

AO (Rev. 5/85) Criminal Complaint

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION**

UNITED STATES OF AMERICA

**CRIMINAL COMPLAINT**

vs.

CASE NUMBER: 3:19-mj-1211-JRK

ELIZABETH FARINA-TORRES  
a/k/a Elizabeth Vasquez  
a/k/a Elizabeth De Jesus Vasquez-Artiles

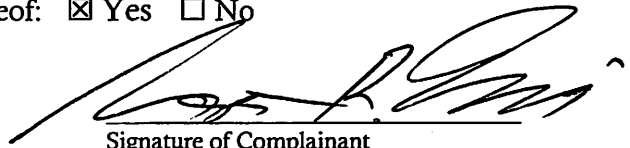
I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about January 24, 2016, in the Middle District of Florida, the defendant,

for the purpose of obtaining a thing of value from another person, with intent to deceive, falsely represented a number to be the social security account number assigned to her by the Commissioner of Social Security when in fact such number was not a social security account number assigned to her,

in violation of Title 42, United States Code, Section 408(a)(7)(B). I further state that I am a Special Agent with the United States Department of Homeland Security, Immigration and Customs Enforcement, Homeland Security Investigations, and that this Complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof:  Yes  No



Signature of Complainant  
Scott R. Kraich

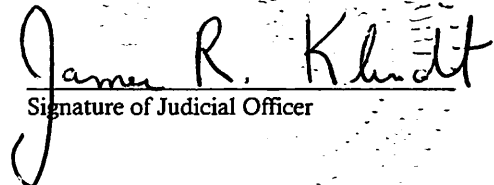
Sworn to before me and subscribed in my presence,

May 22, 2019

at

Jacksonville, Florida

JAMES R. KLINDT  
United States Magistrate Judge  
Name & Title of Judicial Officer



Signature of Judicial Officer

CRIMINAL COMPLAINT AFFIDAVIT

I, Scott R. Kraich, being a duly sworn and appointed Special Agent for the United States Department of Homeland Security, Immigration and Customs Enforcement (“ICE”), Homeland Security Investigations (“HSI”), hereby make the following statement in support of the attached criminal complaint:

1. Your affiant has been a Special Agent of ICE/HSI since November, 2008. Previously, your affiant was employed as a Correctional Probation Senior Officer and Correctional Probation Officer for the Florida Department of Corrections for approximately nine years and six months. Your affiant has training and experience in the preparation and presentation of criminal complaints and training and experience in the service of arrest warrants.

2. The information set forth in this affidavit is based on your affiant's personal knowledge as well as information obtained from other sources, as described herein. Because this affidavit is submitted for the limited purpose of establishing probable cause, this affidavit does not set forth all information known to me regarding this investigation. Your affiant has only set forth facts sufficient to support a finding of probable cause.

3. On August 1, 2017, Clay County Sheriff's Office (“CCSO”) Detective Warren S. Adams informed your affiant that he suspected that ELIZABETH FARINA-TORRES, whose maiden name is Elizabeth De Jesus

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Vasquez-Artiles, had used, without lawful authority, a social security number (“SSN”) of ■■■-■■-8901<sup>1</sup> that is assigned to another person named Elizabeth Vasquez on five separate occasions in Clay County, Florida. To avoid confusion, the Elizabeth Vasquez whose identity was used by FARINA-TORRES will be referred to as “the victim” throughout this affidavit.

4. On May 20, 2019, your affiant reviewed a copy of a Certificate of Marriage from the Commonwealth of Massachusetts reflecting that Elvis Farina-Torres married Elizabeth De Jesus Vasquez on November 14, 2014, in Haverhill, Massachusetts. The Certificate of Marriage states that Vasquez’s date of birth (“DOB”) is April ■, 1977, that she was born in Santiago, Dominican Republic, and that her mother’s name is Maria De Jesus Artilez. On August 24, 2017, your affiant received information from CCSO Deputy Daniel Eshelman that Elvis Farina, Jr., is a student at Oak Leaf High School and that records at the school list ELIZABETH FARINA as his mother and Maria Artilez as his maternal grandmother, with all three individuals living at the same address in Orange Park, Florida.

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<sup>1</sup> I am aware of the social security number, but it has been redacted from the affidavit to keep this information, which is information about a real person, out of the public record. Throughout this affidavit, social security numbers, dates of birth, and other personal identifying information have been redacted, but I am aware of that information.

