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APR 15 2014

AT 8:00
WILLIAM J. MARTINI

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

v.

ALIN DUMITRU CARABUS,
IONUT VASILE CIURBA-STANA,
a/k/a "Ciorba,"
ROBERT EDUARD MATE,
a/k/a "Chioru,"
a/k/a "Marcel Varga"

: Hon. William J. Martini
:
: Crim. No. 14- 215
:
: 18 U.S.C. § 1349
: 18 U.S.C. § 1028A(a)(1)
: 18 U.S.C. § 1029(a)(3)
: 18 U.S.C. § 1029(b)(2)
: 18 U.S.C. § 2
:

INDICTMENT

The Grand Jury in and for the District of New Jersey, sitting at
Newark, charges:

COUNT ONE
(Conspiracy to Commit Bank Fraud)
(18 U.S.C. § 1349)

BACKGROUND

1. At various times relevant to this Indictment:
 - a. Defendant ALIN DUMITRU CARABUS ("CARABUS") was a citizen of Romania and resided in Queens, New York.
 - b. Defendant IONUT VASILE CIURBA-STANA, a/k/a "Ciorba" ("CIURBA"), was a citizen of Romania and resided in Queens, New York.
 - c. Defendant ROBERT EDUARD MATE, a/k/a "Chioru," a/k/a "Marcel Varga" ("MATE"), was a citizen of Romania and resided in Queens, New York.

d. Marius Vintila, a/k/a “Dan Girneata,” (“Vintila”), a co-conspirator who is not named as a defendant herein, was a citizen of Romania and resided in Queens, New York.

e. Bogdan Radu (“Radu”), a co-conspirator who is not named as a defendant herein, was a citizen of Romania and resided in Queens, New York.

f. Wells Fargo, Citibank, and TD Bank were federally insured financial institutions as that term is defined by Title 18, United States Code, Section 20

g. “Victim 1” was a resident of Park Ridge, New Jersey, and held an account at Citibank ending in 3721.

h. “Victim 2” was a resident of Cedar Grove, New Jersey, and held an account at Citibank ending in 3024.

i. “Victim 3” was a resident of Egg Harbor Township, New Jersey, and held an account at TD Bank ending in 6041.

THE CONSPIRACY

2. From in or about September 2012 through in or about July 2013, in Bergen, Essex, Middlesex, Monmouth, Morris, Ocean, Passaic, and Union Counties, in the District of New Jersey, and elsewhere, defendants

ALIN DUMITRU CARABUS,
IONUT VASILE CIURBA-STANA,
a/k/a “Ciorba,” and
ROBERT EDUARD MATE,
a/k/a “Chioru,”
a/k/a “Marcel Varga,”

did knowingly and intentionally conspire and agree with each other and with Marius Vintila, Bogdan Radu, and others to execute a scheme and artifice to defraud financial institutions, as defined in Title 18, United States Code, Section 20, namely Citibank, TD Bank, and Wells Fargo, whose deposits were insured by the Federal Deposit Insurance Corporation, and to obtain money, funds, assets, and other property owned by and under the custody and control of Citibank, TD Bank, and Wells Fargo, by means of materially false and fraudulent pretenses, representations, and promises, contrary to Title 18, United States Code, Section 1344.

OBJECT OF THE CONSPIRACY

3. It was the object of the conspiracy for defendants CARABUS, CIURBA, MATE, and others to enrich themselves by installing devices on automated teller machines ("ATMs") that acquired customers' bank account and personal identification number ("PIN") information, using this stolen information to produce counterfeit ATM cards, and using the counterfeit ATM cards and stolen PINs to withdraw funds from the compromised accounts.

MANNER AND MEANS OF THE CONSPIRACY

4. It was part of the conspiracy that co-conspirators Vintila and Radu designed "skimming" devices for installation onto the card reader interfaces of bank ATMs and bank ATM vestibule doors. The "skimming" devices captured and recorded account information contained in the magnetic strip of customers' ATM cards.

