

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

UNITED STATES OF AMERICA	:	Hon. Edward S. Kiel
	:	
v.	:	Mag. No. 21-15148
	:	
NIGEL LYNCH and	:	CRIMINAL COMPLAINT
ALIQUE JORDAN CLARKE	:	

I, Thomas W. Oertel, 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 Postal Inspector with the United States Postal Inspection Service and that this complaint is based on the following facts:

SEE ATTACHMENT B

continued on the attached page and made a part hereof.



Thomas W. Oertel, Postal Inspector
United States Postal Inspection Service

*Postal Inspector Oertel attested to this Complaint by telephone pursuant to FRCP 4.1(b)(2)(A).

Sworn to and subscribed via telephone,
This 4th day of May, 2021

ESSEX COUNTY, NEW JERSEY
County and State

HONORABLE EDWARD S. KIEL
UNITED STATES MAGISTRATE JUDGE

Edward S. Kiel / TO 5/4/2021
Signature of Judicial Officer 3:34 PM

ATTACHMENT A

Count One
(Conspiracy to Commit Bank Fraud)

From in or about February 2020 to in or about November 2020, in Morris, Essex, Somerset, and Passaic Counties, in the District of New Jersey, and elsewhere, defendants

NIGEL LYNCH and
ALIQUE JORDAN CLARKE

knowingly and intentionally did conspire and agree with each other and others to 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 whose accounts were insured by the National Credit Union Insurance Fund, 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, contrary to Title 18, United States Code, Section 1344.

In violation of Title 18, United States Code, Section 1349.

ATTACHMENT B

I, Thomas W. Oertel, a Postal Inspector with the United States Postal Inspection Service, having personally participated in an investigation of the conduct of defendants NIGEL LYNCH (“LYNCH”), ALIQUE JORDAN CLARKE (“CLARKE”), and others, 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 statements and conversations of individuals referenced below are provided in substance and in part, unless otherwise indicated.

Relevant Individuals and Entities

1. At various times relevant to this Criminal Complaint:
 - a. LYNCH was a resident of Yonkers, NY.
 - b. CLARKE was a resident of Bronx, NY.
 - c. Claude Burnett (“Burnett”), a co-conspirator not charged herein, was a resident of Bronx, NY. Burnett was arrested in connection with this conspiracy on or about December 4, 2020. *See* Mag. No.
 - d. Rental Car Company 1 was a rental car company headquartered in Boston, MA.
 - e. Individual 1 was a resident of Bronx, NY.
 - f. Victim 1 was a resident of Morristown, NJ.
 - g. Victim 2 was a resident of Lincoln Park, NJ.
 - h. Victim 3 was a resident of Towaco, NJ.
 - i. Victim 4 was a resident of Towaco, NJ.
 - j. Victim 5 was a resident of Millington, NJ.
 - k. Victim 6 was a resident of Westport, CT.
 - l. Victims 7 and 8 were residents of Fairfield, CT.
 - m. Accountholder 1 was a resident of New Haven, CT and held an account at Bank 1.

n. Accountholder 2 was a resident of New Haven, CT and held an account at Bank 2.

o. Accountholder 3 was a resident of Stone Mountain, GA and held an account at Bank 2.

p. Accountholder 4 was a resident of Bronx, NY and held an account at Bank 3.

q. Accountholder 5 was a resident of Peekskill, NY and held an account at Bank 1.

r. Accountholder 6 was a resident of Bronx, NY and held an account at Bank 1.

s. Accountholders 7 were residents of Mount Vernon, NY and held an account at Bank 4.

t. Bank 1, Bank 2, Bank 3, Bank 4, Bank 5, Bank 6, Bank 7, Bank 8, Bank 9, Bank 10, and Bank 11 were “financial institutions” whose deposits were insured by the Federal Deposit Insurance Corporation or whose accounts were insured by the National Credit Union Insurance Fund.

Overview of the Conspiracy

2. The investigation to date has shown that from at least in or about February 2020 to at least in or about November 2020, LYNCH, CLARKE, Burnett, and others conspired to steal checks from mailboxes, alter the stolen checks, and deposit the altered checks into bank accounts controlled by LYNCH, CLARKE, Burnett, and their co-conspirators.

3. To date, the investigation has identified over approximately 294 checks with a face value of over approximately \$1,296,000 that have been stolen, altered, and deposited in accounts controlled by LYNCH, CLARKE, Burnett, and their co-conspirators.

Theft of Checks

4. Beginning on or about February 7, 2020, residents of Morris County, New Jersey began reporting sightings of a car pulling up to curbside mailboxes and stealing mail from the mailboxes.

5. Several victims were able to describe the vehicle driven by the individuals they saw stealing mail from their curbside mailboxes. Specifically, on or about March 7, 2020, a resident stated she saw a black Honda Civic pull up to her mailbox. A tall African American male wearing a black hooded sweatshirt exited the passenger side of the vehicle, ran to the mailbox, checked

for outgoing mail, and then returned to the vehicle. The resident was able to view the vehicle's license plate.

6. The vehicle with the identified license plate ("Identified Vehicle") was a 2019 black Honda Civic registered to Rental Car Company 1. Rental Car Company 1 records indicated that on or about March 7, 2020, Identified Vehicle was rented by an account in the name of Individual 1.