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5. On May 20, 2019, your affiant obtained information from a United States Citizenship and Immigration Services (“USCIS”) database that Elizabeth Vasquez-Artiles (now FARINA-TORRES) with the DOB of April ■, 1977, had departed the United States on January 22, 2005, on an American Airlines flight using a Dominican Republic passport. Your affiant also contacted Wade Maki, Law Enforcement Specialist at the ICE Law Enforcement Support Center, who queried immigration databases to determine if Vasquez-Artiles (now FARINA-TORRES) had ever applied for legal status in the United States and there was no record of any such application. In view of this information, your affiant believes that FARINA-TORRES is a citizen of the Dominican Republic who is unlawfully present in the United States.

6. On August 15, 2017, your affiant obtained information from the USCIS database that the victim, with the DOB of April ■, 1977 (which is the same DOB used by FARINA-TORRES), and the SSN of ■-■-8901 (which is the same SSN used by FARINA-TORRES), was born in Colombia and became a naturalized United States citizen on April 24, 2006. On August 23, 2017, your affiant reviewed an Application for Naturalization (Form N-400) signed by the victim on April 12, 2006, listing the SSN of ■-■-8901, the DOB of April ■, 1977, and a place of birth in Colombia. Your affiant also reviewed a Certificate of Naturalization for the victim, which states that she became a naturalized

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United States citizen on April 24, 2006, that her DOB is April ■, 1977, and that her country of former nationality is Colombia.

7. On August 24, 2017, your affiant obtained and reviewed passport applications from a Department of State database that were submitted by the victim in 2006 and 2016. Each of the applications lists the SSN of ■-■-8901, the DOB of April ■, 1977, the place of birth of Cali, Colombia, and an address in Greenacres, Palm Beach County, Florida. Each of the applications includes a photograph of the victim.

8. On May 20, 2019, your affiant queried the State of Florida Driver and Vehicle Information Database (“DAVID”) for the name “Elizabeth Vasquez”. The system returned records for a person with the SSN of ■-■-8901, the DOB of April ■, 1977, the place of birth of Colombia, and an address since September, 1999, in Greenacres, Florida. The records contain images of a passport and a social security card submitted on January 22, 2008, and the social security card reflects the SSN of ■-■-8901 and the passport reflects the DOB of April ■, 1977, and an issue date of May 25, 2006. The records show that a driver’s license was first issued on May 15, 1996. The records contain several photographs and several signatures of the person to whom the license was issued. Your affiant compared the photographs with the photograph included with the

victim's passport applications and the photographs appear to be of the same person, meaning that this driver's license was issued to the victim.

9. On August 14, 2017, CCSO Detective Adams told your affiant that FARINA-TORRES and her spouse, Elvis Farina-Torres, entered Rent-A-Vision in Orange Park on April 29, 2015, and filled out a rental order form to obtain furniture. Your affiant obtained and reviewed this form, which lists an address of 4610 Crib Ct., Jacksonville, Florida, and lists ELIZABETH FARINA as having the SSN of ■■■■■-8901.<sup>2</sup> Detective Adams told your affiant that Johnny Swinney, an employee of Rent-A-Vision, told Detective Adams that FARINA-TORRES provided Swinney with a Dominican Republic Voter Identification Card and that he made a copy of the card. Your affiant obtained and reviewed the copy of the card, which is in the name of Elizabeth De Jesus Vasquez Artiles, with the DOB of April ■■■, 1977. The card contains a photograph and your affiant compared this photograph with the photographs in the DAVID records of the victim, and the person depicted in the photograph on the card does not appear to be the same person depicted in the photographs in the DAVID records. The signature of "Elizabeth Vasquez" on this card appears to be the same signature of

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<sup>2</sup> The third digit of the handwritten SSN on the form is not clearly legible because that digit appears to have been overwritten or otherwise changed in some way. However, the other eight digits of the SSN are identical to the digits in the SSN ending in 8901 that has been referred to throughout this affidavit.

“Elizabeth Vasquez” that is on the rental order form and on several other Rent-A-Vision documents that your affiant obtained and reviewed. In addition, the signature of the victim reflected in the DAVID records obtained by your affiant does not appear to be the same signature of “Elizabeth Vasquez” that is on the Dominican Republic Voter Identification Card and the other Rent-A-Vision documents.

10. On August 18, 2017, Detective Adams provided your affiant with a sworn statement by Swinney, which your affiant has reviewed. Attached to the statement, which is dated August 8, 2017, are photographs of FARINA-TORRES and her husband. Swinney identified two of the photographs as depicting FARINA-TORRES (identified as Elizabeth Vasquez). Your affiant compared these photographs with the photographs in the DAVID records of the victim, and the person depicted in the photographs shown to Swinney does not appear to be the same person that is depicted in the photographs in the DAVID records.

