

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA	:	Hon.
	:	
v.	:	Crim. No. 24-
	:	
NATANAEL VALDEZ BRITO,	:	<b><u>COUNT ONE</u></b>
a/k/a "El Pocho"	:	21 U.S.C. § 846
	:	(Fentanyl Conspiracy)
	:	
	:	<b><u>COUNT TWO</u></b>
	:	21 U.S.C. § 841
	:	(Fentanyl Distribution)
	:	
	:	<b><u>COUNT THREE</u></b>
	:	18 U.S.C. § 1349
	:	(Conspiracy to Commit Wire
	:	Fraud)
	:	
	:	<b><u>COUNT FOUR</u></b>
	:	18 U.S.C. § 1349
	:	(Conspiracy to Commit Wire
	:	Fraud)

**I N F O R M A T I O N**

The defendant having waived in open court prosecution by Indictment, the United States Attorney for the District of New Jersey charges:

**COUNT ONE**  
(Conspiracy to Distribute and Possess with Intent to Distribute Fentanyl)

From in or around April 2021 through in or around June 2021, in Passaic County, in the District of New Jersey and elsewhere, the defendant,

**NATANAEL VALDEZ BRITO,  
a/k/a "El Pocho,"**

did knowingly and intentionally conspire and agree with others to distribute and possess with intent to distribute a quantity of a mixture and substance containing a

detectable amount of fentanyl, a Schedule II controlled substance, contrary to Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

In violation of Title 21, United States Code, Section 846.

**COUNT TWO**

(Possession with Intent to Distribute Fentanyl)

In or around June 2021, in Passaic County, in the District of New Jersey and elsewhere, the defendant,

**NATANAEL VALDEZ BRITO,  
a/k/a “El Pocho,”**

did knowingly and intentionally possess with intent to distribute a quantity of a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

**COUNT THREE**

(Conspiracy to Commit Wire Fraud)

1. Defendant Natanael Valdez Brito, a/k/a “El Pocho” (“VALDEZ”) was a resident of the Bronx, New York.

**The Conspiracy**

2. From in or around May 2020 through in or around April 2023, in Bergen County, in the District of New Jersey, and elsewhere, the defendant,

**NATANAEL VALDEZ BRITO,  
a/k/a “El Pocho,”**

knowingly and intentionally conspired and agreed with others to devise a scheme and artifice to defraud, and to obtain money and property by means of false and fraudulent pretenses, representations, and promises, and for the purpose of executing such scheme and artifice to defraud, did knowingly transmit and cause to be transmitted by means of wire communications in interstate and foreign commerce, certain writings, signs, signals, pictures, and sounds, contrary to Title 18, United States Code, Section 1343.

**Goal of the Conspiracy**

3. The goal of the conspiracy was for VALDEZ and his co-conspirators to unlawfully enrich themselves by defrauding state government entities of tens of millions of dollars in unemployment benefits (the “Unemployment Benefits”), which benefits were made available through the Coronavirus Aid, Relief, and Economic Security (“CARES”) Act.

**Manner and Means of the Conspiracy**

4. It was part of the conspiracy that:

a. VALDEZ and others conspired to defraud states of Unemployment Benefits by using stolen personally identifying information (“PII”) of numerous unwitting individuals (the “Individuals”) to create fictitious user profiles in their names seeking Unemployment Benefits without their knowledge or consent. The PII included names, dates of birth, social security numbers, and other information. VALDEZ and his co-conspirators also used fictitious and/or co-conspirator-controlled email addresses, phone numbers, and mailing addresses, including in New Jersey, to complete the fictitious user profiles in order to execute the scheme.

b. Once the fraudulent Unemployment Benefits applications were approved, VALDEZ and his co-conspirators obtained the funds using debit cards that were either: (i) directly loaded with the benefits through regular installment payments, or (ii) linked to bank accounts that received the benefits by direct deposits.

c. VALDEZ and his co-conspirators then used the debit cards to withdraw cash from ATMs, including in New Jersey, or to make purchases.

d. For example, VALDEZ and his co-conspirators used one individual’s (“Individual-1”) stolen PII to fraudulently obtain approximately \$27,771 in Unemployment Benefits from the Pennsylvania Department of Labor (the “PA DOL”). They used the stolen PII of another individual (“Individual-2”) to fraudulently obtain approximately \$30,234 in Unemployment Benefits from the PA DOL. On or about July 1, 2021, VALDEZ and a co-conspirator (“Co-Conspirator-1”) discussed Individual-1’s and Individual-2’s Unemployment Benefits via an internet-based

messaging application (the “Messaging Application”). During this exchange, VALDEZ sent images of the front and back of debit cards that were not working properly, including cards containing PA DOL benefits in the name of Individual-1 (“Card-1”) and Individual-2 (“Card-2”). When another one of VALDEZ’s co-conspirators (“Co-Conspirator-2”) was arrested on or about June 15, 2021, Co-Conspirator-2 possessed records and other materials containing Individual-1’s and Individual-2’s PII, including login information used to apply for and receive PA DOL benefits in their names. VALDEZ and Co-Conspirator-2 used Card-1 to, among other things, withdraw cash from ATMs in or around Lodi, New Jersey and Fairfield, New Jersey. They used Card-2 to, among other things, withdraw cash from ATMs in or around Fairfield, New Jersey. Each of these ATM transactions was processed via interstate wires.

