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F. # 2018R00311

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

U.S. DISTRICT COURT
EASTERN DISTRICT
OF NEW YORK

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UNITED STATES OF AMERICA

INDICTMENT

- against -

CHRISTIAN HICKS,
TIMEL MCRAE,
STANLEY VALON and
ROMAN GUEVARA,

Defendants.

Cr. No.

CR 18 0085
(T. 18, U.S.C., §§ 982(a)(2),
982(a)(2)(B), 982(b)(1), 1028A(a)(1),
1028A(b), 1028A(c)(4), 1028A(c)(5),
1029(a)(2), 1029(c)(1)(A)(i),
1029(c)(1)(C), 1029(c)(2), 1344, 1349,
2 and 3551 et seq.; T. 21, U.S.C.,
§ 853(p))

BRODIE, J.

----- X
THE GRAND JURY CHARGES:

SCANLON, M.J.

INTRODUCTION

At all times relevant to this Indictment, unless otherwise indicated:

A. The Defendants and Relevant Entities

1. The defendant CHRISTIAN HICKS was a resident of New York, New York.

2. The defendant TIMEL MCRAE was a resident of Brooklyn, New York.

3. The defendant STANLEY VALON was a resident of Hempstead, New York.

4. The defendant ROMAN GUEVARA was a resident of Sunnyvale, California.

5. Navy Federal Credit Union (“NFCU”) was a financial institution as defined in Title 18, United States Code, Section 20, and was headquartered in Vienna, Virginia. The deposits of NFCU were insured by the National Credit Share Insurance Fund.

6. Wells Fargo Bank (“Wells Fargo”) was a financial institution as defined in Title 18, United States Code, Section 20, and was headquartered in San Francisco, California. The deposits of Wells Fargo were insured by the Federal Deposit Insurance Corporation.

7. Hudson Heritage Federal Credit Union (“HHFCU”) was a financial institution as defined in Title 18, United States Code, Section 20, and was located in New York State. The deposits of HHFCU were insured by the National Credit Share Insurance Fund.

B. Scheme to Defraud

8. Beginning in at least March 2016, the defendants CHRISTIAN HICKS, TIMEL MCRAE, STANLEY VALON and ROMAN GUEVARA, together with others, engaged in a scheme to fraudulently obtain funds from financial institutions by submitting false loan and credit card applications.

9. As part of the scheme, HICKS, MCRAE and VALON, together with others, induced dozens of individuals to enter into what HICKS, MCRAE, VALON and the others touted as an income-generating opportunity regarding rental vehicles. HICKS, MCRAE and VALON, together with others, communicated with each of these individuals separately, and represented that the opportunity required the provision to HICKS, MCRAE, VALON and others of personal identification information including an individual’s name, date of birth, social security number, income and other information (collectively “PII”) to

apply for and obtain automobile loans in the individual's name, from financial institutions. HICKS, MCRAE and VALON, together with others, promised to make the required monthly loan payments on behalf of each individual once each loan had been successfully obtained.

10. On certain occasions, HICKS, MCRAE, VALON and GUEVARA, together with others, obtained PII from persons with poor credit by representing that, upon receipt of each person's PII, HICKS, MCRAE, VALON, GUEVARA and others would apply for and obtain automobile loans in the person's name as a means of improving that person's poor credit score.

11. HICKS, MCRAE, VALON and GUEVARA, together with others, used the PII obtained from individuals, along with additional false information, such as untrue employment identification and inflated salary figures, to apply for and secure automobile loans in the individuals' names. As part of the scheme, HICKS, MCRAE, VALON and GUEVARA, together with others, created fake employment and salary documents to support the false information that they submitted to financial institutions in the individuals' names.

12. As a further part of the scheme, on numerous occasions HICKS, MCRAE, VALON and GUEVARA, together with others, applied for and obtained additional automobile loans in the names of the individuals who had provided their PII without those individuals' permission or knowledge.

13. After loans were extended in the individuals' names, HICKS, MCRAE, VALON and GUEVARA, together with others, obtained and used the funds for their own purposes, and not in furtherance of the joint ownership of rental vehicles. In most instances,

no vehicle was ever purchased with the loan proceeds. Additionally, HICKS, MCRAE, VALON, GUEVARA and the others failed to make the required monthly loan payments on behalf of the individuals in whose names the loans had been obtained. As a result, the loans went into default.

14. As a further part of the scheme, HICKS, MCRAE, VALON and GUEVARA, together with others, applied for and obtained credit cards and lines of credit from NFCU in the names of the individuals who had provided their PII without those individuals' permission or knowledge. HICKS, MCRAE, VALON and GUEVARA, together with others, made purchases for their own benefit using this credit and failed to pay off the debts they incurred.

15. As a part of the above-referenced scheme, HICKS, MCRAE, VALON and GUEVARA, together with others, submitted and caused the submission of fraudulent applications for car loans, credit cards and lines of credit in excess of \$1.5 million to NFCU, Wells Fargo and HHFCU.

COUNT ONE
(Conspiracy to Commit Bank Fraud)

16. The allegations contained in paragraphs one through 15 are realleged and incorporated as if fully set forth in this paragraph.

