

UNITED STATES DISTRICT COURT

for the

District of Rhode Island

United States of America

v.

Dean Emmanuel Colin

Case No.

1:19-MJ-34PAS

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 22, 2019 in the county of _____ in the
_____ District of Rhode Island, the defendant(s) violated:

Code Section

18 U.S.C. 1029

Offense Description

Access Device Fraud

This criminal complaint is based on these facts:

See the attached Affidavit of Special Agent Mark Comorosky, of the United States Secret Service ("USSS").

☒ Continued on the attached sheet.


Complainant's signature

Special Agent Mark Comorosky ~ USSS

Printed name and title

Sworn to before me and signed in my presence.

Date:

May 24, 2019

City and state:

Providence, Rhode Island



Judge's signature

Patricia A. Sullivan, U.S. Magistrate Judge

Printed name and title

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ INFORMATION ☐ INDICTMENT ☒ COMPLAINTCASE NO. 1:19-mj-34915Matter Sealed: ☐ Juvenile ☐ Other than Juvenile
☐ Pre-Indictment Plea ☐ Superseding ☐ Defendant Added
☐ Indictment ☐ Charges/Counts Added
☐ Information

Name of District Court, and/or Judge/Magistrate Location (City)

UNITED STATES DISTRICT COURT RHODE ISLAND
DISTRICT OF RHODE ISLAND Divisional OfficeName and Office of Person
Furnishing Information on
THIS FORM AARON WEISMAN
☒ U.S. Atty ☐ Other U.S. Agency
Phone No. (401) 709-5000Name of Asst.
U.S. Attorney
(if assigned)

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

USSS ~ Special Agent Mark Comorosky

☐ person is awaiting trial in another Federal or State Court
(give name of court)☐ this person/proceeding transferred from another district
per (circle one) FRCrP 20, 21 or 40. Show District☐ this is a reprosecution of charges
previously dismissed which were
dismissed on motion of:☐ U.S. Atty ☐ Defense☐ this prosecution relates to a
pending case involving this same
defendant. (Notice of Related
Case must still be filed with the
Clerk.)☐ prior proceedings or appearance(s)
before U.S. Magistrate Judge
regarding this defendant were
recorded underSHOW
DOCKET NO.MAG. JUDGE
CASE NO.Place of
offense RHODE ISLAND County

USA vs.

Defendant: Dean Emmanuel Colin

Address

Birth
Date

Social

REDACTEDien
licable)Issue: ☒ Warrant ☐ Summons

Location Status:

Arrest Date _____ or Date Transferred to Federal Custody _____

☐ Currently in Federal Custody☐ Currently in State Custody☐ Writ Required☐ Currently on bond☐ Fugitive

Defense Counsel (if any): _____

☐ FPD ☐ CJA ☐ RET'D☐ Appointed on Target Letter☐ This report amends AO 257 previously submitted

OFFENSE CHARGED - U.S.C. CITATION - STATUTORY MAXIMUM PENALTIES - ADDITIONAL INFORMATION OR COMMENTS

Total # of Counts 1

Set	Title & Section/Offense Level (Petty = 1 / Misdemeanor = 3 / Felony = 4)	Description of Offense Charged	Felony/Misd.
	18 U.S.C. 1029	Access Device Fraud	<input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
	Imprisonment: 15 year/ Fine: \$250,000	Supervised Release: 3 years/ Special Assessment: \$100	<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
			<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
			<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
		Estimated Trial Days: 3	<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

**AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR
A CRIMINAL COMPLAINT AND ARREST WARRANT**

I, Mark Comorosky, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of an application for a criminal complaint and arrest warrant charging DEAN EMMANUEL COLIN [REDACTED] (1992) with access device fraud and conspiracy to commit access device fraud in violation of 18 U.S.C. §§ 1029(a)(1),(2)(3)(4) and (5) and (b)(2).

2. I am a Special Agent with the United States Secret Service (USSS), and have been since July 2006. I received formal training at the Federal Law Enforcement Training Center in Glynco, Georgia, and the United States Secret Service Academy in Beltsville, Maryland. Training included, among other things, the investigation of financial crimes which included the following; identity theft, access device fraud, bank fraud, forgery and counterfeit U.S. currency. I am currently assigned to the Boston Field Office. My current assignment includes investigating violations of Title 18, United States Code, Sections 1028, 1028A, 1029, 1037, 1341, 1343, 1344, 1349 and 1956. Based on my training and experience, I am familiar with the means by which individuals use computers and information networks to commit various crimes. These include individuals who are engaging in financial and computer crimes.

