

FILED

JAN 17 2019

AT 8:30 JB 3:42 PM
WILLIAM T. WALSH
CLERK

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon.
	:	
v.	:	Crim. No. 19-
	:	
JERRY LAKE-RODRIGUEZ,	:	18 U.S.C. § 1349
JOHAN LAKE-RODRIGUEZ, and	:	18 U.S.C. § 1344
JEFERSSON QUEZADA	:	18 U.S.C. § 1028A(a)(1)
	:	18 U.S.C. § 1708

INDICTMENT

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

Count One
(Conspiracy to Commit Bank Fraud)

1. At all times relevant to this Indictment:
 - a. Wells Fargo & Company ("Wells Fargo") was a financial institution, as defined by Title 18, United States Code, Section 20, with accounts insured by the Federal Deposit Insurance Corporation.
 - b. TD Bank ("TD Bank") was a financial institution, as defined by Title 18, United States Code, Section 20, with accounts insured by the Federal Deposit Insurance Corporation.
 - c. As set forth below, defendant Jerry Lake-Rodriguez ("JERRY LAKE-RODRIGUEZ"), defendant Johan Lake-Rodriguez ("JOHAN LAKE-RODRIGUEZ"), and defendant Jefersson Quezada ("QUEZADA") (collectively, "the defendants"), and others, participated in a scheme to defraud financial

institutions, including Wells Fargo and TD Bank, of over \$300,000 by depositing checks stolen from the United States mail service and withdrawing the funds.

The Conspiracy

2. From at least as early as in or around February 2018 through in or around September 2018, in Passaic, Bergen, Morris, Essex, and Middlesex Counties, in the District of New Jersey and elsewhere, the defendants,

JERRY LAKE-RODRIGUEZ,
JOHAN LAKE-RODRIGUEZ, and
JEFERSSON QUEZADA,

knowingly and intentionally conspired and agreed with each other and others to commit bank fraud, specifically to execute and attempt to execute a scheme and artifice to defraud financial institutions, including Wells Fargo and TD Bank, and to obtain the moneys, funds, or other property owned by, and under the custody and control of, such financial institutions, by means of material false and fraudulent pretenses, representations, and promises, with the intent to deceive such financial institutions, contrary to Title 18, United States Code, Section 1344.

Object of the Conspiracy

3. The object of the conspiracy was for the defendants and others to obtain money and property from customer accounts of Wells Fargo, TD Bank, and other financial institutions, by depositing checks stolen from the United States mail and withdrawing the funds.

Manner and Means of the Conspiracy

4. As part of the conspiracy, the defendants took the following actions:

a. From at least as early as in or around February 2018 through in or around September 2018, the defendants and others executed a scheme whereby checks were stolen from United States Postal Service (“USPS”) blue mail collection boxes (“mail collection boxes”) across New Jersey and fraudulently deposited into various bank accounts, often within a day of being stolen. Although the payees listed on the stolen checks were not the individuals in whose name the bank account was held, the actors fraudulently deposited the checks at automated teller machines (“ATMs”) and then withdrew at least some of the proceeds from the accounts before the fraud was discovered.

b. The defendants and others broke into dozens of mail collection boxes on many different occasions, usually late at night and using a pry bar. They stole the mail inside the collection boxes in order to obtain checks for depositing.

c. Certain of the defendants deposited stolen checks into bank accounts in their own name. Others deposited stolen checks into bank accounts held in the names of third parties. Many of the accounts were used by multiple defendants.

d. QUEZADA deposited stolen checks from mail collection boxes into bank accounts held by various individuals on no fewer than four occasions, in or around March and April 2018.

e. For example, on or about March 21, 2018, QUEZADA deposited a check for approximately \$1,300—a day after it was stolen from a mail collection box in East Rutherford, New Jersey—into a Wells Fargo bank

account in a co-conspirator's name ("CC") with an account number ending in 4638 ("4638 Account"). QUEZADA withdrew money from CC's 4638 Account at least once, including in or about March 2018.

f. QUEZADA also deposited a check for approximately \$800—stolen from the mail in Hackensack, New Jersey—into the Wells Fargo account of a third party ("Individual-1") with an account number ending in 2885 ("2885 Account") on or about March 21, 2018.

g. QUEZADA also deposited a stolen check for approximately \$400 into the Wells Fargo account of a third party ("Individual-2") with an account number ending in 2561 ("2561 Account") on or about March 26, 2018.

