

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Criminal No. 21-
	:	
v.	:	Hon.
	:	
MOHAMMAD MUSHTAQ	:	18 U.S.C. §§ 2, 1028A(a)(1), 1029(a)(2),
	:	1344 & 1349

**INDICTMENT**

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

**COUNT ONE**  
**(Conspiracy to Commit Bank Fraud)**

**Individuals and Entities**

1. At all times relevant to this Indictment:
  - A. Defendant MOHAMMAD MUSHTAQ was a resident of Valley Stream, New York;
  - B. Co-conspirator Asif Ali was a resident of Carteret, New Jersey;
  - C. Bank 1 was a financial institution, as that term is defined in Title 18, United States Code, Section 20, that was headquartered in Boston, Massachusetts;
  - D. Bank 2 was a financial institution, as that term is defined in Title 18, United States Code, Section 20, that was headquartered in New York, New York;

E. Bank 3 was a financial institution, as that term is defined in Title 18, United States Code, Section 20, that was headquartered in Riverwoods, Illinois;

F. Bank 4 was a financial institution, as that term is defined in Title 18, United States Code, Section 20, that was headquartered in Wilmington, Delaware;

G. Bank 5 was a financial institution, as that term is defined in Title 18, United States Code, Section 20, that was headquartered in San Francisco, California;

H. Bank 6 was a financial institution, as that term is defined in Title 18, United States Code, Section 20, that was headquartered in Sioux Falls, South Dakota;

I. Bank 7 was a financial institution, as that term is defined in Title 18, United States Code, Section 20, that was headquartered in Charlotte, North Carolina;

J. Bank 8 was a financial institution, as that term is defined in Title 18, United States Code, Section 20, that was headquartered in McLean, Virginia; and

K. Bank 9 was a financial institution, as that term is defined in Title 18, United States Code, Section 20, that was headquartered in Wilmington, Delaware (Banks 1 through 9, collectively, the “Victim Financial Institutions”).

### The Conspiracy

2. From in or about October 2017 to in or about May 2019, in Middlesex County, in the District of New Jersey, and elsewhere, defendant

MOHAMMAD MUSHTAQ

knowingly and intentionally did conspire and agree with co-conspirator Asif Ali and others to execute a scheme and artifice to defraud financial institutions, as defined in Title 18, United States Code, Section 20, and to obtain money, funds, assets and other property owned by, and under the custody and control of, those financial institutions, by means of materially false and fraudulent pretenses, representations, and promises, contrary to Title 18, United States Code, Section 1344.

### Goal of the Conspiracy

3. The goal of the conspiracy was for defendant MOHAMMAD MUSHTAQ, co-conspirator Asif Ali, and others (collectively, the “Co-Conspirators”), to engage in a scheme to use other individuals’ personal identifying information (“PII”) – often altered in some respects in order to create a fraudulent identity – to open bank, credit card, and merchant processing accounts with financial institutions, including the Victim Financial Institutions, and then use those accounts to make charges, purchases, and withdrawals that they did not intend to repay.

### Manner and Means of the Conspiracy

4. It was a part of the conspiracy that, beginning at least as early as in or about October 2017, defendant MOHAMMAD MUSHTAQ and co-conspirator Asif Ali opened and maintained numerous credit card and bank accounts in the names of other individuals, including, but not limited to, in the names of “A.L.” and “M.K.”

5. It was further a part of the conspiracy that defendant MOHAMMAD MUSHTAQ also opened and maintained credit card and bank accounts in the names of his spouse, “F.M.,” and then-minor child, “M.M.” These accounts were opened by defendant MUSHTAQ using F.M.’s and M.M.’s real names, but with fraudulently altered social security numbers and dates of birth.

6. It was further a part of the conspiracy that, in or about October 2017, co-conspirator Asif Ali rented an apartment in Woodbridge, New Jersey (the “Woodbridge Apartment”), using the PII of another individual, “G.A.” Co-conspirator Ali thereafter used the Woodbridge Apartment to store items such as credit cards, credit card processing equipment, and records of PII for various individuals, all to be used in furtherance of bank and credit card fraud activity, including bank and credit card fraud activity involving defendant MOHAMMAD MUSHTAQ.

7. It was further a part of the conspiracy that G.A.'s PII also was used in or about October 2017 to open a bank account at Bank 1 for a purported business, "Route 22 Services Corp" (the "Route 22 Account"). Co-conspirator Asif Ali maintained credit card processing equipment in the name of "Route 22 Services Corp." at the Woodbridge Apartment, which he used to swipe credit cards, including credit cards obtained by defendant MOHAMMAD MUSHTAQ, in sham transactions in which no goods or services were actually exchanged.

