

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

UNITED STATES OF AMERICA	:	Hon.
	:	
v.	:	Crim. No. 25-
	:	
LEONARDO AYALA	:	18 U.S.C. § 1956(h)
	:	18 U.S.C. § 215(a)(2)

INFORMATION

The defendant having waived in open court prosecution by Indictment, and any challenges based on venue, the United States charges:

GENERAL ALLEGATIONS

1. At all times relevant to this Information:
 - a. Defendant Leonardo AYALA (“AYALA”) lived in Florida.
 - b. TD Bank, N.A. (“TD Bank”) was a financial institution as defined in Title 18, United States Code, Section 20, whose deposits were insured by the Federal Deposit Insurance Corporation.
 - c. AYALA was an officer, employee, and agent of TD Bank.

The Money Laundering Scheme

2. In or around February 2023, AYALA began working as a Retail Banker at the TD Bank branch in Doral, Florida. As part of his duties, AYALA was a customer liaison and assisted both new and existing customers with their banking needs. TD Bank terminated AYALA’s employment in or around November 2023.

3. From in or around June 2023 through in or around November 2023, AYALA repeatedly and corruptly accepted bribes to open accounts and issue debit cards that he knew were used to launder money from the United States to Colombia. AYALA also provided other services as part of the scheme, including sending co-conspirators account statements, checking account balances, providing transaction confirmations, and unblocking debit cards that TD Bank had blocked due to questionable activity. Throughout, AYALA regularly communicated with his co-conspirators using his TD Bank issued email address.

4. AYALA opened approximately 10 accounts at TD Bank that were used to make a total of approximately 2,216 automated teller machine (“ATM”) withdrawals in Colombia, resulting in approximately \$920,690.11 being laundered from the United States to Colombia.

5. AYALA also conspired to launder funds with another TD Bank employee based in New Jersey (“Co-Conspirator One”). Specifically, after Co-Conspirator One opened accounts for six different shell companies at a TD Bank branch in Scotch Plains, New Jersey, AYALA issued over 150 debit cards to the six companies. The debit cards were then used to make over 10,000 ATM withdrawals in Colombia, resulting in an additional approximately \$4,723,114.64 being laundered to Colombia.

6. Throughout the conspiracy, AYALA collaborated with a Venezuelan-born resident of Florida (“Co-Conspirator Two”). Co-Conspirator Two regularly visited AYALA at the TD Bank branch in Doral, Florida. If AYALA was assisting

another customer, rather than accept assistance from another TD Bank employee, Co-Conspirator Two would wait until AYALA was available.

7. AYALA regularly texted associates about his money laundering activity with Co-Conspirator Two, to whom AYALA referred as “my Venezuelan.” For example:

- a. On or about June 24, 2023, AYALA texted: “Im tapped in with them Venezuelans bro this shit dont stop”;
- b. On or about July 21, 2023, AYALA joked, “I got kidnapped by the venezuelan cartel for denying so many people zelle”;
- c. On or about August 20, 2023, AYALA texted, “Also ima get paid by my venezuelan ima go meet him in a little,” and then followed up with another text stating, “Im waiting on my venezuelan still lol”; and
- d. On or about October 25, 2023, AYALA texted: “Ima bring a gymbag but i might not be able to go, i have to go pick up more money bc im standing on business, no more helping the venezuelans until my full tabs paid”.

8. AYALA was interviewed by law enforcement on or about November 20, 2023, and lied about his relationship with Co-Conspirator Two. AYALA initially told law enforcement that Co-Conspirator Two’s name sounded familiar and that he may have helped the person at TD Bank. When asked about person-to-person payments from Co-Conspirator Two, AYALA clarified that they are friends, that they go to

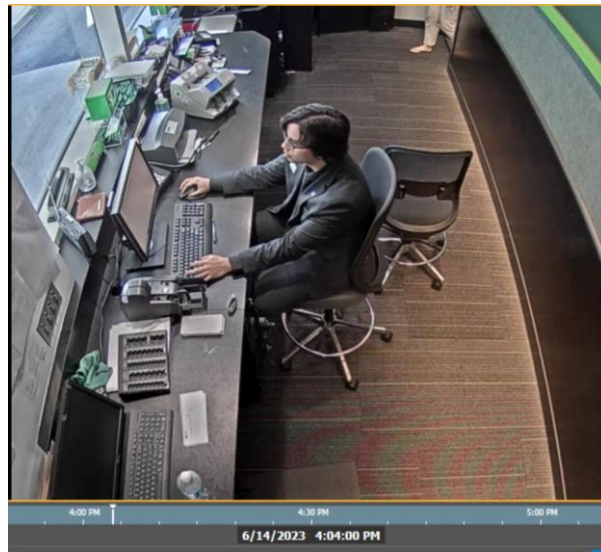
nightclubs together, and that AYALA usually pays the tab because Co-Conspirator Two is underage. AYALA falsely claimed that the person-to-person payments from Co-Conspirator Two were repayment from his nightclub expenses. AYALA further falsely stated that he had never received any payments for opening bank accounts or issuing debit cards.

