

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

- (1) EDVAN FERNANDO ALVES DE ANDRADE,
- (2) GABRIEL NASCIMENTO DE ANDRADE,
- (3) LEONEL TEXEIRA DE SOUZA JUNIOR,
- (4) CESAR AGUSTO MARTIN REIS, and,
- (5) HELBERT COSTA GENEROSO,

Defendants

) Criminal No. 24-40030
)
) Violations:
)
) Count One: Conspiracy to Unlawfully
) Produce and Possess with Intent to
) Transfer Identification Documents
) (18 U.S.C. § 371)
)
) Counts Two and Three: Possession with
) Intent to Use or Transfer Unlawfully
) Identification Documents
) (18 U.S.C. § 1028(a)(3))
)
) Count Four: Furnishing a False Passport to
) Another For Use
) (18 U.S.C. § 1543)
)
) Conspiracy Forfeiture Allegation:
) (18 U.S.C. § 981(a)(1)(C) and
) 28 U.S.C. § 2461(c))
)
) Unlawful Possession of Identification
) Documents Forfeiture Allegation:
) (18 U.S.C. §§ 982(a)(2)(B) and
) 1028(b)(5))
)
) Passport Fraud Forfeiture Allegation:
) (18 U.S.C. § 982(a)(6)(A))

INDICTMENT

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

General Allegations

1. Defendant EDVAN FERNANDO ALVES DE ANDRADE (“EDVAN DE ANDRADE”) resided in Massachusetts, and later in Brazil.

2. Defendant GABRIEL NASCIMENTO DE ANDRADE (“GABRIEL DE ANDRADE”) resided in Massachusetts.
3. Defendant LEONEL TEXEIRA DE SOUZA JUNIOR (“DE SOUZA JUNIOR”) resided in Massachusetts, and later in Brazil.
4. Defendant CESAR AGUSTO MARTIN REIS (“REIS”) resided in Connecticut.
5. Defendant HELBERT COSTA GENEROSO (“GENEROSO”) resided in Connecticut.
6. Person 1, Person 2, and Person 3 were individuals known to the government.
7. Company 1 provided consumers in the United States with the service of receiving their mail at designated locations, and forwarding it to other locations.
8. The New York State Department of Motor Vehicles (“NY DMV”) was an agency in New York that issued driver’s licenses to New York residents.
9. The Massachusetts Registry of Motor Vehicles (“MA RMV”) was an agency in Massachusetts that issued driver’s licenses to Massachusetts residents.
10. The NY DMV required that individuals seeking to obtain a driver’s license, first obtain a driving learner’s permit (“learner’s permit”). To obtain a learner’s permit, applicants were required to pass a written permit test, which consisted of questions regarding road rules and signs, driving under the influence of alcohol and other drugs, and other driving and safety rules. The permit test could be taken in person at a NY DMV branch location, or online. Beginning in October of 2021, when an applicant took the test online, the applicant was required to allow the NY DMV to retrieve several pictures, through a web camera, of the applicant completing the test. The primary purposes of this requirement were to ensure that the individual who was taking

the online test was the applicant, and that no other person was sitting with and assisting the applicant in taking the test.

11. If an applicant passed the written permit test, the applicant could petition to obtain a learner's permit, in person, at a NY DMV branch location. At the branch location, the applicant was required to provide documentation proving their identity, and that the applicant was a New York resident. An applicant in New York was not required to prove the applicant's legal status in the United States, and therefore New York residents without legal status in the United States (hereinafter "undocumented individuals"), were eligible to apply for and obtain New York driver's licenses.

12. If an applicant was approved for the issuance of a learner's permit, the applicant was issued a temporary, paper copy, in hand, and mailed an official learner's permit.

13. Once an applicant was issued a learner's permit, the applicant was required to complete a five-hour driver's education course from an accredited New York driving school, which could be completed in person or online. When an applicant completed the required coursework, the applicant was issued a certificate of completion. The certificate of completion was issued by the NY DMV, to the driving school, and the driving school signed the document attesting to the applicant's completion of the curriculum. Once an applicant obtained a certificate of completion, the applicant was eligible to schedule a road driving test. If the applicant passed the road driving test, the applicant was eligible to receive a New York driver's license.