8. It was further a part of the conspiracy that co-conspirator Asif Ali also maintained credit card processing equipment at the Woodbridge Apartment in the names of numerous other sham businesses, including "Jay Jewelers," "Sami Fashion, Inc.," "EZ Building Supply, Inc.," "MS Distributors, Inc.," and "Sheikh Garments Trading, Inc." (these businesses and "Route 22 Services Corp." collectively, the "Sham Businesses").

9. It was further a part of the conspiracy that defendant MOHAMMAD MUSHTAQ used the credit cards issued in the names of A.L., M.K., F.M., and M.M., among others, to make numerous high-dollar charges at the Sham Businesses controlled by co-conspirator Asif Ali, including, but not limited to, the following transactions:

- A. \$1,250 charged on or about July 25, 2018, at "Route 22 Services Corp." using a credit card issued by Bank 8 in the name of "M.K."

- B. \$900 charged on or about July 26, 2018, at "Route 22 Services Corp." using a credit card issued by Bank 3 in the name of "F.M."
- C. \$3,450 charged on or about July 26, 2018, at "Route 22 Services Corp." using a credit card issued by Bank 4 in the name of "F.M."
- D. \$3,500 charged on or about July 26, 2018, at "Route 22 Services Corp." using a credit card issued by Bank 5 in the name of "M.K."
- E. \$3,750 charged on or about July 30, 2018, at "Route 22 Services Corp." using a credit card issued by Bank 6 in the name of "F.M."

10. It was further a part of the conspiracy that defendant MOHAMMAD MUSHTAQ used bank accounts opened and maintained in the names of A.L., M.K., F.M., and M.M., among others, to deposit checks drawn on other fraudulent bank and credit card accounts, withdraw funds from the bank accounts, and make small payments on fraudulent credit card accounts in order to keep those credit card accounts active, including, but not limited to, as follows:

- A. On or about May 15, 2018, defendant MUSHTAQ made payments on two Bank 2 credit cards in the name of "M.K." using checks drawn on a Bank 7 account in the name of "A.L."
- B. Also on or about May 15, 2018, defendant MUSHTAQ made a payment on a Bank 8 credit card in the name of "M.K."
- C. On or about May 16, 2018, defendant MUSHTAQ made a payment on a Bank 8 credit card in the name of "M.K."
- D. On or about July 11, 2018, defendant MUSHTAQ made a payment on a Bank 8 credit card in the name of "M.K."

- E. On or about July 16, 2018, defendant MUSHTAQ made payments on two Bank 2 credit cards in the name of "M.K." using checks drawn on a Bank 7 account in the name of "M.M." (the "M.M. Bank Account").
- F. On or about September 10, 2018, defendant MUSHTAQ made a payment on a Bank 8 credit card in the name of "A.L."
- G. On or about October 17, 2018, defendant MUSHTAQ deposited a \$300 check drawn on an account in the name of "A.L." into the M.M. Bank Account.
- H. On or about November 16, 2018, defendant MUSHTAQ withdrew cash from the M.M. Bank Account.
- I. On or about November 18, 2018, defendant MUSHTAQ withdrew cash from the M.M. Bank Account.
- J. On or about November 29, 2018, defendant MUSHTAQ withdrew cash from the M.M. Bank Account.
- K. On or about December 1, 2018, defendant MUSHTAQ made a deposit to the M.M. Bank Account.
- L. On or about December 4, 2018, defendant MUSHTAQ made a payment on a Bank 8 credit card in the name of "K.S."
- M. On or about December 5, 2018, defendant MUSHTAQ made a deposit to the M.M. Bank Account.
- N. On or about December 10, 2018, defendant MUSHTAQ deposited a \$5,000 check into the M.M. Bank Account.

11. It was further a part of the conspiracy that defendant MOHAMMAD MUSHTAQ and co-conspirator Asif Ali also used the credit cards and bank accounts in the names of A.L., M.K., F.M., and M.M., among others, to purchase goods and services for their own use and enjoyment.

12. It was further a part of the conspiracy that defendant MOHAMMAD MUSHTAQ and the Co-Conspirators did not repay the vast majority of the credit card debt that they incurred through this scheme, leaving the Victim Financial Institutions to bear millions of dollars in losses.

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



**COUNTS TWO THROUGH SIX**  
**(Bank Fraud)**

1. The allegations set forth in Paragraphs 1 and 4 through 12 of Count One of this Indictment are realleged and incorporated as if set forth in full herein.

