

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: OAKLAND

FILED

Aug 16 2023

Mark B. Busby
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

UNITED STATES OF AMERICA,

V.

PATRICK JAMES BERHAN,
MORTEZA AMIRI,
AMANDA CARMELLA THEODOSY,
a/k/a AMANDA CARMELLA NASH,
SAMANTHA GENOVEVA PETERSON,
ERNESTO JUAN MEJIA-OROZCO, and
BRAULI RODRIGUEZ JALAPA

DEFENDANT(S).

INDICTMENT

18 U.S.C. § 1349 – Conspiracy to Commit Wire Fraud (one count)
18 U.S.C. § 1343 – Wire Fraud (six counts)
18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c) – Forfeiture Allegation

A true bill.

/s/ Foreperson of the Grand Jury

Foreman

Filed in open court this 16th day of

August


Brittany Sims, Clerk

Bail, \$ NO BAIL



Hon. Magistrate Judge Lisa J. Cisneros

FILED

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Mark B. Busby
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

1 ISMAIL J. RAMSEY (CABN 189820)
2 United States Attorney

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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 OAKLAND DIVISION

11	UNITED STATES OF AMERICA,)	CASE NO. 4:23-cr-00264 JSW
12	Plaintiff,)	<u>VIOLATIONS:</u>
13	v.)	18 U.S.C. § 1349 – Conspiracy to Commit Wire
14	(1) PATRICK JAMES BERHAN,)	Fraud;
15	(2) MORTEZA AMIRI,)	18 U.S.C. § 1343 – Wire Fraud;
16	(3) AMANDA CARMELLA THEODOSY,)	18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c) –
17	a/k/a AMANDA CARMELLA NASH,)	Forfeiture Allegation
18	(4) SAMANTHA GENOVEVA PETERSON,)	OAKLAND VENUE
19	(5) ERNESTO JUAN MEJIA-OROZCO, and)	
20	(6) BRAULI RODRIGUEZ JALAPA,)	
21	Defendants.)	

20 INDICTMENT

21 The Grand Jury charges:

22 Introductory Allegations

23 At all times relevant to this Indictment:

- 24 1. The Pittsburg Police Department (“PPD”) was the police department for the city of
- 25 Pittsburg, located in the Northern District of California.
- 26 2. The Antioch Police Department (“APD”) was the police department for the city of
- 27 Antioch, located in the Northern District of California.
- 28 3. Patrick JAMES BERHAN resided in the Northern District of California and was

INDICTMENT

1 employed as a police officer with PPD.

2 4. Morteza AMIRI resided in the Northern District of California and was employed as a
3 police officer with APD.

4 5. Amanda Carmella THEODOSY a/k/a Amanda Carmella NASH (“THEODOSY”) resided
5 in the Northern District of California and was employed as a police officer with PPD.

6 6. Samantha Genoveva PETERSON resided in the Northern District of California and was
7 employed by APD, including as a community services officer (CSO).

8 7. Ernesto Juan MEJIA-OROZCO (“MEJIA”) resided in the Northern District of California
9 and was employed as a police officer with PPD.

10 8. Brauli RODRIGUEZ JALAPA (“RODRIGUEZ”) resided in the Northern District of
11 California and was employed as a police officer of PPD or the Oakland Housing Authority.

12 9. Individual-1 resided in the Northern District of California.

13 10. University-1 was a distance learning institution based in Santa Ana, California offering
14 classes online. The institution took applications from prospective students, accepted tuition payments
15 via check and credit card, and awarded university-level degrees following the successful completion of
16 requisite coursework and exams.

17 11. The defendants enrolled at University-1, which offered a Bachelor of Science degree in
18 Criminal Justice.

19 12. Transactions using the Venmo payment service were initiated by individuals in the
20 Northern District of California and/or received by Individual-1 in the Northern District of California and
21 sent for processing, via wire, through Venmo’s servers located outside the state of California.

