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

UNITED STATES OF AMERICA	:	Hon. Leda Dunn Wettre
	:	
v.	:	Mag. No. 20-13288
	:	
BERNARD E. LOPEZ.	:	Criminal Complaint
	:	
	:	
	:	Filed Under Seal

I, Jae Y. Park, being duly sworn, state that the following is true and correct to the best of my knowledge and belief:

SEE ATTACHMENT A

I further state that I am a Special Agent with the U.S. Department of the Treasury, Office of Inspector General ("OIG") and that this Complaint is based on the following facts:

SEE ATTACHMENT B

continued on the attached pages and made a part hereof.



Special Agent Jae Y. Park
U.S. Department of Treasury, OIG
Special Agent Park attested to this
Affidavit by telephone pursuant to
FRCP 4.1(b)(2)(A) on June 9, 2020.

Honorable LEDA DUNN WETTRE
United States Magistrate Judge

Leda Dunn Wettre / June 9, 2020
Signature of Judicial Officer

ATTACHMENT A

COUNT ONE
(Bank Fraud)

From at least as early as in or around October 2019 through in or around February 2020, in the District of New Jersey and elsewhere, the defendants,

BERNARD E. LOPEZ

knowingly executed, a scheme and artifice to defraud a financial institution, as defined in Title 18, United States Code, Section 20, namely Victim Bank-1, whose deposits were insured by the Federal Deposit Insurance Corporation, and to obtain money, funds, credits, assets, securities, and other property owned by, and under the custody and control of such financial institutions, by means of materially false and fraudulent pretenses, representations, and promises.

In violation of Title 18, United States Code, Section 1344.

COUNT TWO
(Theft of Government Funds)

On or about February 19, 2020, Mercer County, in the District of New Jersey and elsewhere, defendant

BERNARD E. LOPEZ,

did knowingly and willfully steal and purloin and convert to his use, without authority, money of the United States, that is, approximately \$211,886.87 from the United States Treasury fund, to which he was not entitled.

In violation of Title 18, United States Code, Section 641 and Section 2.

COUNT THREE
(Aggravated Identity Theft)

On or about October 5 2019, Middlesex County, in the District of New Jersey and elsewhere, defendant

BERNARD E. LOPEZ,

did knowingly transfer, possess, and use, without lawful authority, a means of identification of another person, to wit, a social security number, during and in relation to a felony violation enumerated in Title 18, United States Code, Section 1028A(c)(5), specifically bank fraud contrary to Title 18, United States Code, Section 1344.

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

ATTACHMENT B

I, Jae Y. Park, am a Special Agent with the United States Department of Treasury, Office of the Inspector General ("OIG"). I am fully familiar with the facts set forth herein based on my own investigation, my conversations with other law enforcement officers, and my review of reports, documents, photographs, and evidence. Where statements of others are related herein, they are related in substance and part. Because this Complaint is being submitted for a limited purpose, I have not set forth each and every fact that I know concerning this investigation. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged.

Defendants and Relevant Individuals and Entities

1. At all times relevant to this Complaint:
 - a. Defendant BERNARD E. LOPEZ ("LOPEZ") was a resident of Sayreville, New Jersey.
 - b. "Victim-1" was a resident of St. George, Utah.
 - c. "Victim Bank-1" is financial institutions, as defined by Title 18, United States Code, Section 20, with accounts insured by the Federal Deposit Insurance Corporation.
 - d. "Victim Business-1," is located in Mt. Pleasant, South Carolina.

Overview

2. From at least as early as in or around October 2019 through in or around February 2020, defendant LOPEZ devised a scheme to defraud Victim Bank-1, by using Victim-1's social security number to open a fraudulent bank account in the name of a fictitious business (the "Fraudulent Account"). LOPEZ then deposited a stolen United States Treasury check, which was altered to pay the fictitious business, into the Fraudulent Account. LOPEZ withdrew or transferred the stolen proceeds from the Fraudulent Account before Victim Bank-1, Victim-1, and Victim Business-1 could detect the fraud.

The Scheme

3. It was part of the scheme to defraud that defendant LOPEZ obtained organization documents, specifically a Certificate of Formation ("COF"), to open Pezlo Management, LLC ("Pezlo" or the "Fictitious Business").

4. It was further part of the scheme to defraud that on or about October 5, 2019, defendant LOPEZ used the COF and Victim-1's Social Security number to open the Fictitious Account.

5. It was further part of the scheme to defraud that defendant LOPEZ fraudulently obtained a stolen U.S. Treasury Check.

6. It was further part of the scheme to defraud that the U.S. Treasury Check, originally made payable to Victim Business-1, in the amount of \$1,886.87, was altered to be made payable to Pezlo, in the amount of \$211,886.87 (the "Altered Check").

7. It was further part of the scheme to defraud that on or about February 19, 2020, defendant LOPEZ deposited the Altered Check into the Fraudulent Account at a Victim Bank-1 branch, located in Pennington, New Jersey.

8. It was further part of the scheme to defraud that on or about February 27, 2020, defendant LOPEZ withdrew \$5,000 from the Fraudulent Account at a Victim Bank-1 branch, located in East Brunswick, New Jersey.

9. It was further part of the scheme to defraud that on or about February 27, 2020, defendant LOPEZ transferred \$129,200 from the Fraudulent Account to accounts he opened and controlled at Financial Institution A and Financial Institution B.

10. Law enforcement obtained and reviewed bank records and surveillance footage from Victim Bank-1 in connection with the fraudulent transactions and identified defendant LOPEZ engaging in the fraudulent transactions, as follows:

Approximate Date	Branch Location	Transaction	Approximate Amount
10/05/2019	Parlin, New Jersey	Fraudulent Account Opening ¹	\$100
2/19/2020	Pennington, New Jersey	Check Deposit	\$211,886.87
2/27/2020	East Brunswick, New Jersey	Cash Withdrawal	\$5,000
2/27/2020	East Brunswick, New Jersey	In-person Cash Transfer into LOPEZ's other bank accounts	\$129,200

¹ LOPEZ made an initial deposit of \$100 to open the fraudulent business account at Victim Bank-1.

11. As a direct result of the scheme, defendant LOPEZ fraudulently obtained \$211,886.87 from the government, and defrauded Victim Bank-1 of approximately \$137,400.