14. As with the NY DMV, the MA RMV required license applicants, before obtaining a Massachusetts driver's license, to obtain a learner's permit. Applicants were required to pass a

written permit test, which focused on Massachusetts driving laws, rules of the road, safe driving practices, and knowledge of road signs. The permit test could be taken in person at an MA RMV branch location, or online. Beginning in June 2023, when an applicant took the test online, the applicant was required to allow the MA RMV to retrieve several pictures, through a web camera, of the applicant taking the test. If the applicant passed the written online permit test, the applicant was able to print a paper copy of the learner's permit. If an applicant passed the written permit test at a MA RMV branch location, the applicant received a learner's permit in hand from MA RMV staff.

15. As with applicants in New York with the NY DMV, an applicant for a Massachusetts driver's license was required to provide the MA RMV with documentation verifying the applicant's identity, and that the applicant was a Massachusetts resident. Unlike in New York, in Massachusetts, until July 1, 2023, applicants were also required to verify their lawful presence in the United States, and therefore undocumented individuals could not obtain Massachusetts driver's licenses.

16. Once an applicant for a Massachusetts driver's license obtained a learner's permit, the applicant could schedule a road driving test. If the applicant passed the road driving test, the applicant was eligible to receive a Massachusetts driver's license.

17. New York and Massachusetts driver's licenses were identification documents, as those terms are defined in Title 18, United States Code, Section 1028(d)(3).

The Conspiracy

18. From in or about November 2020 through in or about September 2024, EDVAN DE ANDRADE, GABRIEL DE ANDRADE, DE SOUZA JUNIOR, REIS, GENEROSO, and others conspired to enrich themselves by fraudulently obtaining driver's licenses for undocumented individuals and other applicants (hereinafter the "Customer" or "Customers").

Object and Purpose of the Conspiracy

19. The principal object of the conspiracy was for EDVAN DE ANDRADE, GABRIEL DE ANDRADE, DE SOUZA JUNIOR, REIS, GENEROSO and others to unlawfully produce, and to possess with the intent to transfer unlawfully, five or more identification documents, namely genuine, but fraudulently procured driver's licenses, in violation of 18 U.S.C. § 371. The principal purpose of the conspiracy was for EDVAN DE ANDRADE, GABRIEL DE ANDRADE, DE SOUZA JUNIOR, REIS, and GENEROSO to enrich themselves by obtaining and transferring the driver's licenses to the Customers.

20. Through the conspiracy, EDVAN DE ANDRADE, GABRIEL DE ANDRADE, DE SOUZA JUNIOR, REIS, GENEROSO, and others, arranged for more than a thousand Customers to fraudulently apply for driver's learner's permits and driver's licenses, and fraudulently obtained driver's licenses for more than six hundred Customers, through which EDVAN DE ANDRADE, GABRIEL DE ANDRADE, DE SOUZA JUNIOR, REIS, and GENEROSO collected approximately hundreds of thousands of dollars.

Manner and Means of the Conspiracy

21. Among the manner and means by which EDVAN DE ANDRADE, GABRIEL DE ANDRADE, DE SOUZA JUNIOR, REIS, GENEROSO and others carried out the conspiracy and the scheme to defraud were the following:

- a. Recruiting Customers, including those who resided in Massachusetts and other states outside of New York, to fraudulently obtain New York driver's licenses;
- b. After approximately July 2023, recruiting Customers, including those who did not reside in Massachusetts, to fraudulently obtain Massachusetts driver's licenses;
- c. Scheduling, with the NY DMV and the MA RMV, online written learner's permit tests for the Customers;
- d. Collecting pictures of the Customers, taken by the Customers, sitting down and at different angles;
- e. Taking the online written learner's permit tests for the Customers;
- f. Manipulating web camera and the online written permit tests with the pictures taken by the Customers to falsely make it appear that the Customers were taking the tests;
- g. Driving Customers who resided in Massachusetts, sometimes several Customers in each vehicle, to NY DMV branch offices to fraudulently apply for New York learner's permits and driver's licenses;
- h. Meeting Customers who did not reside in Massachusetts, at MA RMV branch offices, to fraudulently apply for Massachusetts learner's permits and driver's licenses;

i. Fabricating and falsifying documents, including bank statements and bills, to falsely make it appear to the NY DMV that Customers resided in New York, and to falsely make it appear to the MA RMV that Customers resided at addresses in Massachusetts;

