

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

UNITED STATES OF AMERICA           :       Hon. Joseph A. Dickson  
  :       :  
  :       Mag. No. 20-8428  
  :       :  
JUAN TORRES                            :       **CRIMINAL COMPLAINT**

I, Steven Vargas, being duly sworn, state 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. Postal Service, Office of Inspector General, and that this complaint is based on the following facts:

**SEE ATTACHMENT B**

continued on the attached page and made a part hereof.



Special Agent Steven Vargas  
U.S. Postal Service, Office of Inspector General

\*Agent Vargas attested to this Complaint by  
telephone pursuant to FRCP 4.1(b)(2)(A).

Sworn to and subscribed via telephone,  
This 1st day of October, 2020

ESSEX COUNTY, NEW JERSEY  
County and State

HONORABLE JOSEPH A. DICKSON  
UNITED STATES MAGISTRATE JUDGE

  
Signature of Judicial Officer

**ATTACHMENT A**

**COUNT ONE**  
**(Bank Fraud)**

From at least as early as in or about November 2019 to on or about January 11, 2020, in the District of New Jersey and elsewhere, defendant

**JUAN TORRES**

did knowingly execute a scheme and artifice to defraud financial institutions, as defined in Title 18, United States Code Section 20, whose deposits were insured by the Federal Deposit Insurance Corporation, and to obtain monies, funds, assets, 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 Mail)**

On or about December 27, 2019, and January 3, 2020, in Bergen County, in the District of New Jersey and elsewhere, defendant

**JUAN TORRES**

did steal, take, and abstract, from and out of the mail, post office, and station thereof, letter box, mail receptacle, and a mail route and authorized depository for mail matter, a letter, postal card, package, bag, and mail.

In violation of Title 18, United States Code, Section 1708.

## **ATTACHMENT B**

I, Steven Vargas, a Special Agent with the U.S. Postal Service, Office of Inspector General (“USPS-OIG”), having personally participated in an investigation of the conduct of defendant JUAN TORRES (“TORRES”), and having spoken with other law enforcement officers and individuals, have knowledge of the following facts. Because this Complaint is submitted for the limited purpose of establishing probable cause, I have not included all facts known to me concerning this investigation. The contents of documents and the actions, statements, and conversations of individuals referenced below are provided in substance and in part, unless otherwise indicated.

### **Relevant Individuals and Entities**

1. At times relevant to this Criminal Complaint:
  - a. TORRES was employed as a city carrier assistant at the United States Postal Service (“USPS”) Hackensack Office in South Hackensack, New Jersey. As a city carrier assistant, TORRES had no permanent route assignment and delivered mail on postal routes in Hackensack, New Jersey, as well as four neighboring New Jersey towns, including, Leonia, Hasbrouck Heights, South Hackensack, and Maywood on an as-needed basis.
  - b. Victim 1 was a resident of Hackensack.
  - c. Victim 2 was a business located in Hackensack.
  - d. Victim 3 was a resident of Hackensack.
  - e. Victim 4 was a business located in Maywood.
  - f. Victim 5 was a business located in Leonia.
  - g. Victim 6 was a resident of Hackensack.
  - h. Victim 7 was a resident of Leonia.
  - i. Wells Fargo, N.S. (“Wells Fargo”), Citibank, N.A. (“Citibank”), TD Bank, N.A. (“TD Bank”), and Peapack-Gladstone Bank (“Peapack”) were “financial institutions” whose deposits were insured by the Federal Deposit Insurance Corporation.

## **Overview of the Scheme**

2. The investigation to date has shown that, from at least in or about November 2019 to at least on or about January 11, 2020, TORRES stole U.S. mail containing checks out of the mail stream and fraudulently obtained monies owned by, and under the custody or control of, the financial institutions listed below, without the victims' authorization.