11. In the sworn statement, Swinney states that FARINA-TORRES and her husband rented some furniture that was delivered to their home. He states that they were supposed to make monthly payments but did not make any payments after the first one. He says that he “had a hard time collecting on the account after several weeks of hounding them and camping out at their house waiting for someone to come home. We were able to recover all of the furniture

except for the bunkbed mattresses. She said they were thrown out due to a dog urinating on them.” Swinney also states that he was shown a photograph of the victim and that he had never seen her before.

12. On May 21, 2019, your affiant obtained and reviewed an Information filed October 30, 2015, charging FARINA-TORRES (under the name Elizabeth Vasquez) with the misdemeanor offense of failure to redeliver hired or leased personal property valued at less than \$300 in Case No. 15MM053304AC in the County Court, Fourth Judicial Circuit, Clay County, Florida. The Information describes the subject property as mattresses obtained from Rent-A-Vision. Your affiant also obtained and reviewed from the same case a Nolle Prosequi and Direction to Recall Capias filed on July 21, 2016.

13. On August 18, 2017, your affiant reviewed a police report from the Methuen (Massachusetts) Police Department dated January 27, 2009. This report states that Eric Murtagh and Rene Pagan, managers of a Rent-A-Center in Massachusetts, went to an address in Methuen, Massachusetts, to retrieve items from a person who had rented property from Rent-A-Center using the name Elizabeth Vasquez with the DOB of April ■, 1977, and the SSN of ■-■-8901. The managers stated that they saw the person identified as Elizabeth Vasquez enter a vehicle and they called out to her, and she then started the car and drove toward the driveway exit. Murtagh and Pagan waved in an attempt to stop the

person, but she did not slow as she approached them. Murtagh and Pagan had to jump to the side to avoid being struck by the vehicle. Both men were able to positively identify the driver because of face-to-face meetings and a copy of her passport, which they had with them. The tag number of the vehicle came back as registered to FARINA-TORRES's husband, Elvis Farina-Torres.

14. On August 24, 2017, your affiant spoke with Officer Mark C. Whittaker of the Methuen Police Department, who stated that a warrant was issued in the name of Elizabeth Vasquez with a DOB of April ■, 1977, and a SSN of ■-■-8901 for two counts of Assault with Dangerous Weapon based on this incident. Your affiant has reviewed records from the Massachusetts State Police confirming that this warrant was issued on January 28, 2009.

15. On May 20, 2019, HSI Special Agent Sean Rafferty queried the Trial Court of Massachusetts – Warrant Management system regarding the warrant, and he told your affiant that the warrant is still active but is not extraditable, meaning that an arrest on the warrant can be effected only in Massachusetts.

16. On August 14, 2017, your affiant reviewed documents obtained from Orange Park Medical Center ("OPMC") reflecting that FARINA-TORRES was admitted to the hospital four separate times, on January 24, 2016, February 5, 2016, April 19, 2016, and June 14, 2016. On all four occasions, FARINA-TORRES provided the DOB of April ■, 1977, and the SSN of ■-■-

8901. On the first three occasions, she provided the address of 8684 Ribbon Fall Ln., Jacksonville, Florida, and on the fourth occasion she provided the address of 3698 Creswick Cir., Orange Park, Florida.

17. On August 14, 2017, your affiant obtained and reviewed a CCSO incident report dated March 28, 2017, and authored by Detective Adams regarding criminal use of identification information by FARINA-TORRES arising out of her use of the victim's SSN at OPMC. The report states that on March 16, 2017, Detective Adams was contacted by an employee of OPMC, who stated that another employee had "received a phone call from a lady telling them that she had been the victim of identity theft. The lady identified herself as Elizabeth Vasquez, 04/█/77. E. Vasquez told [the employee] that she had received notice that her name, date of birth, and social security number were being used by an unknown person. E. Vasquez told [the employee] that she was informed that her information was used at Orange Park Medical Center on 01/24/16, 02/05/16, 04/19/16, and 06/14/16. E. Vasquez stated that she has never been to Orange Park Medical Center because she lives in Palm Beach County, Florida." A supplement to the report dated July 11, 2017, states that "[t]he victim has received numerous calls from collection agencies, including recent fraudulent medical bills."

18. On August 22, 2017, your affiant reviewed a sworn statement dated June 19, 2017, provided to CCSO by David Jeffrey Walton, a Parallon employee who works at the OPMC. This statement provides as follows:

Patient access and hospital policy requires [*sic*] patients to identify themselves using their social security number. On three separate occasions Elizabeth Farina provided a social security number attesting that it was hers. Registration then verifies [*sic*] all patient inputted information with the patient at each visit, giving the patient ample opportunity to correct any information. . . . On all four occasions a false social security was given with the patient's knowledge of providing false information. The social security number used belongs to Elizabeth Vasquez of Green Acres, FL who has reported the hospital visit as fraud and has never been to Orange Park Medical Center.

