

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA	* *	CRIMINAL NO. 19 - 202
v.	*	SECTION: "H"
JESUS ADRIAN LEDESMA BERNAL a/k/a "JSS"	*	
JULIO CESAR RIVERA ROJAS a/k/a "JCP"	*	
	*	

* * *
FACTUAL BASIS

The defendants, **JESUS ADRIAN LEDESMA BERNAL a/k/a "JSS"** (hereinafter, the "defendants" or "**LEDESMA BERNAL**") and **JULIO CESAR RIVERA ROJAS a/k/a "JCP"** (hereinafter, the "defendants" or "**RIVERA ROJAS**"), have agreed to plead guilty as charged to Count One, that is, conspiracy to commit wire fraud, in violation of Title 18, United States Code, Section 371, of the Superseding Bill of Information currently pending against them. This Factual Basis does not attempt to set forth all of the facts known to the United States at this time. The limited purpose of this Factual Basis is to demonstrate that there exists a sufficient legal basis for **LEDESMA BERNAL** and **RIVERA ROJAS'** guilty plea. The United States, **LEDESMA BERNAL** and **RIVERA ROJAS** do hereby stipulate and agree that the allegations in the Superseding Bill of Information and the following facts are true and correct and that, should this matter have proceeded to trial, the government would have proven them beyond a reasonable doubt, through the introduction of competent testimony and admissible tangible and documentary exhibits.

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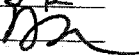
Beginning on or about late 2017, the defendants took part in a conspiracy to obtain money by false pretenses, which involved the use of interstate wires to carry out a substantial step of the fraud. The defendants' co-conspirators, including MARTIN ALONSO ACEVES CUSTODIO (ACEVES CUSTODIO) a/k/a "Robin Birmingham" a/k/a "ALA" a/k/a "Marcos Silva," CLAUDIA ELENA ANTILLON ZAHUITA (ANTILLON ZAHUITA) a/k/a "Julie Batista" a/k/a "KLA" a/k/a "Elen Kuri," LIZA FLANERY FIERRO ("FLANERY FIERRO") a/k/a "LIE," SERGIO LEON KURI ("LEON KURI") a/k/a "LNK," and other individuals, worked for a Mexican company known as "Destinations Mexico." Upon information and belief, ACEVES CUSTODIO was, at all times material herein, the owner and chief executive of Destinations Mexico. ANTILLON ZAHUITA, at all times material herein, functioned as the chief administrator/general manager for Destinations Mexico.

The primary purpose of Destinations Mexico was to lure unsuspecting overseas timeshare owners into a fraudulent transaction for the sale and/or rental of the timeshare that the owners held in Mexico. Employees of Destinations Mexico, using pseudonyms and the names of sham corporations based in the United States, would offer to arrange the sale or rental of the Mexican timeshare properties. At all times material herein, Destinations Mexico operated under the business names Planet Travel and Newport International Investments (Newport International), and at other times used the following business names: Advance Travel INC, All American Real Estate, American International Investment Group, Bear Claw Travel, Best Investment Services, Champion Properties, Closing Source LLC, Equity Closing Services Group, Global Offshore Services, NSC Holding, Peach Title, Sandia Title, Travel and Acquisitions, Travel Innovations, Travel Plus Acquisitions, Travel Right, and World Travelers, Inc.

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Hiding behind the names of these fraudulent businesses, the co-conspirator salespeople would falsely claim that they represented individuals and/or companies that had already secured or arranged for buyers or renters who were ready to pay for the timeshares. The truth, which the defendants then knew, was that no buyers or renters had actually been arranged. Instead, the victims (current owners of the timeshares) were induced to wire money from bank accounts in the United States, Canada, and Latin America to bank accounts in Mexico for alleged upfront payments including taxes, fees, and commissions to make the sale and/or rental of the timeshare occur. The co-conspirators would assure victims that the nonexistent buyers/renters had already deposited money into trust accounts and that the sellers' upfront fees would be fully reimbursed from those funds after the sale or rental was complete.