Shell Company-A

9. On or about June 1, 2023, at the TD Bank branch in Scotch Plains, New Jersey, Co-Conspirator One, a TD Bank employee, opened a bank account for Shell Company-A, a company registered in New Jersey. On the account opening documents, Co-Conspirator One identified a Venezuelan national (“Nominee-A”) as the “Individual with Control” of the account, even though Co-Conspirator One knew that Nominee-A would not control the account. TD Bank surveillance video shows that there was no customer with Co-Conspirator One when he opened the account for Shell Company-A (the “Shell Company-A Account”).

10. On or about June 14, 2023, at approximately 3:59 PM, AYALA received an email at his TD Bank address from a third party, requesting that AYALA issue debit cards for the Shell Company-A Account. In the email, the third party, who was neither the account holder nor the “Individual with Control,” provided AYALA with twenty-five names and corresponding dates-of-birth with which to issue debit cards. AYALA replied minutes later to confirm that the debit cards would be sent to the New Jersey address on the account.

11. The surveillance video screenshot below is from the TD Bank branch in Doral, Florida on or about June 14, 2023, at approximately 4:04 PM, when AYALA accessed the Shell Company-A Account in TD Bank's systems for the first time. AYALA was working at the Doral branch's drive-through window when he accessed the Shell Company-A Account:



12. Over the next hour, AYALA issued 25 debit cards for the Shell Company-A Account. The names and dates-of-birth associated with these debit cards match the information provided in the email described in Paragraph 10, above. When creating these 25 debit cards, AYALA selected the "Mail to Customer" option, resulting in the debit cards being mailed to an address in Plainfield, New Jersey. As a result, TD Bank mailed each of the 25 debit cards to the Plainfield and all of the debit cards were subsequently activated.

13. From on or about July 7, 2023 through on or about September 7, 2023, AYALA and his co-conspirators used the Shell Company-A Account to move

approximately \$519,363.45 from the United States to Colombia via ATM withdrawals.

Shell Company-B

14. On or about June 7, 2023, Co-Conspirator One received an email from a third party at Co-Conspirator One's TD Bank email account. Attached to the email were articles of incorporation, an IRS tax identification number, and confirmation of corporate status for Shell Company-B, as well as copies of a Colombian passport and U.S. visa for the purported beneficial owner, a 77-year-old, female Colombian national ("Nominee-B").

15. On or about June 12, 2023, Co-Conspirator One opened an account for Shell Company-B at the TD Bank Scotch Plains branch. On the account opening documentation, the owner and "Individual with Control" of Shell Company-B was identified as Nominee-B. The documents attached to the email detailed in the previous paragraph were among those included in the account onboarding package. Co-Conspirator One opened the account for Shell Company-B (the "Shell Company-B Account") knowing that it was going to be used to launder money related to illegal narcotics. Co-Conspirator One, after opening the account on or about June 12, 2023, never accessed the account again.

16. From the date the account was opened through or about October 31, 2023, AYALA accessed the Shell Company-B Account in TD Bank's systems 15 times, including issuing debit cards for the account on three separate occasions.

17. On or about June 23, 2023, at approximately 2:48 PM, AYALA, who at the time was sitting at his desk with Co-Conspirator Two and another individual, accessed the Shell Company-B Account in TD Bank's system for the first time. One minute later, at approximately 2:49 PM, AYALA received an email at his TD Bank account from Co-Conspirator Two that included the Shell Company-B Account number and twenty-six names, each accompanied by a date of birth. AYALA then issued 25 debit cards to the account.

18. From on or about June 29, 2023 through on or about October 31, 2023, AYALA and his co-conspirators used the Shell Company-B Account to move approximately \$819,859.20 from the United States to Colombia via ATM withdrawals.

