

KRT
2020R00166

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

UNITED STATES OF AMERICA	:	Hon.
	:	
v.	:	Crim. No. 21-
	:	
ERIKA RINCON	:	18 U.S.C. § 371
	:	18 U.S.C. § 1349

INFORMATION

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

Count One
(Conspiracy to Transport Stolen Property)

1. From at least as early as December 14, 2019 through on or about January 14, 2020, in the District of New Jersey and elsewhere, the defendant

ERIKA RINCON,

did knowingly and intentionally conspire and agree with others to commit offenses against the United States, to wit to transport, transmit and transfer in interstate commerce goods, wares, merchandise, and money, of the value of \$5,000 or more, knowing the same to have been stolen and converted, contrary to Title 18, United States Code, Section 2314.

OBJECT OF THE CONSPIRACY

2. The object of the conspiracy was for defendant ERIKA RINCON, and others, to obtain money, jewelry, and other valuable property from burglarizing homes in New Jersey, Pennsylvania, Delaware, and elsewhere.

3. It was a part of the conspiracy that defendant ERIKA RINCON and her co-conspirators would identify homes belonging to affluent individuals in New Jersey, Pennsylvania, Delaware, and elsewhere to burglarize.

4. It was a further part of the conspiracy that defendant ERIKA RINCON and her co-conspirators would drive together, typically in a group of four, usually in a rented vehicle obtained through use of fictitious identifications and fraudulently obtained financial instruments, to burglarize the target residences.

5. It was a further part of the conspiracy that, upon arriving at a target residence, defendant ERIKA RINCON and her co-conspirators would conduct surveillance of the target residence, looking for indications that no one was home.

6. It was a further part of the conspiracy that defendant ERIKA RINCON and her co-conspirators would then forcibly break through a door and enter the target residence while a getaway driver remained nearby in a rented vehicle, often maintaining contact with at least one of the burglars inside the target residence by cellphone.

7. It was a further part of the conspiracy that defendant ERIKA RINCON and one or more of her co-conspirators would then ransack the target residence, stealing cash, jewelry, and other valuable property.

8. It was a further part of the conspiracy that defendant ERIKA RINCON and her co-conspirators would leave the target residences after

successfully burglarizing them, and then transport the proceeds from those burglaries out of the state from which the property was stolen.

OVERT ACTS

9. In furtherance of the conspiracy and in order to effect its objects, defendant ERIKA RINCON and other co-conspirators committed and caused to be committed the following overt acts in the District of New Jersey and elsewhere:

- a. On or about December 14, 2019, defendant ERIKA RINCON and others rented a vehicle ("Rental Vehicle-1"), while using a fictitious identification and fraudulently obtained credit card, at John F. Kennedy International Airport in Queens, New York.
- b. On or about December 16, 2019, defendant ERIKA RINCON and others traveled into Bergen County, New Jersey while using Rental Vehicle-1, ultimately arriving in the Township of Beachwood, in Ocean County, New Jersey.
- c. On or about December 16, 2019, defendant ERIKA RINCON and others burglarized the home of an individual in the Township of Beachwood ("Home-1"), stealing approximately \$63,335.40 in cash, jewelry, and property.
- d. After committing the burglary of Home-1, ERIKA RINCON and others ultimately left New Jersey and returned to New York in Rental Vehicle-1, while still in possession of the property stolen from Home-1.

- e. On or about January 10, 2020, defendant ERIKA RINCON and others again rented a vehicle ("Rental Vehicle-2"), while using a fictitious identification and fraudulently obtained credit card, at John F. Kennedy International Airport in Queens, New York.
- f. On or about January 10, 2020, defendant ERIKA RINCON and others traveled into Bergen County, New Jersey, before driving to Pennsylvania and Delaware while using Rental Vehicle-2.
- g. On or about January 11, 2020, defendant ERIKA RINCON and others burglarized the home of an individual in the City of Lancaster, Pennsylvania ("Home-2"), stealing approximately \$45,713.58 in cash, jewelry, and property.
- h. After burglarizing Home-2 in Lancaster Pennsylvania, ERIKA RINCON and others traveled to the area of Newark, Delaware in Rental Vehicle-2.
- i. On or about January 13, 2020, ERIKA RINCON and others surveilled an individual from his/her place of business to his/her residence in Wilmington, Delaware ("Home-3"), while using Rental Vehicle-2. After conducting this surveillance, ERIKA RINCON and others returned to a hotel in Pennsylvania.
- j. On or about January 14, 2020, ERIKA RINCON and others burglarized the home of a different individual in Newark, Delaware ("Home-4"), stealing approximately \$31,260.00 in cash, jewelry, and property.