For example, in June 2018, the Federal Bureau of Investigation (FBI) was notified of a potential fraud scheme that victimized Victim 1, who resided in Plaquemines Parish, Louisiana. An initial investigation into Victim 1's complaint revealed that he/she was defrauded out of a large sum of money as part of a real estate scam associated with the purchase of his/her timeshare in Mexico. The primary subjects, operating under the business names Planet Travel and Newport International, contacted Victim 1 in or around June 2017 to inquire about purchasing a portion of his/her timeshare in Mexico. Victim 1 agreed to the purchase price of \$48,750.00 USD, which was to be held in escrow by Newport International until a background check was conducted on the property and a standard finders-fee was paid by Victim 1. However, after signing a contract and paying the initial fee, the subjects proceeded to require new fees and taxes associated with the purchase, claiming that the purchase funds owed to Victim 1 could not be released until the new payments were made. This pattern continued for nearly a year, until Victim 1 had made over

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\$560,000.00 USD wire transferred payments via Regions Bank in Plaquemines Parish, Louisiana, to Mexican bank accounts without being reimbursed for the fees or receiving the agreed upon purchase price of the timeshare, both of which were contractually promised by Planet Travel and Newport International.

In July 2018, the FBI identified Victim 2, located in Oregon, who was defrauded by Planet Travel and Newport International. In September 2017, Victim 2 received a call from a representative of Planet Travel inquiring about selling his/her timeshare in Mayan Palace, Nueva Vallarta, Mexico. The subsequent fact pattern was identical to the one established by Victim 1. Victim 2 signed a formal contract with Planet Travel and Newport International to sell his/her timeshare, paid an initial upfront closing fee, and was subsequently told by associates of Planet Travel and Newport International that additional payments were required in order to receive the funds promised to them for selling his/her timeshare. In this instance, Victim 2 made fourteen payments totaling \$291,634.00 USD to Mexican bank accounts provided by associates of Planet Travel and Newport International. Just as with Victim 1, Victim 2 never received the payment for the purchase of their timeshare unit, nor was he/she repaid for any of the taxes or fees paid at the behest of Planet Travel and/or Newport International.

The FBI initially determined that Planet Travel and Newport International were legally registered in the United States, operated professional-looking websites, maintained a physical U.S. address, and publicly listed legitimate email addresses and U.S. phone numbers. The companies' physical addresses were listed in Colorado (Newport International) and Wyoming (Planet Travel) and tied to virtual office space companies that provided business services (mail forwarding, physical addressing, etc.) that enabled the companies to run business activities through the address

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while operating remotely. Follow-up, both in-person and over the phone, with the virtual office space providers indicated that neither company had employees working at the physical addresses of the office spaces. Furthermore, the investigation revealed that Planet Travel and Newport International were created and operated by ACEVES CUSTODIO and/or co-conspirators on behalf of Destinations Mexico.

The following paragraphs pertain to **LEDESMA BERNAL**: ACEVES CUSTODIO hired **LEDESMA BERNAL** to initially work as an IT specialist installing internet communications in an office in Cabo San Lucas, Mexico, on about April 2016. In late 2017, ACEVES CUSTODIO hired **LEDESMA BERNAL** to work as a sales agent for Destinations Mexico.

LEDESMA BERNAL was instructed to contact Latin and South American owners of timeshare properties located in Mexico to see if they were interested in a rental proposal. If so, a contract would be signed between the parties and **LEDESMA BERNAL** would turn over the customer to a “closer” (a higher placed salesperson) within Destinations Mexico. While working as a sales agent, **LEDESMA BERNAL** never used his real name when speaking to clients/victims. The “closer” who took over the account would then instruct the timeshare owner/victim to pay off certain alleged debts before the rental could commence.

LEDESMA BERNAL became aware that Destinations Mexico’s operations were criminal in nature after approximately one year on the job. An unindicted co-conspirator and ACEVES CUSTODIO, who gave group sessions to other Destinations Mexico sales agents, trained **LEDESMA BERNAL** as a sales agent. **LEDESMA BERNAL**’s immediate supervisor while he was working as a sales agent was co-defendant LEON KURI.

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Other co-conspirators opened bank accounts in Mexican banks into which the co-conspirators would induce victims to wire money for fraudulent fees by making materially false statements concerning the alleged sale/rental of a timeshare that the victims owned in Mexico. From these bank accounts, a company contracted by ACEVES CUSTODIO/Destinations Mexico paid **LEDESMA BERNAL** weekly for his work as a sales agent.