19. On August 18, 2017, your affiant obtained and reviewed a Greenacres Department of Public Safety ("GDPS") Offense Report dated February 15, 2009, regarding identity theft. In the report, the victim states that she had received a phone call from a collection agency for a debt with Sprint/Nextel and that she then contacted Sprint/Nextel to report the debt as fraud. She said that she printed out a credit report and found several accounts that had been fraudulently opened in 2008. In another GDPS incident report dated September 20, 2016, the victim reports fraud related to charges by MMB Radiology located in Jacksonville, Florida, in the amount of \$3,947. In another GDPS incident report dated February 17, 2017, the victim states that her credit report reflected collection accounts arising from FARINA-TORRES's four visits

to OPMC from January 24, 2016, through June 14, 2016, in amounts totaling \$4,583.92. She states that she never received services at OPMC and never authorized anyone to use her personal information to receive services at OPMC or any other location.

20. On August 25, 2017, your affiant received an affidavit from Mervyn Miller, Senior Special Agent with the Social Security Administration Office of Inspector General, Office of Investigations. The affidavit states that a search of the computerized records of the Social Security Administration by the Office of Investigations shows that SSN [REDACTED]-[REDACTED]-8901 is valid and is assigned to Elizabeth Vasquez with a DOB of April [REDACTED], 1977.

21. On May 17, 2019, your affiant spoke to the victim, who stated that upon returning on a flight from Colombia to Miami, Florida, in July, 2016, she was told that there was an arrest warrant for her out of the State of Massachusetts. The victim stated that she was then placed in handcuffs and transported to a police facility within Miami International Airport. The victim stated that she was later transported while handcuffed in the back of a police vehicle to a Miami police department facility off-site from the airport where she was questioned further about the Massachusetts arrest warrant. The victim stated that she was able to convince the police department to release her only after she explained in great detail that she was a victim of identity theft. The victim

described this experience as the most traumatic experience of her life. The victim said that she could feel her body shaking just from telling your affiant about this episode. Your affiant was able to confirm through HSI databases that the victim arrived at Miami International Airport on a flight from Colombia on July 18, 2016.

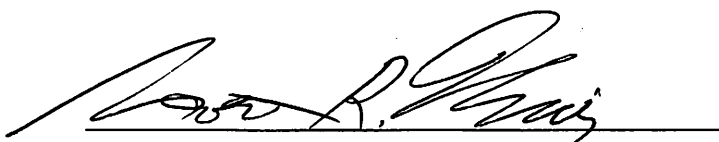
22. The victim stated that she has spent countless hours repairing the various credit issues caused by FARINA-TORRES since approximately 2009 and that her credit score is currently damaged as a result of FARINA-TORRES's actions. The victim stated that these hardships are well-documented in offense and incident reports about complaints she made to the Greenacres Police Department and the Clay County Sheriff's Office. The victim said that she had to pay for LifeLock to assist with clearing numerous debts in her name caused by FARINA-TORRES, but that she still has two debt collection accounts on her credit report as a result of FARINA-TORRES's actions.

23. On May 18, 2019, the victim provided your affiant with Equifax and Experian credit reports that your affiant has reviewed. These reports displayed two accounts in debt collection. On March 20, 2019, your affiant verified that these debt collections are related to the victim's social security number and that Professional Debt Mediation, Inc., and Transworld Systems, Inc., are the entities

attempting to collect this debt. The victim told your affiant that any account in collections on these reports is not hers.

24. To ensure that FARINA-TORRES is correctly identified, attached to this affidavit are the two photographs of FARINA-TORRES that were shown to Rent-A-Vision employee Johnny Swinney when he identified her on August 8, 2017.

Based on the foregoing, your affiant believes there is probable cause to establish that ELIZABETH FARINA-TORRES, also known as Elizabeth Vasquez, also known as Elizabeth De Jesus Vasquez-Artiles, for the purpose of obtaining a thing of value from another person, with intent to deceive, falsely represented a number to be the social security account number assigned to her by the Commissioner of Social Security when in fact such number was not a social security account number assigned to her, in violation of Title 42, United States Code, Section 408(a)(7)(B).



Scott R. Kraich, Special Agent  
Homeland Security Investigations  
U.S. Immigration and Customs Enforcement  
Jacksonville, Florida



ATTACHMENT

United States v. ELIZABETH FARINA-TORRES

a/k/a Elizabeth Vasquez

a/k/a Elizabeth De Jesus Vasquez-Artiles

Photographs of Subject



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