17. In or about and between March 2016 and May 2017, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants CHRISTIAN HICKS, TIMEL MCRAE, STANLEY VALON and ROMAN

GUEVARA, together with others, did knowingly and intentionally conspire to execute a scheme and artifice to defraud NFCU, Wells Fargo and HHFCU, all financial institutions, and to obtain moneys, funds, credits and other property owned by, and under the custody and control of such financial institutions, by means of materially false and fraudulent pretenses, representations and promises, contrary to Title 18, United States Code, Section 1344.

(Title 18, United States Code, Sections 1349 and 3551 et seq.)

COUNTS TWO THROUGH FOUR
(Bank Fraud)

18. The allegations contained in paragraphs one through 15 are realleged and incorporated as if fully set forth in this paragraph.

19. In or about and between the dates listed below, such dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants CHRISTIAN HICKS, TIMEL MCRAE, STANLEY VALON and ROMAN GUEVARA, together with others, did knowingly and intentionally execute a scheme and artifice to defraud the financial institutions set forth below, and to obtain moneys, funds, credits and other property owned by, and under the custody and control of such financial institutions, by means of materially false and fraudulent pretenses, representations and promises:

<u>Count</u>	<u>Dates</u>	<u>Financial Institution</u>
TWO	March 2016 to May 2017	Navy Federal Credit Union
THREE	July 2016 to January 2017	Wells Fargo Bank
FOUR	May 2016 to June 2016	Hudson Heritage Federal Credit Union

(Title 18, United States Code, Sections 1344, 2 and 3551 et seq.)

COUNT FIVE
(Access Device Fraud)

20. The allegations contained in paragraphs one through 15 are realleged and incorporated as if fully set forth in this paragraph.

21. In or about and between March 2016 and May 2017, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants CHRISTIAN HICKS, TIMEL MCRAE, STANLEY VALON and ROMAN GUEVARA, together with others, did knowingly and with intent to defraud traffic in and use one or more unauthorized access devices, to wit: credit cards, in a manner affecting interstate commerce, and by such conduct did obtain things of value aggregating \$1,000 or more during any one-year period.

(Title 18, United States Code, Sections 1029(a)(2), 1029(c)(1)(A)(i), 2 and 3551 et seq.)

COUNT SIX
(Aggravated Identity Theft)

22. The allegations contained in paragraphs one through 15 are realleged and incorporated as if fully set forth in this paragraph.

23. In or about and between March 2016 and May 2017, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants CHRISTIAN HICKS, TIMEL MCRAE, STANLEY VALON and ROMAN GUEVARA, together with others, during and in relation to the crimes charged in Counts One through Five, did knowingly and intentionally possess and use, without lawful authority, means of identification of one or more other persons, knowing that the means of identification belonged to other persons.

(Title 18, United States Code, Sections 1028A(a)(1), 1028A(b), 1028A(c)(4), 1028A(c)(5), 2 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION
AS TO COUNTS ONE THROUGH FOUR

24. The United States hereby gives notice to the defendants that, upon their conviction of any of the offenses charged in Counts One through Four, the government will seek forfeiture in accordance with Title 18, United States Code, Section 982(a)(2), which requires any person convicted of such offenses to forfeit any property constituting, or derived from, proceeds obtained directly or indirectly as the result of such offenses.

25. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (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

divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Sections 982(a)(2) and 982(b)(1); Title 21, United States Code, Section 853(p))

CRIMINAL FORFEITURE ALLEGATION
AS TO COUNT FIVE

26. The United States hereby gives notice to the defendants that, upon their conviction of the offense charged in Count Five, the government will seek forfeiture in accordance with: (a) Title 18, United States Code, Section 982(a)(2)(B), which requires any person convicted of such offense to forfeit any property constituting, or derived from, proceeds obtained directly or indirectly as a result of such offense; and (b) Title 18, United States Code, Section 1029(c)(1)(C), which requires any person convicted of such offense to forfeit any personal property used or intended to be used to commit the offense.

27. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (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 divided without difficulty;


it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Sections 982(b)(1) and 1029(c)(2), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Sections 982(a)(2)(B), 982(b)(1), 1029(c)(1)(C) and 1029(c)(2); Title 21, United States Code, Section 853(p))

A TRUE BILL


FOREPERSON

RICHARD P. DONOGHUE
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK


BY: _____
ACTING UNITED STATES ATTORNEY,
PURSUANT TO 28 C.F.R. O.136

No. _____

UNITED STATES DISTRICT COURT

EASTERN *District of* NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA §

vs.

*CHRISTIAN HICKS, TIMEL MCRAE, STANLEY VALON and
ROMAN GUEVARA,*

Defendants.

INDICTMENT

T. 18, U.S.C., §§ 982(a)(2), 982(a)(2)(B), 982(b)(1), 1028A(a)(1), 1028A(b), 1028A(c)(4), 1028A(c)(5), 1029(a)(2),
1029(c)(1)(A)(i), 1029(c)(1)(C), 1029(c)(2), 1344, 1349, 2 and 3551 et seq.; T. 21, U.S.C., § 853(p)

A true bill.



Foreperson

Filed in open court this _____ *day,*

of _____ *A.D. 20* _____

Clerk

Bail, \$ _____

William P. Campos, Assistant U.S. Attorney (718) 254-6104