- k. After burglarizing Home-4, ERIKA RINCON and others returned to the hotel in Pennsylvania with the proceeds of the Burglary of Home-4 in Rental Vehicle-2.
- l. On or about January 14, 2020, ERIKA RINCON and others left the hotel in Pennsylvania and traveled to the area of Home-3 in Rental Vehicle-2.
- m. On or about January 14, 2020, ERIKA RINCON and others exited Rental Vehicle-2 and traveled to the rear of a residence adjacent to Home-3. At that time, ERIKA RINCON and others attempted to enter by force this adjacent residence before immediately being apprehended by law enforcement.
- n. On or about January 14, 2020, ERIKA RINCON and others, while in Wilmington, Delaware, were found in possession of property stolen from Home-1 (Beachwood, New Jersey), Home-2 (Lancaster, Pennsylvania), and Home-4 (Newark, Delaware).

All in violation of Title 18, United States Code, Section 371.

Count Two

(Conspiracy to Commit Bank Fraud)

10. The allegations contained in paragraphs 2 through 9 of Count One are incorporated by reference as though set forth in full herein.

11. At all times relevant to this Information, Victim Bank was a financial institution whose deposits were insured by the Federal Deposit Insurance Corporation.

12. From at least as early as on or about December 14, 2019 through on or about January 14, 2020, in the District of New Jersey and elsewhere, the defendant,

ERIKA RINCON,

did knowingly and intentionally conspire and agree with others to execute a scheme and artifice to defraud a financial institution, the deposits of which were then insured by the Federal Deposit Insurance Corporation, and to obtain the money, funds, credits, assets, securities, and other property owned by, and under the custody and control of, such financial institution, by means of materially false and fraudulent pretenses, representations, and promises, with the intent to deceive such financial institution, contrary to Title 18, United States Code, Section 1344.

OBJECT OF THE CONSPIRACY

13. The object of the conspiracy was for defendant ERIKA RINCON and others to used fictitious identification documents to fraudulently obtain a credit card from Victim Bank, which they used to purchase goods and services.

MANNER AND MEANS OF THE CONSPIRACY

14. It was part of the conspiracy that defendant ERIKA RINCON and others used fictitious identification documents to obtain a credit card from Vitim Bank (the “Credit Card”).

15. It was further part of the conspiracy that defendant ERIKA RINCON and others would use the Credit Card to purchase goods and services, such as rental vehicles and hotel rooms, for use in furtherance of residential burglaries in the District of New Jersey, and elsewhere, including the following:

- a. On or about December 14, 2020, defendant ERIKA RINCON and others used the Credit Card to obtain Rental Vehicle-1 at John F. Kennedy International Airport in Queens, New York.
- b. On or about January 10, 2020, defendant ERIKA RINCON and others used the Credit Card to obtain Rental Vehicle-2 at John F. Kennedy International Airport in Queens, New York.

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

FORFEITURE ALLEGATION AS TO COUNT ONE

16. As a result of committing the offense charged in Count One of this Information, the defendant,

ERIKA RINCON,

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, all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the said offenses, and all property traceable thereto, including, but not limited to, all right, title, and interest of the defendant in the specific property listed in Schedule A to this Information.

FORFEITURE ALLEGATION AS TO COUNT TWO

17. As a result of committing the offense charged in Count Two of this Information, defendant,

ERIKA RINCON,

shall forfeit to the United States pursuant to Title 18, United States Code, Section 982(a)(2)(A), any property, real or personal, constituting, or derived from, proceeds obtained directly or indirectly as a result of the offenses charged in Count Two of this Information.

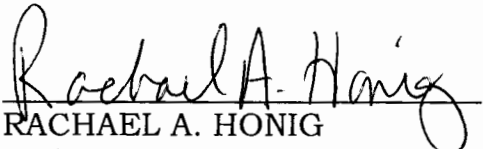
SUBSTITUTE ASSETS PROVISION
(Applicable to All Forfeiture Allegations)

18. If any of the above-described forfeitable property, 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 Title 21, United States Code, Section 853(p) (as incorporated by Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 982(b)), to forfeiture of any other property of the defendants up to the value of the above-described forfeitable property.


RACHAEL A. HONIG
Acting United States Attorney

CASE NUMBER: 21-_____

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

UNITED STATES OF AMERICA

v.

ERIKA RINCON

INFORMATION FOR

**18 U.S.C. § 371
18 U.S.C. § 1349**

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