5. It was further part of the conspiracy that co-conspirators Vintila and Radu designed pinhole camera panels and paid commercial businesses to manufacture the panels. The pinhole camera panels contained pinhole cameras that were concealed within overlay plates designed to blend in with the banks' existing ATM components. The pinhole cameras were capable of recording the keystrokes of bank customers as they entered their PINs during ATM transactions.

6. It was further part of the conspiracy that co-conspirator Vintila recruited co-conspirators, including defendants CARABUS, CIURBA, MATE, and others to participate in the scheme. Co-conspirators Vintila and Radu taught defendants CARABUS, CIURBA, and MATE how to install and remove the "skimming" devices and pinhole camera panels from bank ATMs in order to extract customer account information.

7. It was further part of the conspiracy that defendants CARABUS, CIURBA, and MATE installed the "skimming" devices and pinhole camera panels onto bank ATMs and bank ATM vestibule doors at locations throughout New Jersey, New York, and Florida, and later removed the devices to obtain the customer account information.

8. It was further part of the conspiracy that co-conspirators Vintila, Radu, and others then transferred the stolen customer account information and customer PIN numbers onto blank ATM cards, thereby creating counterfeit ATM cards ("Counterfeit ATM Cards").

9. It was further part of the conspiracy that defendants CARABUS, CIURBA, MATE, and others used the Counterfeit ATM Cards to make unauthorized ATM withdrawals of millions of dollars from customer bank accounts at ATMs throughout New Jersey, New York, and Florida.

10. As a result of the foregoing conduct, Citibank, TD Bank, and Wells Fargo suffered total losses of approximately \$5 million.

SPECIFIC ACTS IN FURTHERANCE OF THE CONSPIRACY

11. In furtherance of the conspiracy and to effect the unlawful object therefor, defendants CARABUS, CIURBA, MATE, and others committed and caused to be committed the following acts, among others:

a. On or about July 1, 2012, defendant MATE was captured by ATM security cameras withdrawing money from a Wells Fargo ATM located in Cranford, New Jersey, with a Counterfeit ATM Card encoded with stolen Wells Fargo bank account information. In total, MATE used more than fifteen Counterfeit ATM Cards to withdraw money from victim customer accounts.

b. On or about July 15, 2012, defendant CARABUS was captured by ATM security cameras withdrawing money from a Wells Fargo ATM located in Paterson, New Jersey, with a Counterfeit ATM Card encoded with stolen Wells Fargo bank account information. In total, CARABUS used more than fifteen Counterfeit ATM Cards to withdraw money from victim customer accounts.

c. On or about November 17, 2012, defendant CARABUS was captured by ATM security cameras installing an ATM “skimming” device and pinhole camera on a Citibank ATM located in Park Ridge, New Jersey. Among the information stolen during this skimming operation was the bank account information and PIN number for Victim #1, who was a resident of Park Ridge, New Jersey, and who held a Citibank account ending in 3721.

d. On or about November 22, 2012, defendant MATE was captured by ATM security cameras removing a “skimming” device and pinhole camera from a Citibank ATM located in Cedar Grove, New Jersey. Among the information stolen during this skimming operation was the bank account information and PIN number for Victim #2, who was a resident of Cedar Grove, New Jersey, and who held a Citibank account ending in 3024.

e. On or about November 30, 2012, defendant CIURBA was captured by ATM security cameras installing an ATM “skimming” device and pinhole camera on a TD Bank ATM located in Cherry Hill, New Jersey.

f. On or about December 2, 2012, defendant MATE was captured by ATM security cameras removing the ATM “skimming” device and pinhole camera from the same TD Bank ATM in Cherry Hill, New Jersey.

g. On or about December 7, 2012, defendant CIURBA was captured by ATM security cameras installing an ATM “skimming” device and pinhole camera on a TD Bank ATM located in Brigantine, New Jersey. Among the information stolen during this skimming operation was the bank account

information and PIN number for Victim #3, who was a resident of Egg Harbor Township, New Jersey, and who held a TD Bank account ending 6041.

h. On or about December 8, 2012, defendant MATE was captured by ATM security cameras removing the ATM “skimming” device and pinhole camera from the same TD Bank ATM in Brigantine, New Jersey.

i. On or about December 17, 2012, defendant CIURBA was captured by ATM security cameras withdrawing money from a Citibank ATM located in Florham Park, New Jersey with a Counterfeit ATM Card encoded with stolen Citibank account information. In total, CIURBA used more than fifteen Counterfeit ATM Cards to withdraw money from victim customer accounts.

