

NICHOLAS A. TRUTANICH
United States Attorney
NICHOLAS D. DICKINSON
Assistant United States Attorney
United States Attorney's Office
501 Las Vegas Blvd. South, Suite 1100
Las Vegas, Nevada 89101
Tel: (702) 388-6175; Fax: (702) 388-6787
Nicholas.Dickinson@usdoj.gov

GUSTAV W. EYLER
Acting Director
TIMOTHY FINLEY
DANIEL ZYTNIK
Trial Attorneys
U.S. Department of Justice
Consumer Protection Branch
PO Box 386
Washington, DC 20044
Tel: (202) 307-0050; Fax: (202) 514-8742
Timothy.T.Finley@usdoj.gov
Daniel.E.Zytnick@usdoj.gov

Attorneys for Plaintiff
United States of America

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

United States of America,
Plaintiff,

v.

Edgar Del Rio,
Defendant.

FILED	RECEIVED
ENTERED	SERVED ON
COUNSEL/PARTIES OF RECORD	
FEB 26 2019	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY:	DEPUTY

CRIMINAL INFORMATION

2:19-cr-00022-JCM-VCF

VIOLATION:

*Conspiracy to Commit Mail Fraud,
18 U.S.C. § 1349*

1 **THE UNITED STATES ATTORNEY FOR THE DISTRICT OF NEVADA CHARGES**
2 **THAT:**

3 **INTRODUCTION**

4 At all times relevant to this Information, unless otherwise indicated:

- 5 1. The defendant EDGAR DEL RIO was a resident of Clark County, Nevada.
- 6 2. Beginning no later than 2011, and continuing until on or about February
- 7 2018, within the District of Nevada and elsewhere, the defendant EDGAR DEL RIO
- 8 conspired with others to engage in a direct-mail scheme that sent fraudulent prize
- 9 promotion mailings to thousands of consumers across the United States. The mailings
- 10 induced victims to pay a fee in exchange for a falsely promised large cash prize. The object
- 11 and purpose of the scheme was to obtain money from victims by means of false and
- 12 fraudulent statements and material concealments of fact in the mailings. None of the
- 13 victims who sent a fee to DEL RIO and his co-conspirators in response to a fraudulent prize
- 14 promotion mailing from the direct-mail scheme ever received a large cash prize.

15 **COUNT ONE**

16 *Conspiracy to Commit Mail Fraud*

- 17 3. The allegations contained in paragraphs one and two are realleged and
- 18 incorporated as if fully set forth in this paragraph.

- 19 4. Beginning no later than 2011, and continuing until on or about February
- 20 2018, within the District of Nevada and elsewhere,

21 **EDGAR DEL RIO,**

22 the defendant, together with others, whose identities are known to the United States, did

23 knowingly and intentionally conspire to devise a scheme to defraud victims and to obtain

24 money and property from victims by means of materially false and fraudulent

25 representations, and, for the purpose of executing such scheme, to place or cause to be

26 placed in any post office and authorized depository for mail matter any matter or thing,

27 namely fraudulent prize promotion mailings to be sent and delivered by the United States

28

1 Postal Service to victims across the United States, contrary to Title 18, United States Code,
2 Section 1341.

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

4 **FORFEITURE ALLEGATION**

5 1. The allegations contained in Count One are hereby realleged and
6 incorporated herein by reference for the purpose of alleging forfeiture pursuant to Title 18,
7 United States Code, Section 981(a)(1)(C) with Title 28, United States Code, Section
8 2461(c).

9 2. Upon conviction of the felony offense charged in Count One of this Criminal
10 Information,

11 **EDGAR DEL RIO**

12 defendant herein shall forfeit to the United States of America any property, real or personal,
13 which constitutes or is derived from proceeds traceable to violations of Title 18, United
14 States Code, Section 1341, a specified unlawful activity as defined in Title 18, United States
15 Code, Sections 1956(c)(7)(A) and 1961(1)(B), or Title 18, United States Code, Section 1349,
16 conspiracy to commit such offense:

- 17 1. \$106,150;
- 18 2. \$20,400.32;
- 19 3. \$34,364;
- 20 4. \$40,010;
- 21 5. \$50,126.59;
- 22 6. \$4,998;
- 23 7. \$10,908;
- 24 8. \$15,278;
- 25 9. \$6,975;
- 26 10. \$4,644.;

1 11. \$3,101;

2 12. \$1,824;

3 13. \$13,146

4 14. \$1,785;

5 15. \$14,439;

6 16. \$9,887;

7 17. \$8,253;

8 18. \$138;

9 19. \$12,464.03;

10 20. \$18,950; and

11 an in personam criminal forfeiture money judgment including, but not limited to, at
12 least \$350,000.

13 (all of which constitutes property).

14 3. If any property being subject to forfeiture pursuant to Title 18, United States
15 Code, Section 981(a)(1)(C) with Title 28, United States Code, Section 2461(c), as a result of
16 any act or omission of the defendant:

17 a. cannot be located upon the exercise of due diligence;

18 b. has been transferred or sold to, or deposited with, a third party;

19 c. has been placed beyond the jurisdiction of the court;

20 d. has been substantially diminished in value; or

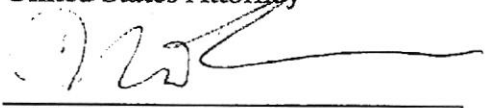
21 e. has been commingled with other property which cannot be divided without
22 difficulty;

23 it is the intent of the United States of America, pursuant to Title 21, United States Code,
24 Section 853(p), to seek forfeiture of any properties of the defendant for the property listed
25 above and the in personam criminal forfeiture money judgment including, but not limited
26 to, at least \$350,000.

1 All pursuant to Title 18, United States Code, Section 981(a)(1)(C) with Title 28,
2 United States Code, Section 2461(c); Title 18, United States Code, Section 1341; Title 18,
3 United States Code, Section 1349; and Title 21, United States Code, Section 853(p).

4 DATED: this 31 day of January, 2019

5
6 NICHOLAS A. TRUTANICH
United States Attorney

7 
8
9 Nicholas D. Dickinson
Assistant United States Attorney

10 Gustav W. Eyler, Acting Director
11 Timothy Finley, Trial Attorney
12 Daniel Zytneck, Trial Attorney
13 Consumer Protection Branch
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28