During **LEDESMA BERNAL**'s involvement in the conspiracy, he was aware of or could have reasonably foreseen not more than the equivalent of ~~\$200,000.00~~ ^{\$127,000.00} USD in inbound international wires being processed in the Destinations Mexico bank accounts as a result of his work as a sales agent. Also during the time of **LEDESMA BERNAL**'s involvement, Destinations Mexico, through its sham corporations, Planet Travel and Newport Investments, caused Victim 1 to electronically wire money from a bank account within the Eastern District of Louisiana into a bank account in Mexico as part of the scheme underlying the conspiracy.

The following paragraphs pertain to **RIVERA ROJAS**: on September 27, 2019, **RIVERA ROJAS** was arrested on a complaint filed in the Eastern District of Louisiana at the Miami International Airport after he entered the United States. He consented to an interview by FBI agents after being *Mirandized*. **RIVERA ROJAS** admitted that he began employment as a payroll accountant for Destinations Mexico, located in Queretaro, Mexico, on or about December 3, 2018. ACEVES CUSTODIO hired **RIVERA ROJAS** after meeting with him and ACEVES CUSTODIO's wife, FLANERY FIERRO.

RIVERA ROJAS stated that he became aware that Destinations Mexico's operations were criminal in nature after a few months on the job. Due to his position, **RIVERA ROJAS** had knowledge of how the funding operations worked. Other co-conspirators opened bank accounts in

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Mexican banks into which the co-conspirators would induce victims to wire money for fraudulent fees by making materially false statements concerning the alleged sale/rental of a timeshare that the victims owned in Mexico. ACEVES CUSTODIO decided which businesses/bank accounts all of the fraudulent proceeds would go to, and how the money would be moved once it was received from the victims. ANTILLON ZAHUITA was notified each time money would be received by a victim. RIVERA ROJAS collated the payments by victims into an Excel spreadsheet titled "cash flow report" and disseminated this to his supervisors.¹ Employees of Destinations Mexico, including ACEVES CUSTODIO and his wife, LIZA FLANERY FIERRO, were paid certain percentages out of a payroll account from a bank in Mexico that was the ultimate recipient of victim funds. Remaining funds were sent to designated payroll accounts and accounts to pay business expenses.

RIVERA ROJAS stated that he met LEON KURI in January of 2019. He identified LEON KURI as initially working as a sales agent for Destinations Mexico. In April or May of 2019, LEON KURI became a supervisor in charge of fraudulent sales with Latin and South American clients/victims.

During RIVERA ROJAS' involvement, he was aware of or could have reasonably foreseen not more than \$4 million USD in inbound international wires being processed in the bank accounts that he was monitoring as part of his role in the conspiracy. Also during the time of RIVERA ROJAS' involvement, Victim 1 wired money from a bank account within the Eastern

¹ Documents obtained via legal process revealed that each Destinations Mexico employee used an acronym for identification within the company. LEDESMA BERNAL'S payroll identifier was "JSS" and RIVERA ROJAS' payroll identifier was "JCP." The payroll identifiers of the other defendants are set forth on page 2 of this Factual Basis.

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District of Louisiana into a bank account in Mexico as part of the scheme underlying the conspiracy.

Additional evidence, including fraudulent contracts, text messages, phone records, photographs, bank records, records from victims and other documents, and tangible objects would be introduced at trial to prove the facts as set forth above. In addition, the testimony of employees and agents of the FBI, and other competent witnesses would be introduced at trial to prove the facts set forth above.


APPROVED AND AGREED TO:


EDWARD J. RIVERA
Assistant United States Attorney

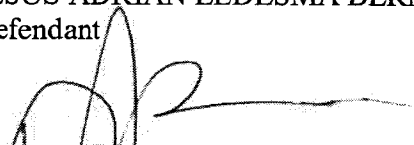
6/12/2020
Date


SAMUEL SCILLITANI
Attorney for LEDESMA BERNAL

6/12/2020
Date


JESUS ADRIAN LEDESMA BERNAL
Defendant

06/12/20
Date


DAVID ROZAS
Attorney for RIVERA ROJAS

2/18/20
Date


JULIO CESAR RIVERA ROJAS
Defendant

02/17/20
Date