7. Rental Car Company 1 records further indicate that the Individual 1's account at Rental Car Company 1 was used to rent vehicles on at least four other dates where the rented car match the descriptions seen by residents and/or victims of curbside mailbox thefts. These include:

Date	Vehicle Description
3/7/2020	Black Honda Civic 2019
3/30/2020	Silver Subaru XV Crosstrek 2019
3/31/2020	White Honda Civic 2019
4/6/2020	White Honda Civic 2019

8. Rental Car Company 1 geo-location data records confirm a rental vehicle rented by Individual 1's account at Rental Car Company 1 was geo-located in the vicinity of approximately forty-two addresses that reported mail theft across the above four days.

9. LYNCH's debit card was associated with Individual 1's account at Rental Car Company 1 and was used for payment for cars rented from Individual 1's account at Rental Car Company 1 on March 30, 2020 and March 31, 2020.

10. On or about April 6, 2020, multiple residents in both Essex and Passaic Counties reported observing a white sedan, matching the description of a vehicle rented by Individual 1's account at Rental Car Company 1, stealing mail from residential curbside mailboxes. Local police reported seeing a white sedan matching the vehicle description driving at a high rate of speed in the vicinity of reports of mail thefts. The white sedan matching the vehicle description was later located abandoned by the driver and passengers. Visible inside the vehicle were several pieces of rifled mail with addresses in the areas where residents reported mail theft. Local police impounded the vehicle.

11. Several items were seized from the abandoned car, including the rifled mail. Forensic laboratory analysis results indicated the latent fingerprints of Burnett, were identified on numerous pieces of the rifled mail, a juice bottle, and a plastic glove.

Deposit of Stolen & Altered Checks

Check from Victim 1

1. On or about March 30, 2020, Victim 1 mailed a check, drawn on an account at Bank 5, at the curbside mailbox in front of her residence in Morristown, NJ. This check was subsequently stolen and altered. The car rented from Individual 1's account at Rental Car Company 1, listed above, was geo-located in front of Victim 1's residence on or about March 30, 2020.

2. On or about April 6, 2020, Victim 1's check was deposited via ATM into the account of Accountholder 1 at Bank 1. Video surveillance from Bank 1 shows LYNCH depositing the stolen and altered check.

Check from Victim 2

3. On or about March 30, 2020, Victim 2 mailed a check drawn on an account at Bank 6 in Lincoln Park, NJ. This check was subsequently stolen and altered. The car rented from Individual 1's account at Rental Car Company 1, listed above, was geo-located in front of Victim 2's residence on or about March 30, 2020.

4. On or about April 25, 2020, Victim 2's check was deposited via ATM into the account of Accountholder 2 at Bank 2. Video surveillance from Bank 2 shows LYNCH depositing the stolen and altered check.

5. Video surveillance also shows LYNCH making withdrawals from the account of Accountholder 2 at Bank 2 on or about April 28, 2020. On April 28, 2020, two USPS money orders were also purchased in the name of LYNCH using the debit card associated with the account of Accountholder 2 at Bank 2. These money orders were subsequently deposited into LYNCH's bank account at Bank 1.

Check from Victim 3

6. On or about March 30, 2020, Victim 3 mailed a check, drawn on an account at Bank 7, at the curbside mailbox in front of his residence in Towaco, NJ. The check was subsequently stolen and altered. The car rented from Individual 1's account at Rental Car Company 1, listed above, was geo-located in front of Victim 3's residence on March 30, 2020.

7. On or about June 30, 2020, Victim 3's check was deposited via ATM into the account of Accountholder 3 at Bank 2. Video surveillance from Bank 2 shows CLARKE and Burnett depositing the stolen and altered check.

Check from Victim 4

8. On or about March 30, 2020, Victim 4 mailed a check, drawn on an account at Bank 8, at the curbside mailbox in front of her residence in Towaco, NJ. The check was subsequently stolen and altered. The car rented from Individual 1's account at Rental Car Company 1, listed above, was geo-located in front of Victim 4's residence on or about March 30, 2020.

9. On or about March 30, 2020, Victim 4's check was deposited via ATM into the account of Accountholder 4 at Bank 3. Video surveillance from Bank 3 shows CLARKE and Burnett depositing the stolen and altered check.

Checks from Victim 5

10. On or about March 31, 2020, Victim 5 mailed a check drawn on an account at Bank 9, at the curbside mailbox in front of her residence in Millington, NJ. The check was subsequently stolen and altered. The car rented from Individual 1's account at Rental Car Company 1, listed above, was geo-located in front of Victim 5's residence on or about March 31, 2020.

11. On or about April 7, 2020, Victim 5's check was deposited via ATM into the account of Accountholder 5 at Bank 1. Video surveillance from Bank 1 shows LYNCH depositing the stolen and altered check and subsequently withdrawing funds from the account.

Check from Victim 6

12. On or about August 12, 2020, Victim 6 mailed a check, drawn on an account at Bank 10, near his residence in Westport, CT. The check was subsequently stolen and altered.

13. On or about August 12, 2020, Victim 6's check was deposited via ATM into the account of Accountholder 6 at Bank 1. Video surveillance from Bank 1 shows CLARKE and Burnett depositing the stolen and altered check and subsequently withdrawing funds from the account.

Check from Victims 7 & 8

14. On or about August 12, 2020, Victims 6 and 7 mailed a check, drawn on an account at Bank 11, at the curbside mailbox in front of their residence in Fairfield, CT. The check was subsequently stolen and altered.

15. On or about August 18, 2020, Victims 6 & 7's check was deposited via ATM into the account of Accountholder 7 at Bank 4. Video surveillance from Bank 4's branch in Fort Lee, NJ shows LYNCH, CLARKE, and Burnett depositing the stolen and altered check.