j. Providing the false and fraudulent documents to the Customers, and instructing them to provide them to the NY DMV and the MA RMV in support of applications for learner's permits and driver's licenses;

k. Creating fake driving education certificates of completion in the names of the Customers, and forging the signatures of driving school staff on the fake certificates, to make it appear that the Customers had completed the required curriculum;

l. Providing the fake driving education certificates of completion to the Customers and instructing them to provide these in support of their driver's license applications;

m. Fraudulently obtaining purported foreign passports for the Customers to use as identification documents in their driver's license applications;

n. Causing the NY DMV and the MA RMV to mail fraudulently issued driver's licenses to Company 1 addresses, where the Customers did not reside;

o. Forwarding, by mail, the fraudulently issued driver's licenses from the Company 1 addresses to other addresses, for distribution to the Customers;

p. Transporting the driver's licenses, sometimes in bulk, from locations in New York and Massachusetts, for distribution to the Customers;

q. Making required nominal payments to state agencies and driving schools to facilitate the learner's permit and driver's license applications;

r. Obtaining money from the Customers as payment for the fraudulent procurement of the learner's permits and driver's licenses; and,

s. Transferring money from the Customers between EDVAN DE ANDRADE, GABRIEL DE ANDRADE, DE SOUZA JUNIOR, REIS, GENEROSO, and others.

Overt Acts in Furtherance of the Conspiracy

22. On various dates from in or about November 2020 through in or about September 2024, EDVAN DE ANDRADE, GABRIEL DE ANDRADE, DE SOUZA JUNIOR, REIS, GENEROSO and others committed the following overt acts, among others, in furtherance of the conspiracy:

a. On or about November 21, 2020, DE SOUZA JUNIOR applied with Company 1 for Company 1 to receive mail at locations in New York, to be forwarded to an address in Milford, Massachusetts.

b. On or about January 7, 2021, DE SOUZA JUNIOR accepted \$400 from Customer 1, a Massachusetts resident, in return for arranging for Customer 1 to fraudulently obtain a New York driver's license.

c. On or about February 23, 2021, DE SOUZA JUNIOR accepted \$400 from Customer 2, a Florida resident, in return for arranging for Customer 2 to fraudulently obtain a New York driver's license.

d. On or about May 18, 2022, REIS accepted \$700 from Customer 3, a Massachusetts resident, in return for arranging for Customer 3 to fraudulently apply for a New York driver's license.

e. On or about May 19, 2022, EDVAN DE ANDRADE accepted, from Customer 4, a Massachusetts resident, \$700, in return for arranging for Customer 4 to fraudulently apply for a New York driver's license.

f. On or about June 28, 2022, EDVAN DE ANDRADE accepted, from Customer 4, \$650, in return for arranging for Customer 4 to fraudulently apply for a New York driver's license.

g. On or about June 28, 2021, EDVAN DE ANDRADE accepted, from Customer 5, a Massachusetts resident, \$550, in return for arranging for Customer 5 to fraudulently apply to obtain a New York driver's license.

h. On or about June 28, 2021, EDVAN DE ANDRADE accepted, from Customer 6, a Massachusetts resident, \$550, in return for arranging for Customer 6 to fraudulently apply for a New York driver's license.

i. On or about November 18, 2021, EDVAN DE ANDRADE accepted, from Customer 6, \$600 in return for arranging for Customer 6 to fraudulently apply for a New York driver's license.

j. On or about March 14, 2023, EDVAN DE ANDRADE sent an electronic message to Person 1, who was posing as a Customer who was not a New York resident, telling Person 1 that EDVAN DE ANDRADE would take the New York written online learner's permit test for Person 1.

k. On or about March 22, 2023, EDVAN DE ANDRADE instructed Person 1 to take five pictures of Person 1, sitting down, for EDVAN DE ANDRADE to use to take Person 1's written online learner's permit test.

l. On or about March 23, 2023, a co-conspirator in New York, New York, on behalf of EDVAN DE ANDRADE, provided Person 1 with fraudulent bank and cable bills falsely purporting to show that Person 1 resided in New York.

m. On or about May 12, 2023, EDVAN DE ANDRADE, in Worcester, Massachusetts, possessed more than five fraudulently obtained New York driver's licenses.