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

COUNT TWO
(Aggravated Identity Theft)
(18 U.S.C. § 1028A(a)(1))

1. The allegations set forth in paragraphs 1 and 4 through 11 of Count One of this Indictment are realleged and incorporated as if set forth herein.

2. On or about November 17, 2012, in the District of New Jersey, and elsewhere, defendant

ALIN DUMITRU CARABUS

did knowingly transfer, possess, and use, without lawful authority, a means of identification of another individual, namely an ATM card containing the name and bank account number of Victim #1, during and in relation to a felony violation of a provision contained in chapter 63, United States Code, that is, conspiracy to commit bank fraud in violation of Title 18, United States Code, Section 1349, charged in Count One of this Indictment.

In violation of Title 18, United States Code, Section 1028A(a)(1) and Title 18, United States Code, Section 2.

COUNT THREE
(Aggravated Identity Theft)
(18.S.C. § 1028A(a)(1))

1. The allegations set forth in paragraphs 1 and 4 through 11 of Count One of this Indictment are realleged and incorporated as if set forth herein.

2. On or about November 22, 2012, in the District of New Jersey, and elsewhere, defendant

ROBERT EDUARD MATE,
a/k/a "Chioru,"
a/k/a "Marcel Varga,"

did knowingly transfer, possess, and use, without lawful authority, a means of identification of another individual, namely an ATM card containing the name and bank account number of Victim #2, during and in relation to a felony violation of a provision contained in chapter 63, United States Code, that is, conspiracy to commit bank fraud in violation of Title 18, United States Code, Section 1349, charged in Count One of this Indictment.

In violation of Title 18, United States Code, Section 1028A(a)(1) and Title 18, United States Code, Section 2

COUNT FOUR
(Aggravated Identity Theft)
(18.S.C. § 1028A(a)(1))

1. The allegations set forth in paragraphs 1 and 4 through 11 of Count One of this Indictment are realleged and incorporated as if set forth herein.

2. On or about December 7, 2012, in the District of New Jersey, and elsewhere, defendant

IONUT VASILE CIURBA-STANA,
a/k/a "Ciorba,"

did knowingly transfer, possess, and use, without lawful authority, a means of identification of another individual, namely an ATM card containing the name and bank account number of Victim #3, during and in relation to a felony violation of a provision contained in chapter 63, United States Code, that is, conspiracy to commit bank fraud in violation of Title 18, United States Code, Section 1349, charged in Count One of this Indictment.

In violation of Title 18, United States Code, Section 1028A(a)(1) and Title 18, United States Code, Section 2.

COUNT FIVE
(Conspiracy to Possess Fifteen or More Counterfeit Access Devices)
(18 U.S.C. § 1029(b)(2))

1. The allegations set forth in paragraphs 1 and 4 through 11 of Count One of this Indictment are realleged and incorporated as if set forth herein.

THE CONSPIRACY

2. From in or about September 2012 through in or about July 2013, in the District of New Jersey, and elsewhere, defendants

ALIN DUMITRU CARABUS,
IONUT VASILE CIURBA-STANA,
a/k/a "Ciorba," and
ROBERT EDUARD MATE,
a/k/a "Chioru,"
a/k/a "Marcel Varga,"

did knowingly conspire and agree with each other and with Vintila, Radu, and others to possess, with intent to defraud, at least fifteen counterfeit and unauthorized access devices, as defined in Title 18, United States Code, Section 1029(e)(1)-(3), namely counterfeit and unauthorized ATM cards, in a manner affecting interstate and foreign commerce, contrary to Title 18, United States Code, Section 1029(a)(3).

OBJECT OF THE CONSPIRACY

3. It was the object of the conspiracy for defendants CARABUS, CIURBA, and MATE and others to possess more than fifteen counterfeit and unauthorized access devices, namely counterfeit and unauthorized ATM cards, in order to use those counterfeit and unauthorized ATM cards to enrich themselves and others by withdrawing funds from compromised bank accounts.