### **TORRES Stole Checks While Delivering Mail and Deposited the Stolen Checks into an Account He Controlled**

3. Based on law enforcement's review of USPS records, bank records, ATM surveillance photographs, and telephone records, the investigation to date has shown that certain checks addressed to third-party victims and mailed to addresses on postal routes in Hackensack, Leonia, and Maywood were stolen on or about the same dates that TORRES was delivering mail on those routes and subsequently were fraudulently deposited by TORRES, in New Jersey and elsewhere, into a bank account that he controlled at Wells Fargo (the "TORRES Account"):

- a. On or about December 24, 2019, TORRES was assigned to deliver mail on a postal route in Hackensack. On or about that same date, using his cellular telephone, TORRES deposited a check for approximately \$331.01, issued by Wells Fargo and made out to Victim 1, into the TORRES Account.
- b. On or about December 27, 2019, TORRES was assigned to deliver mail on a postal route in Hackensack. On or about December 28, 2019, in Bronx, New York, an ATM surveillance photograph showed that TORRES deposited a check for approximately \$690.27, issued by Citibank and made out to Victim 2, into the TORRES Account. Law enforcement interviewed the business that issued the check to Victim 2 and confirmed that the check was mailed from a USPS blue collection box and that TORRES did not have authorization to negotiate the check.
- c. On or about January 2, 2020, TORRES was assigned to deliver mail on a postal route in Hackensack. On or about that same date, in South Hackensack, an ATM surveillance photograph showed that TORRES deposited a check for approximately \$1,505.12, issued by TD Bank and made out to Victim 3, into the TORRES Account. During the same ATM transaction, TORRES also withdrew approximately \$400 from the TORRES Account.

- d. On or about January 3, 2020, TORRES was assigned to deliver mail on a postal route in Maywood. On or about January 6, 2020, in the Bronx, an ATM surveillance photograph showed that TORRES deposited a check for approximately \$688.89, issued by Wells Fargo and made out to Victim 4, into the TORRES Account. Law enforcement interviewed the business that issued the check to Victim 4 and confirmed that the check was mailed from Edison, New Jersey, or from the USPS Mahwah Office in Mahwah, New Jersey, and that TORRES did not have authorization to negotiate that check.
- e. On or about January 4, 2020, TORRES was assigned to deliver mail on a postal route in Leonia. On or about that same date, in Fort Lee, New Jersey, an ATM surveillance photograph showed that TORRES deposited a check for approximately \$4,514.22, issued by Peapack and made out to Victim 5, into the TORRES Account.
- f. On or about January 10, 2020, TORRES was assigned to deliver mail on a postal route in Hackensack. On or about that same date, using his cellular telephone, TORRES deposited a check for approximately \$708, issued by Wells Fargo and made out to Victim 6, into the TORRES Account.
- g. On or about January 11, 2020, TORRES was assigned to deliver mail on a postal route in Leonia. On or about that same date, in South Hackensack, an ATM surveillance photograph showed that TORRES deposited a check for approximately \$800, issued by TD Bank and made out to Victim 7, into the TORRES Account.

4. A search of TORRES' cellular telephone seized by law enforcement on or about June 18, 2020, pursuant to a court-ordered search warrant revealed multiple photographs of mail, including mail labels, business checks, and United States Department of Treasury (the "Treasury") checks made out to third-party individuals. For example, one photograph showed TORRES holding a 2018 tax refund check for approximately \$5,152.60, issued by the Treasury and made out to an individual in Hackensack. Another photograph showed TORRES' gloved hand holding a check for approximately \$9,855.91, issued by TD Bank and made out to a company located in Leonia. A third photograph showed TORRES' hand holding an Economic Impact Payment ("EIP") check<sup>1</sup> for

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<sup>1</sup> EIP checks are issued by the Treasury pursuant to the Coronavirus Aid, Relief, and Economic Security Act (the "CARES Act"). The Cares Act

approximately \$2,200, issued by the Treasury and made out to an individual in Cliffside Park, New Jersey.

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authorized EIP payments structured as one-time refundable tax credits to certain eligible taxpayers of \$1,200 for individuals, \$2,400 for married couples filing jointly, and up to \$500 for each qualifying child.