n. On or about May 16, 2023, a co-conspirator in Troy, New York, on behalf of EDVAN DE ANDRADE, provided Person 1 with a fake driver's education course certificate of completion containing a forged signature of an instructor from a driving school in New York, falsely certifying that Person 1 had completed the required coursework.

o. On or about June 7, 2023, EDVAN DE ANDRADE sent to Person 1, a message with a picture of a fraudulently obtained New York driver's license of the Customer who Person 1 was posing as, and told Person 1 to pick it up from EDVAN DE ANDRADE.

p. On or about September 28, 2023, EDVAN DE ANDRADE advertised, on his electronic messaging account, that he could assist individuals in obtaining Massachusetts and New York driver's licenses.

q. On or about November 21, 2023, a co-conspirator provided Customer 7 with fabricated bank records purporting to show that Customer 7 resided at an address in Massachusetts, for Customer 7 to provide to a MA RMV branch office in Worcester, Massachusetts, in support of a fraudulent application for a driver's license.

r. On or about November 24, 2023, EDVAN DE ANDRADE sent an electronic message to Person 2, who was posing as a Customer seeking to obtain a Massachusetts

driver's license, and told Person 2 that he could obtain a Massachusetts driver's license for Person 2.

s. On or about November 25, 2023, EDVAN DE ANDRADE messaged Person 2 that EDVAN DE ANDRADE had the address and that Person 2 did not need to worry about the address, in response to Person 2 asking EDVAN DE ANDRADE what if Person 2 was not living in Massachusetts.

t. On or about February 4, 2024, REIS, in Bedford, Massachusetts, possessed approximately 50 fraudulently obtained New York learner's permits and driver's licenses.

u. On or about March 9, 2024, a co-conspirator provided Customer 8 with (i) EDVAN DE ANDRADE's cell phone number to list as Customer 8's cell phone number in Customer 8's application for a Massachusetts driver's license, and (ii) fake electricity bill records falsely purporting to show that Customer 8 resided in Massachusetts, at Address 1 in Worcester, all for Customer 8 to provide to a MA RMV branch office in Leominster, Massachusetts.

v. On or about March 9, 2024, a co-conspirator provided Customer 9 with (i) EDVAN DE ANDRADE's cell phone number to provide as Customer 9's cell phone number in Customer 9's application for a Massachusetts driver's license, and (ii) fake bank records falsely purporting to show that Customer 9 resided in Massachusetts, at Address 1 in Worcester, all for Customer 9 to provide to a MA RMV branch office in Leominster, Massachusetts.

w. On or about April 14, 2024, EDVAN DE ANDRADE messaged Person 2, and indicated that it would cost \$900 for Person 2 to obtain a Massachusetts driver's license, to be paid in two installments of \$450 each.

x. On or about April 17, 2024, EDVAN DE ANDRADE scheduled an appointment at a MA RMV branch office in Plymouth, Massachusetts, for Person 2 to apply for a Massachusetts learner's permit and driver's license.

y. On or about April 17, 2024, EDVAN DE ANDRADE messaged Person 2, indicating that EDVAN DE ANDRADE or his driver would meet Person 2 at the MA RMV branch office in Plymouth.

z. On or about April 24, 2024, GABRIEL DE ANDRADE met Person 3, who was posing as the Customer who Person 2 had been purporting to be, outside of the MA RMV branch office in Plymouth, where GABRIEL DE ANDRADE gave Person 3 a fabricated cable bill falsely purporting to show that the Customer who Person 2 was purporting to be was a resident of Massachusetts and lived at Address 1 in Worcester.

aa. On or about April 24, 2024, GABRIEL DE ANDRADE, outside of the MA RMV branch office in Plymouth, accepted \$400 in cash from Person 3.

bb. On or about June 23, 2024, GABRIEL DE ANDRADE messaged Person 2, providing Person 2 with a phone number to contact to obtain a purported foreign passport, in response to Person 2 messaging GABRIEL DE ANDRADE that Person 2 needed proof of identity to obtain the Massachusetts driver's license.

cc. On or about June 24, 2024, GENEROSO advertised, on his electronic messaging account, that he could provide safe and punctual travel in New York and Connecticut to a Department of Motor Vehicles.