22 13. Transactions using Visa credit and/or debit cards were initiated by or on behalf of
23 individuals in the Northern District of California and sent for processing, via wire, through servers
24 located outside the state of California.

25 The Scheme and Artifice to Defraud

26 14. Beginning no later than in or about June 2019, and continuing through at least in or about
27 May 2021, in the Northern District of California and elsewhere, the defendants knowingly conspired to
28 devise and execute a scheme and artifice to defraud as a material matter, and to obtain money and

1 property by means of materially false and fraudulent pretenses, representations, and promises, and by
2 omission and concealment of material facts.

3 As part of the scheme to defraud:

4 15. The defendants were employed at police departments that offered reimbursements toward
5 higher education tuition and expenses, as well as pay raises and/or increased benefits upon completion
6 of a degree.

7 16. The defendants employed Individual-1 to fraudulently take courses, submit essays, and
8 complete exams on their behalf, rather than complete coursework on their own as was required to earn
9 the degrees at University-1.

10 17. Between in or about June 2019 and in or about August 2019, BERHAN utilized
11 Individual-1 to take and complete multiple courses on his behalf toward a Bachelor Science in Criminal
12 Justice. University-1 thereafter awarded a degree to BERHAN based on the fraudulent coursework of
13 Individual-1 for BERHAN. BERHAN then applied for and received reimbursements and increases to
14 his pay from PPD.

15 18. Following Individual-1's completion of BERHAN's coursework, BERHAN promoted
16 Individual-1's services to take and complete similar University-1 coursework for other police officers
17 and employees as a further part of the scheme to defraud. BERHAN also benefited from payments
18 received by Individual-1 in furtherance of the scheme.

19 19. As a further part of the scheme to defraud, between in or about January 2020 and in or
20 about April 2020, AMIRI employed Individual-1 to take and complete multiple courses on his behalf
21 toward a Bachelor Science in Criminal Justice. AMIRI paid Individual-1 using Venmo on multiple
22 occasions, including a \$250 payment on or about February 18, 2020. University-1 thereafter awarded a
23 degree to AMIRI based on the fraudulent coursework of Individual-1 for AMIRI. AMIRI then applied
24 for and received reimbursements and increases to his pay from APD.

25 20. As a further part of the scheme to defraud, between in or about May 2020 and in or about
26 June 2020, THEODOSY employed Individual-1 to take and complete multiple courses on her behalf
27 toward a Bachelor Science in Criminal Justice. THEODOSY paid Individual-1 using Venmo on
28 multiple occasions, including a \$230 payment on or about May 27, 2020. University-1 thereafter

1 awarded a degree to THEODOSY based on the fraudulent coursework of Individual-1 for THEODOSY.
2 THEODOSY then applied for and received reimbursements and increases to her pay from PPD.

3 21. As a further part of the scheme to defraud, between in or about November 2020 and in or
4 about January 2021, PETERSON employed Individual-1 to take and complete multiple courses on her
5 behalf toward a Bachelor Science in Criminal Justice. PETERSON paid Individual-1 using Venmo on
6 multiple occasions, including a \$275 payment on or about December 7, 2020. University-1 thereafter
7 awarded a degree to PETERSON based on the fraudulent coursework of Individual-1 for PETERSON.
8 PETERSON then applied for and received reimbursements and increases to her pay from APD.

9 22. As a further part of the scheme to defraud, between in or about December 2020 and
10 March 2021, MEJIA employed Individual-1 to take and complete multiple courses on his behalf toward
11 a Bachelor Science in Criminal Justice. MEJIA paid Individual-1 using cash, via BERHAN. MEJIA
12 paid tuition to University-1 in installments, including approximately \$100 on or about January 18, 2022
13 using a Visa card. MEJIA applied for and received reimbursements and increases to his pay from PPD
14 based on the fraudulent coursework of Individual-1 for MEJIA.

