24, 2017, **BERRY** exchanged numerous phone call and text messages with S.A. using telephone number (504) 339-3990, to arrange a meeting with S.A. at his residence in Metairie, Louisiana.

29. On or about February 24, 2017, R.S. provided anti-psychotic medications to **BERRY** before dropping her off at S.A.'s apartment for the purpose of having **BERRY** drug and incapacitate S.A.

30. On or about February 24, 2017, **BERRY** placed drugs designed to incapacitate S.A., including multiple anti-psychotic medications, into S.A.'s beverages without his knowledge or authorization.

31. After S.A. lost consciousness, **BERRY** contacted R.S. by text message and told him that S.A. was incapacitated.

32. Thereafter, R.S. returned to S.A.'s apartment where over the next several hours he and one or more additional co-conspirators stole numerous items belonging to S.A., including S.A.'s wallet, two cellular phones, his keys, and his 2012 Toyota Tacoma truck.

33. On or about February 25, 2017, **BERRY** and R.S. used S.A.'s Chase Bank debit card to make an unauthorized purchase at a Walmart Super Center located in New Orleans, Louisiana, in the amount of \$81.04, which caused the transmission by means of wire communications to travel in interstate commerce and, further, caused Chase Bank to incur a risk of financial loss.

34. On or about February 25, 2017, **BERRY** and R.S. used S.A.'s Chase Bank debit card to make an unauthorized purchase at a Discount City market/gas station located in New Orleans, Louisiana, in the amount of \$71.16, which caused the transmission by means of wire communications to travel in interstate commerce and, further, caused Chase Bank to incur a risk of financial loss.

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

COUNT 2
(Aggravated Identity Theft)

A. AT ALL TIMES MATERIAL HEREIN:

35. The allegations of Paragraphs 1 through 34 are hereby realleged and incorporated herein in their entirety by reference.

B. THE CRIME:

On or about February 25, 2017, in the Eastern District of Louisiana, the defendant, **DOMINIQUE ALAINA BERRY**, did knowingly possess and use, without lawful authority, a means of identification of another person during an in relation to a felony violation enumerated in 18 U.S.C. § 1028A(c), to wit: wire fraud and bank fraud, knowing that the means of identification belonged to another actual person, in violation of Title 18, United States Code, Section 1028A(a)(1).

NOTICE OF FRAUD FORFEITURE

1. The allegations contained in Count 1 of this Bill of Information are hereby realleged and incorporated by reference for the purpose of alleging forfeitures to the United States of America pursuant to the provisions of Title 18, United States Code, Sections 371, 1343, 1344, 1952(a)(3), and 981(a)(1)(C), made applicable through Title 26, United States Code, Section 2461(c).

2. As a result of the offenses alleged in Count 1, defendant, **DOMINIQUE ALAINA BERRY**, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c), any and all property, real and personal, that constitutes or is derived, directly or indirectly, from gross proceeds

traceable to the commission of the offense as a result of the violations of Title 18, United States Code, Sections 371, 1343, 1344, and 1952(a)(3).

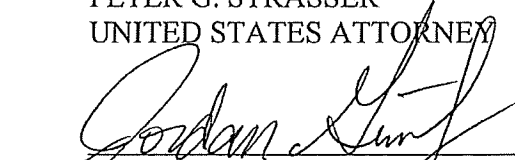
3. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred, sold to, or deposited with, a third person;
- 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 subdivided without difficulty;

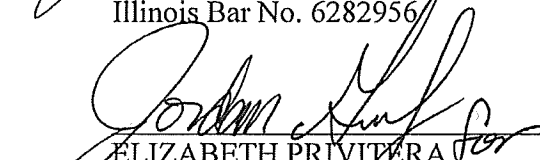
it is the intent of the United States, pursuant to Title 18, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property;

All in violation of Title 18, United States Code, Sections 371, 1343, 1344, 1952(a)(3), and 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c).

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New Orleans, Louisiana
August 14, 2019