In violation of Title 18, United States Code, Section 1349.

**COUNT FOUR**

(Conspiracy to Commit Wire Fraud)

1. The allegations set forth in paragraphs 1, 3, and 4 of Count Three of this Information are realleged here.

**The Conspiracy**

2. From in or around 2020 through in or around April 2023, in the District of New Jersey, and elsewhere, the defendant,

**NATANAEL VALDEZ BRITO,  
a/k/a “El Pocho,”**

knowingly and intentionally conspired and agreed with others to devise a scheme and artifice to defraud, and to obtain money and property by means of false and fraudulent pretenses, representations, and promises, and for the purpose of executing such scheme and artifice to defraud, did knowingly transmit and cause to be transmitted by means of wire communications in interstate and foreign commerce, certain writings, signs, signals, pictures, and sounds, contrary to Title 18, United States Code, Section 1343.

**Goal of the Conspiracy**

3. The goal of the conspiracy was for VALDEZ and his co-conspirators to unlawfully enrich themselves by defrauding the U.S. Internal Revenue Service (“IRS”) of tax credit benefits (the “Tax Credit Benefits”), including COVID-19-related rebates.

### **Manner and Means of the Conspiracy**

4. It was part of the conspiracy that:

a. VALDEZ and his co-conspirators conspired to defraud the IRS of the Tax Credit Benefits by using stolen PII of unwitting individuals to create fictitious user profiles seeking the Tax Credit Benefits without their knowledge or consent.

b. VALDEZ's co-conspirators created fraudulent tax returns seeking the Tax Credit Benefits, which they sent to VALDEZ. VALDEZ and his co-conspirators then signed the returns, printed them, and prepared them to be mailed to the IRS. Certain returns were also electronically submitted to the IRS.

c. VALDEZ and his co-conspirators accessed and filed the fraudulent Tax Credit Benefits applications from various locations and states, including New Jersey, New York, and Pennsylvania.

d. VALDEZ also communicated with co-conspirators concerning the Tax Credit Benefits scheme via the Messaging Application. For example, on or about September 5, 2021, Co-Conspirator-1 sent VALDEZ a screenshot from TurboTax showing a pending federal tax refund of approximately \$1,800.

e. On or about September 13, 2021, via the Messaging Application, Co-Conspirator-1 sent VALDEZ a list of approximately 180 addresses in Wayne, New Jersey, many of which were used to submit fraudulent applications for the Tax Credit Benefits. VALDEZ subsequently sent Co-Conspirator-1 a video showing a website



that VALDEZ and his co-conspirators used to submit dozens of fraudulent returns seeking the Tax Credit Benefits.

f. When VALDEZ was arrested on or about April 26, 2023, his residence contained approximately 285 sealed and stamped envelopes addressed to the IRS. Each envelope contained a fraudulent 2020 1040 federal tax form, each seeking approximately \$1,800 in returns using stolen PII. VALDEZ's residence also contained numerous \$1,800 Treasury checks in the names of other individuals.

In violation of Title 18, United States Code, Section 1349.

**FORFEITURE ALLEGATION AS TO COUNTS ONE AND TWO**

1. Upon conviction of the controlled substance offenses charged in Counts One and Two of this Information, defendant **NATANAEL VALDEZ BRITO, a/k/a “El Pocho,”** shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of the offenses, and any property used or intended to be used in any manner or part to commit and to facilitate the commission of the offenses.

**FORFEITURE ALLEGATION AS TO COUNTS THREE AND FOUR**

2. Upon conviction of the wire fraud offenses charged in Counts Three and Four of this Information, defendant **NATANAEL VALDEZ BRITO, a/k/a “El Pocho,”** 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 and personal, the defendant obtained that constitutes or is derived from proceeds traceable to the commission of the offenses.

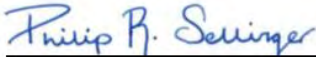
**SUBSTITUTE ASSETS PROVISION**  
**(Applicable to All Forfeiture Provisions)**

1. If any of the property described above, 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 intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

  
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PHILIP R. SELLINGER  
United States Attorney