AYALA Received Bribes

19. AYALA received at least approximately \$6,210 in bribes for his role in the money laundering scheme, including five person-to-person payments totaling approximately \$2,250 directly from Co-Conspirator Two. AYALA also received cash bribes.

20. In fact, AYALA and his co-conspirators agreed to a fee schedule based on the type of banking service he provided. For example, AYALA was paid \$700 for each business account he opened. In return for opening a personal account, AYALA was typically paid \$150; however, AYALA's fee increased to \$500 when the personal account was used for fraudulent check deposits. AYALA received \$50 for each TD Bank debit card order he placed for his co-conspirators.

21. AYALA understood the money laundering activity and corresponding bribes were illegal, and he sought ways to conceal his involvement. For example, in or around September 2023, AYALA convinced an unwitting associate to accept a bribe from Co-Conspirator Two on his behalf. On or about September 25, 2023, AYALA texted the associate, “I need a favor, im tryna receive a payment but my boys telling me it wont let him send to me through zelle so im tryna see if its cap[.]” The next day, the associate received a \$900 person-to-person payment from Co-Conspirator Two. The associate then sent \$900 to AYALA using the same person-to-person payment system.

22. Similarly, on or about November 1, 2023, AYALA texted the same associate, again seeking their assistance as a go-between for his bribes: “You think you can do me another solid with zelle? I did this dude a fat solid opening his dad an account without him being in person because he told me hed pay me 1500 and you already know them venezuelans need zelle to live, i dont want it to go directly to me so you can keep a hundo for yourself if you’re down[.]”

COUNT ONE
(Money Laundering Conspiracy)

23. The allegations in paragraphs 1 through 22 of this Information are realleged here.

24. From in or around June 2023 through in or around November 2023, in Union County, in the District of New Jersey, and elsewhere, the defendant,

LEONARDO AYALA,

did knowingly and intentionally conspire and agree with others to transport, transmit, transfer, and attempt to transport, transmit, and transfer, a monetary instrument or funds from a place in the United States to or through a place outside the United States and to a place in the United States from or through a place outside the United States, with the intent to promote the carrying on of specified unlawful activity, and knowing that the monetary instrument or funds involved in the transportation, transmission, and transfer represented the proceeds of some form of unlawful activity and knowing that such transportation, transmission, or transfer was designed in whole or in part to conceal or disguise the nature, the location, the source, the ownership, or the control of the proceeds of specified unlawful activity, contrary to Title 18, United States Code, Sections 1956(a)(2)(A) and 1956(a)(2)(B)(i).

In violation of Title 18, United States Code, Section 1956(h).

COUNT TWO
(Bank Bribery)

25. The allegations in paragraphs 1 through 22 of this Information are realleged here.

26. From in or around June 2023 through in or around November 2023, in Union County, in the District of New Jersey, and elsewhere, the defendant,

LEONARDO AYALA,

as an officer, employee, and agent of a financial institution, namely TD Bank, did corruptly solicit and demand for the benefit of himself and others, and did corruptly accept and agree to accept, a thing of value exceeding \$1,000 from any person,

intending to be influenced and rewarded in connection with any business or transaction of TD Bank.

In violation of Title 18, United States Code, Section 215(a)(2).

FORFEITURE ALLEGATION AS TO COUNT ONE

27. Upon conviction of conspiracy to commit money laundering, in violation of 18 U.S.C. § 1956(h), as charged in Count One of this Information, the defendant,

LEONARDO AYALA,

shall forfeit to the United States, pursuant to 18 U.S.C. § 982(a)(1), any property, real or personal, involved in such offense, or any property traceable to such property.

FORFEITURE ALLEGATION AS TO COUNT TWO

28. Upon conviction of bank bribery, in violation of 18 U.S.C. § 215(a)(2), as charged in Count Two of this Information, the defendant,

LEONARDO AYALA,

shall forfeit to the United States, pursuant to 18 U.S.C. § 982(a)(2), property constituting or derived from proceeds obtained directly or indirectly as the result of such violation.

SUBSTITUTE ASSETS PROVISION

29. 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,

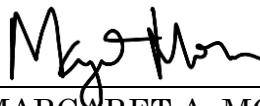
the United States shall be entitled, pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461, to forfeiture of any other property of the defendant up to the value of the forfeitable property described above.

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Approved:

/s/ R. David Walk, Jr.
R. David Walk, Jr.
Deputy U.S. Attorney