2. On or about the dates set forth below, in Middlesex County, in the District of New Jersey and elsewhere, defendant

**MOHAMMAD MUSHTAQ**

did knowingly and intentionally execute and attempt to execute a scheme and artifice to defraud financial institutions, and to obtain money, funds, assets, and other property owned by, and under the custody and control of, financial institutions, by means of materially false and fraudulent pretenses, representations, and promises, as described below:

COUNT	DATE	TRANSACTION
TWO	7/25/18	\$1,250 charged at "Route 22 Services Corp." using a credit card issued by Bank 8 in the name of "M.K."
THREE	7/26/18	\$900 charged at "Route 22 Services Corp." using a credit card issued by Bank 3 in the name of "F.M."
FOUR	7/26/18	\$3,450 charged at "Route 22 Services Corp." using a credit card issued by Bank 4 in the name of "F.M."
FIVE	7/26/18	\$3,500 charged at "Route 22 Services Corp." using a credit card issued by Bank 5 in the name of "M.K."
SIX	7/30/18	\$3,750 charged at "Route 22 Services Corp." using a credit card issued by Bank 6 in the name of "F.M."

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

2.

**COUNT SEVEN**  
**(Access Device Fraud)**

1. The allegations set forth in Paragraphs 1 and 4 through 12 of Count One of this Indictment are realleged and incorporated as if set forth in full herein.

2. From in or about January 2018 to in or about December 2018, in Middlesex County, in the District of New Jersey and elsewhere, defendant

MOHAMMAD MUSHTAQ

did knowingly and with intent to defraud traffic in, use, and cause to be used one or more unauthorized access devices during a one-year period, and by such conduct obtain things of value aggregating \$1,000 or more during that period.

In violation of Title 18, United States Code, Section 1029(a)(2) and Section 2.

**COUNT EIGHT**  
**(Aggravated Identity Theft)**

1. The allegations set forth in Paragraphs 1 and 4 through 12 of Count One of this Indictment are hereby realleged and incorporated as if set forth in full herein.

2. From in or about October 2017 to in or about May 2019, in Middlesex County, in the District of New Jersey, and elsewhere, defendant

MOHAMMAD MUSHTAQ

did knowingly transfer, possess, and use, and did aid, abet, counsel, command, induce and procure the knowing transfer, possession, and use of, without lawful authority, the means of identification of another person, namely, the personal identifying information of "F.M.," during and in relation to a felony violation enumerated in 18 U.S.C. § 1028A(c), namely, the offense of conspiracy to commit bank fraud charged in Count One of this Indictment, knowing that this means of identification belonged to an actual person.

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

### **FORFEITURE ALLEGATION AS TO COUNTS ONE THROUGH SIX**

1. As a result of committing the offenses charged in Counts One through Six of this Indictment, defendant MOHAMMAD MUSHTAQ shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(2), any property constituting or derived from proceeds obtained directly or indirectly as a result of the violations of Title 18, United States Code, Sections 1344 and 1349 alleged in Counts One through Six of this Indictment.

### **FORFEITURE ALLEGATION AS TO COUNT SEVEN**

2. As a result of committing the access device fraud offense in violation of 18 U.S.C. § 1029 charged in Count Seven of this Indictment, defendant MOHAMMAD MUSHTAQ shall forfeit to the United States, pursuant to 18 U.S.C. § 982(a)(2)(B), any property constituting, or derived from, proceeds obtained directly or indirectly, as a result of such offense, and pursuant to 18 U.S.C. § 1029(c)(1)(C), any personal property that was used or intended to be used to commit or to facilitate the commission of the offense charged in Count Seven of the Indictment.

### **Substitute Assets Provision**

3. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third person;
- (c) has been placed beyond the jurisdiction of the Court;

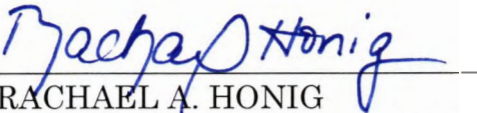
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 982(b), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

A TRUE BILL,

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FOREPERSON

  
RACHAEL A. HONIG  
ACTING UNITED STATES ATTORNEY

CASE NUMBER: \_\_\_\_\_

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**United States District Court  
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**v.**

**MOHAMMAD MUSHTAQ**

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**INDICTMENT FOR**

**18 U.S.C. §§ 2, 1028A(a)(1), 1029(a)(2),  
1344, & 1349**

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**A True Bill,**

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**Foreperson**

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**RACHAEL A. HONIG**

*ACTING U.S. ATTORNEY  
NEWARK, NEW JERSEY*

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