dd. On or about June 25, 2024, GENEROSO messaged Person 2 from the phone number that GABRIEL DE ANDRADE provided to Person 2 and indicated that it would

cost \$1,400 for GENEROSO to obtain a purported foreign passport for Person 2, to be paid in two installments of \$700 each, that the passport would take 20 days to arrive, and that GENEROSO could obtain a passport for Person 2 from Brazil, Spain, Portugal, France, Belgium, Germany or the Netherlands.

ee. On or about June 25, 2024, GENEROSO messaged Person 2, stating that the passport would be original, but not registered.

ff. On or about June 25, 2024, GENEROSO messaged Person 2, providing Person 2 with a location to pay GENEROSO for procuring the passport.

gg. On or about July 8, 2024, a co-conspirator in Boston, Massachusetts, accepted, on behalf of GENEROSO, \$700 in cash as payment for GENEROSO arranging to obtain a purported Brazilian passport for Person 2.

hh. On or about August 13, 2024, in Danbury, Connecticut, GENEROSO accepted \$700 in cash in return for procuring for Person 2, a purported Brazilian passport, mailed from Brazil to the United States.

ii. On or about August 14, 2024, GENEROSO, in Danbury, Connecticut, mailed to Person 2 at an address in Massachusetts, a purported Brazilian passport in the name of the Customer who Person 2 had been purporting to be.

jj. On or about September 9, 2024, GENEROSO replied yes, in response to Person 2 asking if Person 2 could use the purported Brazilian passport as identification to obtain a driver's license.

COUNT ONE
Conspiracy to Unlawfully Produce and Possess
With Intent to Transfer Identification Documents
(18 U.S.C. § 371)

The Grand Jury charges:

23. The Grand Jury re-alleges and incorporates by reference paragraphs 1 through 22 of this Indictment.

24. From in or about November 2020 through in or about September 2024, in the District of Massachusetts, and elsewhere, the defendants,

- (1) EDVAN FERNANDO ALVES DE ANDRADE,
- (2) GABRIEL NASCIMENTO DE ANDRADE,
- (3) LEONEL TEXEIRA DE SOUZA JUNIOR,
- (4) CESAR AGUSTO MARTIN REIS, and
- (5) HELBERT COSTA GENEROSO,

conspired with each other, and others, to commit offenses against the United States, that is:

- a. to knowingly and without lawful authority produce identification documents, namely genuine but fraudulently issued driver's licenses, in and affecting interstate commerce, in violation of Title 18, United States Code, Sections 1028(a)(1), (b)(1)(A)(ii), and (c)(3)(A); and,
- b. to knowingly possess with the intent to transfer unlawfully, five or more identification documents, namely genuine but fraudulently issued driver's licenses, in and affecting interstate commerce, in violation of Title 18, United States Code, Sections 1028(a)(3), (b)(2)(B), and (c)(3)(A).

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

COUNT TWO

Possession with Intent to Use or Transfer
Unlawfully Identification Documents
(18 U.S.C. § 1028(a)(3))

The Grand Jury further charges:

25. The Grand Jury re-alleges and incorporates by reference paragraphs 1 through 22 of this Indictment.

26. On or about May 12, 2023, in Worcester, in the District of Massachusetts, the defendant,

(1) EDVAN FERNANDO ALVES DE ANDRADE,

did knowingly possess with intent to use or transfer unlawfully five or more identification documents.

All in violation of Title 18, United States Code, Section 1028(a)(3).

COUNT THREE

Possession with Intent to Use or Transfer
Unlawfully Identification Documents
(18 U.S.C. § 1028(a)(3))

The Grand Jury further charges:

27. The Grand Jury re-alleges and incorporates by reference paragraphs 1 through 22 of this Indictment.

28. On or about February 4, 2024, in Bedford, in the District of Massachusetts, the defendant,

(4) CESAR AGUSTO MARTIN REIS,

did knowingly possess with intent to use or transfer unlawfully five or more identification documents.

All in violation of Title 18, United States Code, Section 1028(a)(3).

COUNT FOUR
Furnishing a False Passport to Another For Use
(18 U.S.C. § 1543)

The Grand Jury further charges:

29. The Grand Jury re-alleges and incorporates by reference paragraphs 1 through 22 of this Indictment.

30. On or about August 14, 2024, in the District of Massachusetts, and elsewhere, the defendant,

(5) HELBERT COSTA GENEROSO,

did willfully and knowingly furnish to another for use any false, forged, counterfeited, or altered passport or instrument purporting to be a passport.

