

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

UNITED STATES OF AMERICA	:	Hon.
	:	
v.	:	Crim. No. 22-
	:	
NIGEL LYNCH	:	18 U.S.C. § 1349
	:	18 U.S.C. § 371

**INFORMATION**

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

**COUNT 1**  
**(Conspiracy to Commit Bank Fraud)**

**Background**

1. At all times relevant to this Information:
  - a. Defendant NIGEL LYNCH resided in Yonkers, New York.
  - b. Victim 1 resided in Lincoln Park, New Jersey.
  - c. Victim 2 resided in Millington, New Jersey.
  - d. Victim 3 resided in Fairfield, Connecticut.
  - e. Bank 1, Bank 2, Bank 3, Bank 4, and other victim banks (collectively, the “Victim Banks”) were “financial institutions” whose deposits were insured by the Federal Deposit Insurance Corporation (“FDIC”) or whose accounts were insured by the National Credit Union Share Insurance Fund (“NCUA”).
  - f. LYNCH maintained an account at Bank 5, which was a financial institution with branches throughout New Jersey.
  - g. Fraudulent Account 1 was held at Bank 2.

h. Fraudulent Account 2 was held at Bank 3.

i. Fraudulent Account 3 was held at Bank 4.

### **The Conspiracy**

2. From in or around February 2020 through in or around November 2020, in the District of New Jersey and elsewhere, defendant,

**NIGEL LYNCH,**

knowingly and intentionally conspired and agreed with others to execute a scheme and artifice to defraud financial institutions, as defined in Title 18, United States Code, Section 20, namely, the Victim Banks, whose deposits were insured by the FDIC or whose accounts were insured by the NCUA, 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 LYNCH and others (his “Co-Conspirators”) to enrich themselves and others by using stolen checks to obtain money from the Victim Banks.

### **Manner and Means of the Conspiracy**

4. It was part of the conspiracy that:

a. From in or around February 2020 through in or around November 2020, LYNCH and his Co-Conspirators stole mail from mailboxes located in Morris, Essex, Somerset, and Passaic Counties, New Jersey, among other locations.

b. LYNCH and his Co-Conspirators identified pieces of stolen mail that contained checks, and altered the payee and payment amounts listed on those checks. They deposited the altered and fraudulent checks into accounts that LYNCH and/or his Co-Conspirators controlled and then fraudulently transferred or withdrew money from those accounts. For example:

i. On or about March 30, 2020, LYNCH and his Co-Conspirators stole a check from the curbside mailbox in front of Victim 1's residence in Lincoln Park, New Jersey. Victim 1 had issued the original check from an account at Bank 1, and LYNCH and his Co-Conspirators altered the check by changing, among other things, the name of the payee.

ii. On or about April 25, 2020, LYNCH and his Co-Conspirators deposited via automated teller machine ("ATM") the stolen and altered check into Fraudulent Account 1 at Bank 2.

iii. On or about April 28, 2020, LYNCH and his Co-Conspirators made ATM cash withdrawals from Fraudulent Account 1 at Bank 2.

iv. On or about April 28, 2020, two United States Postal Service money orders were purchased in LYNCH's name using a debit card associated with Fraudulent Account 1 at Bank 2. These money orders were subsequently deposited into LYNCH's bank account at Bank 5.

v. Over the course of the conspiracy, LYNCH and his Co-Conspirators caused the Victim Banks to suffer losses in excess of \$550,000.

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

## **COUNT 2**

### **(Conspiracy to Receive and Possess Stolen Mail)**

1. The allegations in Paragraphs 1, 3, and 4 of Count 1 of this Information are realleged here.

2. From in or around February 2020 through in or around November 2020, in the District of New Jersey and elsewhere, defendant,

**NIGEL LYNCH,**

knowingly and intentionally conspired and agreed with others to buy, receive, conceal, and unlawfully have in his possession, any letter, postal card, package, bag, and mail, and any article and thing contained therein, which has been so stolen, taken, embezzled, and abstracted, as herein described, knowing the same to have been stolen, taken, embezzled, and abstracted, contrary to Title 18, United States Code, Section 1708.

### **Manner and Means of the Conspiracy**

3. It was part of the conspiracy that:

a. From in or around February 2020 through in or around November 2020, LYNCH and his Co-Conspirators stole mail and checks from mailboxes located in Morris, Essex, Somerset, and Passaic Counties, New Jersey, among other locations.

### **Overt Acts**

4. In furtherance of the conspiracy, and to achieve its illegal objectives, LYNCH and his Co-Conspirators committed, and caused to be committed, the following overt acts in the District of New Jersey and elsewhere:

a. On or about March 31, 2020, LYNCH and his Co-Conspirators stole a check from curbside mailbox in front of Victim 2's residence in Millington, New Jersey. On or about April 25, 2020, LYNCH and his Co-Conspirators deposited the check stolen from the mail into Fraudulent Account 2 at an ATM at Bank 3.

b. On or about August 12, 2020, LYNCH and his Co-Conspirators stole a check from the curbside mailbox in front of Victim 3's residence in Fairfield, Connecticut. On or about August 18, 2020, LYNCH and his Co-Conspirators deposited the check stolen from the mail into Fraudulent Account 3 at an ATM at Bank 4.

In violation of Title 18, United States Code, Section 371.

**FORFEITURE ALLEGATION AS TO COUNT 1**

1. As a result of committing the offense charged in Count 1 of this Information, defendant NIGEL LYNCH 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 offense charged in Count 1 of this Information.

**FORFEITURE ALLEGATION AS TO COUNT 2**


2. As a result of committing the offense charged in Count 2 of this Information, defendant NIGEL LYNCH 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(c), any property, real or personal, constituting or derived from proceeds traceable to the offense alleged in Count 2 of this Information.

**Substitute Assets Provision**  
**(Applicable to All Forfeiture Allegations)**

3. If any of the property described above, 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,

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1), and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of such defendant up to the value of the forfeitable property described in paragraphs 1 and 2.

  
PHILIP R. SELLINGER  
United States Attorney

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

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United States District Court  
District of New Jersey

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UNITED STATES OF AMERICA

v.

NIGEL LYNCH

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INFORMATION FOR

18 U.S.C. § 1349  
18 U.S.C. § 371

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PHILIP R. SELLINGER  
UNITED STATES ATTORNEY  
FOR THE DISTRICT OF NEW JERSEY

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