15 23. As a further part of the scheme to defraud, in or about April 2021, RODRIGUEZ
16 employed Individual-1 to take and complete courses on his behalf toward a Bachelor of Science in
17 Criminal Justice. RODRIGUEZ paid Individual-1 using cash, via BERHAN. RODRIGUEZ paid
18 tuition to University-1, including approximately \$12,130 on or about May 8, 2021 using a Visa card.
19 RODRIGUEZ then requested reimbursement from his employer, the Oakland Housing Authority police
20 department, based on the fraudulent coursework of Individual-1 for him.

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1 COUNT ONE: (18 U.S.C. § 1349 – Conspiracy to Commit Wire Fraud)

2 24. Paragraphs 1 through 23 of this Indictment are re-alleged and incorporated as if fully set
3 forth here.

4 25. Beginning no later than in or about June 2019 and continuing through at least in or about
5 May 2021, in the Northern District of California and elsewhere, the defendants,

6 PATRICK JAMES BERHAN,
7 MORTEZA AMIRI,
8 AMANDA CARMELLA THEODOSY, a/k/a AMANDA CARMELLA NASH,
9 SAMANTHA GENOVEVA PETERSON,
10 ERNESTO JUAN MEJIA-OROZCO, and
11 BRAULI RODRIGUEZ JALAPA,

12 and others known and unknown to the Grand Jury, did knowingly conspire to devise and intend to
13 devise a scheme and artifice to defraud as to a material matter and to obtain money and property by
14 means of materially false and fraudulent pretenses, representations, and promises, and by omission and
15 concealment of material facts, and, for the purpose of executing such scheme or artifice and attempting
16 to do so, did transmit, and cause to be transmitted, by means of wire communication in interstate
17 commerce, certain writings, signs, and signals, in violation of Title 18, United States Code, Section
18 1343.

19 All in violation of Title 18, United States Code, Section 1349.

20 COUNTS TWO THROUGH SEVEN: (18 U.S.C. § 1343 – Wire Fraud)

21 26. Paragraphs 1 through 23 of this Indictment are re-alleged and incorporated as if fully set
22 forth here.

23 27. On or about the dates set forth in the separate counts below, in the Northern District of
24 California and elsewhere, for the purpose of executing the aforementioned scheme and artifice to
25 defraud and attempting to do so, the defendants set forth in the separate counts below did knowingly
26 transmit and cause to be transmitted in interstate and foreign commerce, by means of a wire
27 communication, certain writings, signs, signals, pictures, and sounds, specifically:

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COUNT	DEFENDANT	DATE	WIRE
2	PATRICK JAMES BERHAN	December 22, 2020	\$2,400 payment to University-1 using Capital One Visa Signature card ending in -8234
3	MORTEZA AMIRI	February 18, 2020	\$250 payment to Individual-1 using Venmo
4	AMANDA CARMELLA THEODOSY a/k/a AMANDA CARMELLA NASH	May 27, 2020	\$230 payment to Individual-1 using Venmo
5	SAMANTHA GENOVEVA PETERSON	December 7, 2020	\$275 payment to Individual-1 using Venmo
6	ERNESTO JUAN MEJIA OROZCO	January 18, 2022	\$100 payment to University-1 using Bank of America Visa card ending in -3015
7	BRAULI RODRIGUEZ JALAPA	May 8, 2021	\$12,130 payment to University-1 using Capital One Visa card ending in -0215

All in violation of Title 18, United States Code, Section 1343.

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

The allegations contained in this Indictment are re-alleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

Upon conviction for any of the offenses set forth in this Indictment, the defendants,

PATRICK JAMES BERHAN,
MORTEZA AMIRI,
AMANDA CARMELLA THEODOSY, a/k/a AMANDA CARMELLA NASH,
SAMANTHA GENOVEVA PETERSON,
ERNESTO JUAN MEJIA-OROZCO, and
BRAULI RODRIGUEZ JALAPA,

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), all property, real or personal, constituting, or derived from proceeds the defendant obtained directly and indirectly, as the result of those violations.

If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon exercise of due diligence;