h. JERRY LAKE-RODRIGUEZ deposited stolen checks into accounts held by various individuals on no fewer than four occasions, in or about February and March 2018. For example, he deposited a stolen check for approximately \$500 on or about March 16, 2018, into Individual-2's 2561 Account. JERRY LAKE-RODRIGUEZ also deposited a stolen check for approximately \$850, on or about February 20, 2018, and a stolen check for approximately \$1,350, on or about March 1, 2018, into CC's 4638 Account. He withdrew money from CC's 4638 Account on at least four occasions in or about February and March 2018.

i. On or about March 27, 2018, JERRY LAKE-RODRIGUEZ deposited a stolen check for approximately \$2,300 into a TD Bank account in his name with an account number ending in 7953 ("7953 Account").

j. JOHAN LAKE-RODRIGUEZ deposited stolen checks into Individual-1's 2885 Account on no fewer than three occasions, from in or about March 2018 through May 2018. For example, he deposited a stolen check for approximately \$400 on or about March 23, 2018, into Individual-1's 2885 Account.

k. On or about April 23, 2018, JOHAN LAKE-RODRIGUEZ also deposited a stolen check for approximately \$1,700 into JERRY LAKE-RODRIGUEZ's 7953 Account.

l. As part of the conspiracy, JERRY LAKE-RODRIGUEZ and others deposited approximately \$21,000 in stolen checks into JERRY LAKE-RODRIGUEZ's 7953 Account.

m. As part of the conspiracy, the defendants and others deposited approximately \$16,000 in stolen checks into CC's 4638 Account.

n. As part of the conspiracy, the defendants and others deposited approximately \$12,000 in stolen checks into Individual-1's 2885 Account.

o. As part of the conspiracy, the defendants and others deposited approximately \$7,000 in stolen checks into Individual-2's 2561 Account.

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

Count Two
(Bank Fraud)

5. The allegations set forth in Paragraphs 1, 3, and 4 of Count One are hereby repeated, realleged and incorporated as if fully set forth herein.

6. On or about March 26, 2018, in Passaic County, in the District of New Jersey, and elsewhere, the defendant,

JEFERSSON QUEZADA,

did knowingly devise and attempt to devise a scheme and artifice to defraud a financial institution, namely Wells Fargo, and to obtain the moneys, funds, or other property owned by, and under the custody and control of, Wells Fargo, by means of material false and fraudulent pretenses, representations, and promises, with the intent to deceive such financial institution, and for the purpose of executing and attempting to execute this scheme and artifice, defendant QUEZADA did, among other things, deposit a stolen check in a Wells Fargo account with an account number ending in 2561.

In violation of Title 18, United States Code, Sections 1344 and 2.

Count Three
(Bank Fraud)

7. The allegations set forth in Paragraphs 1, 3, and 4 of Count One are hereby repeated, realleged and incorporated as if fully set forth herein.

8. On or about March 27, 2018, in Passaic County, in the District of New Jersey, and elsewhere, the defendant,

JERRY LAKE-RODRIGUEZ,

did knowingly devise and attempt to devise a scheme and artifice to defraud a financial institution, namely TD Bank, and to obtain the moneys, funds, or other property owned by, and under the custody and control of, TD Bank, by means of material false and fraudulent pretenses, representations, and promises, with the intent to deceive such financial institution, and for the purpose of executing and attempting to execute this scheme and artifice, defendant JERRY LAKE-RODRIGUEZ did, among other things, deposit a stolen check in a TD Bank account with an account number ending in 7953.

In violation of Title 18, United States Code, Sections 1344 and 2.

Count Four
(Bank Fraud)

9. The allegations set forth in Paragraphs 1, 3, and 4 of Count One are hereby repeated, realleged and incorporated as if fully set forth herein.

10. On or about April 23, 2018, in Passaic County, in the District of New Jersey, and elsewhere, the defendant,

JOHAN LAKE-RODRIGUEZ,

did knowingly devise and attempt to devise a scheme and artifice to defraud a financial institution, namely TD Bank, and to obtain the moneys, funds, or other property owned by, and under the custody and control of, TD Bank, by means of material false and fraudulent pretenses, representations, and promises, with the intent to deceive such financial institution, and for the purpose of executing and attempting to execute this scheme and artifice, defendant JOHAN LAKE-RODRIGUEZ did, among other things, deposit a stolen check in a TD Bank account with an account number ending in 7953.