All in violation of Title 18, United States Code, Section 1543.

CONSPIRACY FORFEITURE ALLEGATION
(18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c))

31. Upon conviction of the offense in violation of Title 18, United States Code, Section 371, as set forth in Count One, the defendants,

- (1) EDVAN FERNANDO ALVES DE ANDRADE,
- (2) GABRIEL NASCIMENTO DE ANDRADE,
- (3) LEONEL TEXEIRA DE SOUZA JUNIOR,
- (4) CESAR AGUSTO MARTIN REIS, and
- (5) HELBERT COSTA GENEROSO,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the offense.

32. If any of the property described in Paragraph 31, above, as being forfeitable pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), 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 intention of the United States, pursuant to Title 28, United States Code, Section 2461(c), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the property described in Paragraph 31 above.

All pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c).

UNLAWFUL POSSESSION OF IDENTIFICATION
DOCUMENTS FORFEITURE ALLEGATION
(18 U.S.C. §§ 982(a)(2)(B) and 1028(b)(5))

33. Upon conviction of the offense in violation of Title 18, United States Code, Section 1028(a)(3), as set forth in Count Two, the defendant,

(1) EDVAN FERNANDO ALVES DE ANDRADE,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(2)(B) any property constituting or derived from proceeds obtained, directly or indirectly, as a result of such offense; and pursuant to Title 18, United States Code, Section 1028(b)(5) any personal property used or intended to be used to commit the offense.

34. If any of the property described in Paragraph 33, above, as being forfeitable pursuant to Title 18, United States Code, Sections 982(a)(2)(B) and 1028(b)(5), 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 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 intention of the United States, pursuant to Title 18, United States Code, Sections 982(a)(2)(B) and 1028(b)(5), each incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property described in Paragraph 33 above.

UNLAWFUL POSSESSION OF IDENTIFICATION
DOCUMENTS FORFEITURE ALLEGATION
(18 U.S.C. §§ 982(a)(2)(B) and 1028(b)(5))

35. Upon conviction of the offense in violation of Title 18, United States Code, Section 1028(a)(3), as set forth in Count Three, the defendant,

(4) CESAR AGUSTO MARTIN REIS,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(2)(B) any property constituting or derived from proceeds obtained, directly or indirectly, as a result of such offense; and pursuant to Title 18, United States Code, Section 1028(b)(5) any personal property used or intended to be used to commit the offense.

36. If any of the property described in Paragraph 35, above, as being forfeitable pursuant to Title 18, United States Code, Sections 982(a)(2)(B) and 1028(b)(5), 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 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 intention of the United States, pursuant to Title 18, United States Code, Sections 982(a)(2)(B) and 1028(b)(5), each incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property described in Paragraph 35 above.

PASSPORT FRAUD FORFEITURE ALLEGATION
(18 U.S.C. § 982(a)(6)(A))

37. Upon conviction of the offense in violation of Title 18, United States Code, Section 1543, as set forth in Count Four, the defendant,

(5) HELBERT COSTA GENEROSO,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(6)(A), any conveyance, including any vessel, vehicle, or aircraft used in the commission of the offense; any property, real or personal, used or intended to be used to commit or to facilitate the commission of such offense; or any property, real or personal, that constitutes or is derived from proceeds obtained, directly or indirectly, as a result of such offense.

38. If any of the property described in Paragraph 37, above, as being forfeitable pursuant to Title 18, United States Code, Section 982(a)(6)(A), 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 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 intention of the United States, pursuant to Title 18, United States Code, Section 982(b), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property described in Paragraph 37 above.

All pursuant to Title 18, United States Code, Section 982(a)(6)(A).

A TRUE BILL



FOREPERSON

Handwritten signature of Brendan D. O'Shea in black ink.

BRENDAN D. O'SHEA
ASSISTANT UNITED STATES ATTORNEY
DISTRICT OF MASSACHUSETTS

District of Massachusetts: Worcester
Returned into the District Court by the Grand Jurors and filed.

Handwritten signature of Dawn M. King in black ink, followed by the date and time.
DEPUTY CLERK 11-14-24 12:52pm