OVERT ACTS IN FURTHERANCE OF THE CONSPIRACY

4. In furtherance of the conspiracy and in order to effect the object thereof, defendants CARABUS, CIURBA, MATE, and their co-conspirators committed and caused to be committed the following overt acts, among others, in the District of New Jersey, and elsewhere:

a. On or about November 17, 2012, defendant CARABUS installed an ATM “skimming” device and pinhole camera on a Citibank ATM located in Park Ridge, New Jersey.

b. On or about November 22, 2012, defendant MATE removed a “skimming” device and pinhole camera from a Citibank ATM located in Cedar Grove, New Jersey.

c. On or about November 30, 2012, defendant CIURBA installed an ATM “skimming” device and pinhole camera on a TD Bank ATM located in Cherry Hill, New Jersey.

All in violation of Title 18, United States Code, Sections 1029(b)(2) and (c)(1)(A)(i).

COUNT SIX
(Possession of Fifteen or More Counterfeit Access Devices)
(18 U.S.C. § 1029(a)(3))

1. The allegations set forth in paragraphs 1 and 4 through 11 of Count One of this Indictment are realleged and incorporated as if set forth herein.

2. From in or about September 2012 through in or about July 2013, in the District of New Jersey, and elsewhere, defendants

ALIN DUMITRU CARABUS,
IONUT VASILE CIURBA-STANA,
a/k/a "Ciorba," and
ROBERT EDUARD MATE,
a/k/a "Chioru,"
a/k/a "Marcel Varga,"

did knowingly and with intent to defraud, each possess at least fifteen counterfeit and unauthorized access devices, as defined in Title 18, United States Code, Section 1029(e)(1)-(3), namely counterfeit and unauthorized ATM cards, in and affecting interstate commerce.

All in violation of Title 18, United States Code, Sections 1029(a)(3) and (c)(1)(A)(i).

FIRST FORFEITURE ALLEGATION

1. The allegations contained in this Indictment are hereby realleged and incorporated by reference for the purpose of noticing forfeiture pursuant to Title 18, United States Code, Sections 981(a)(1)(c), 982(a)(2) and Title 28, United States Code, Section 2461(c).

2. The United States hereby gives notice to the defendants, that upon their conviction of the offense charged in Count One of this Indictment, the government will seek forfeiture in accordance with Title 18, United States Code, Sections 981(a)(1)(c), 982(a)(2) and Title 28, United States Code, Section 2461(c), 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.

3. 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) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of such defendants up to the value of the forfeitable property described in paragraph 2.

SECOND FORFEITURE ALLEGATION

1. The allegations contained in this Indictment are hereby realleged and incorporated by reference for the purpose of noticing forfeiture pursuant to Title 18, United States Code, Sections 982(a)(2) and 1029(c)(1)(C).

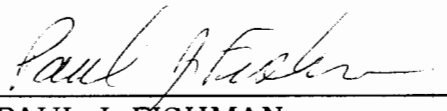
2. The United States hereby gives notice to the defendants, that upon their conviction of the offenses charged in Counts Five and Six of this Indictment, the government will seek forfeiture in accordance with Title 18, United States Code, Section 982(a)(2), which requires any person convicted of such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

3. 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 such defendants up to the value of the forfeitable property described in paragraph 2.

A TRUE BILL,



PAUL J. FISHMAN
United States Attorney

CASE NUMBER: 14- 215 (WJM)

**United States District Court
District of New Jersey**

UNITED STATES OF AMERICA

v.

**ALIN DUMITRU CARABUS,
IONUT VASILE CIURBA-STANA,
a/k/a/ "Ciorba,"**

**ROBERT EDUARD MATE,
a/k/a "Chioru,"
a/k/a "Marcel Varga"**

INDICTMENT FOR

18 U.S.C. § 1349
18 U.S.C. § 1028A(a)(1)
18 U.S.C. § 1029(b)(2)
18 U.S.C. § 1029(a)(3)
18 U.S.C. § 2

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