In violation of Title 18, United States Code, Sections 1344 and 2.

Count Five
(Aggravated Identity Theft)

11. The allegations set forth in Paragraphs 1, 3, and 4 of Count One are hereby repeated, realleged and incorporated as if fully set forth herein.

12. On or about March 26, 2018, in Passaic County, in the District of New Jersey, and elsewhere, the defendant,

JEFERSSON QUEZADA,

did knowingly transfer, possess, and use, without lawful authority, a means of identification of another person, namely, the name and Wells Fargo bank account number of Individual-2, during and in relation to a violation of a provision contained in Chapter 63 of the United States Code, that is, conspiracy to commit bank fraud, in violation of Title 18, United States Code, Section 1349, knowing that the means of identification belonged to another actual person.

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

Count Six
(Aggravated Identity Theft)

13. The allegations set forth in Paragraphs 1, 3, and 4 of Count One are hereby repeated, realleged and incorporated as if fully set forth herein.

14. On or about March 16, 2018, in Passaic County, in the District of New Jersey, and elsewhere, the defendant,

JERRY LAKE-RODRIGUEZ,

did knowingly transfer, possess, and use, without lawful authority, a means of identification of another person, namely the name and Wells Fargo bank account number of Individual-2, during and in relation to a violation of a provision contained in Chapter 63 of the United States Code, that is, conspiracy to commit bank fraud, in violation of Title 18, United States Code, Section 1349, knowing that the means of identification belonged to another actual person.

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

Count Seven
(Aggravated Identity Theft)

15. The allegations set forth in Paragraphs 1, 3, and 4 of Count One are hereby repeated, realleged and incorporated as if fully set forth herein.

16. On or about March 23, 2018, in Passaic County, in the District of New Jersey, and elsewhere, the defendant,

JOHAN LAKE-RODRIGUEZ,

did knowingly transfer, possess, and use, without lawful authority, a means of identification of another person, namely the name and Wells Fargo bank account number of Individual-1, during and in relation to a violation of a provision contained in Chapter 63 of the United States Code, that is, conspiracy to commit bank fraud, in violation of Title 18, United States Code, Section 1349, knowing that the means of identification belonged to another actual person.

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

Count Eight
(Possession of Stolen Mail)

17. The allegations set forth in Paragraphs 1, 3, and 4 of Count One are hereby repeated, realleged and incorporated as if fully set forth herein.

18. On or about May 8, 2018, in Essex County, in the District of New Jersey, and elsewhere, the defendant,

JOHAN LAKE-RODRIGUEZ,

did unlawfully have in his possession any letter, postal card, package, bag, and mail, and an article contained therein ("mail matter"), which had been stolen, taken, embezzled, and abstracted from a mail receptacle, which was an authorized depository for mail matter, knowing said mail matter to have been stolen, taken, embezzled, and abstracted from an authorized depository for mail matter.

In violation of Title 18, United States Code, Sections 1708 and 2.

FORFEITURE ALLEGATION AS TO COUNTS ONE THROUGH FOUR

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, Section 982(a)(2).

2. The United States hereby gives notice to defendants JEFERSSON QUEZADA, JERRY LAKE-RODRIGUEZ, and JOHAN LAKE-RODRIGUEZ that, upon conviction of the conspiracy and bank fraud offenses charged in Counts One through Four 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.

FORFEITURE ALLEGATION AS TO COUNT EIGHT

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, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c).

2. The United States hereby gives notice to defendant JOHAN LAKE-RODRIGUEZ that, upon conviction of the possession of stolen mail offense charged in Count Eight of this Indictment, the government will seek forfeiture in accordance with Title 18, United States Code, Section 981(a)(1)(C), 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.

Substitute Asset Provision
(Applicable to All Forfeiture Allegations)

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 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 defendant up to the value of the forfeitable property described above.

A TRUE BILL


FOREPERSON


CRAIG CARPENITO
United States Attorney

CASE NUMBER: _____

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

UNITED STATES OF AMERICA

v.

**JERRY LAKE-RODRIGUEZ,
JOHAN LAKE-RODRIGUEZ, and
JEFERSSON QUEZADA**

INDICTMENT FOR

18 U.S.C. § 1349
18 U.S.C. § 1344
18 U.S.C. § 1028A(a)(1)
18 U.S.C. § 1708

A True Bill,



Foreperson

CRAIG CARPENITO

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