3. I am familiar with the facts and circumstances of this investigation through my personal participation, from discussions with other federal and state law enforcement officers, security personnel from Santander Bank and American Express, and from my review of records and reports relating to the investigation. This is an ongoing investigation. Since this affidavit is being submitted for the limited purpose of seeking authorization for the criminal complaint and arrest warrant, I have set forth the facts that I believe are necessary to establish probable cause and have not set forth all of my knowledge about this matter.

4. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that violations of 18 U.S.C. §§ 1029 have been committed by DEAN EMANUEL COLIN.

SUMMARY OF THE INVESTIGATION

General Background Regarding Nature of Scheme

5. The USSS is currently investigating an ongoing conspiracy to commit access device fraud to obtain hundreds of thousands of dollars from ATM machines located in Rhode Island, Massachusetts, Connecticut, New York and New Jersey. Such conspiracies are sometimes referred to as "cashout schemes." I know from my training and experience and other USSS investigations that a cashout scheme is a criminal conspiracy whereby individuals utilize stolen or otherwise compromised bank and or credit card company account numbers encoded on access devices such as ATM cards, credit cards, gift cards, and hotel keys, to withdraw large sums of currency from ATM machines. These cashout schemes are often multi-layer conspiracies wherein computer

hackers and their associates steal confidential financial information, including business and personal account numbers and personal identification numbers (PINs). The hackers often transmit this information to co-conspirators through an array of online communication mechanisms, such as e-mail, instant messaging, and chat applications. Ultimately, the purchasers of the stolen financial information use the account numbers to encode plastic cards with magnetic stripes, such as gift cards, counterfeit credit or debit cards, and hotel key cards, which they then use to withdraw currency from ATM machines. There are often many layers between the individuals conducting the hacking and the individuals withdrawing the cash from ATMs.

PROBABLE CAUSE

6. On May 22, 2019 at approximately 4:00 pm, surveillance photos from Santander Bank located at 1927 Post Road, Warwick, RI captured images of a person, whom I believed to be COLIN, conducting a series of ATM withdrawals totaling more than \$35,000. In the surveillance images, the individual is a black male with facial hair and dreadlock style hair tied in a ponytail. The individual is wearing a dark colored sweatshirt with large number "23" on the front and the word "AIR" on the shoulder. As described below, this sweatshirt was subsequently located in COLIN's hotel room during a search conducted pursuant to a state court authorized search warrant. COLIN left the ATM in a 2019 Hyundai Elantra bearing Virginia license plates that was rented from BWI airport in Baltimore MD. COLIN was with two other individuals, a black female in a yellow dress and a black male with short hair.

7. On May 23, 2019, Christopher Alonso, VP, Director of Corporate Security, Santander Bank ("Alonso") contacted the USSS inquire if the USSS was tracking a coordinated cashout scheme, perpetrated against American Express BINs. Mr. Alonso provided data showing nearly \$1 million in cashout activity at Santander locations in Rhode Island, Massachusetts, Connecticut, New York and New Jersey between May 16, 2019 and May 22, 2019. According to Alonso's review of surveillance footage, it appeared the perpetrators were using their telephones during transactions and favored ATM locations that dispense large bills. As of this writing, it appears this is limited to AMEX Platinum personal accounts and all cashouts are being done at Santander Bank locations. The total dollar amount is just under \$1M at this time. Below are the locations where cashouts were conducted on May 22, 2019 alone. Locations in Rhode Island are highlighted.

403 Highland Avenue Somerville, MA 02144
35 Leonard Street Belmont, MA 02478
342 North Main Street West Hartford, CT 06117
1040 Boulevard West Hartford, CT 06119
75-81 31st Avenue Jackson Heights, NY 11372
578 Windsor Avenue Windsor, CT 06095
1617 Blue Hill Avenue Mattapan, MA 02126
118-11 101st Avenue Richmond Hill, NY 11419
1025 Smith Street Providence, RI 02908
115 Asylum Street Hartford, CT 06103
896 Tiogue Avenue Coventry, RI 02816
1927 Post Road Warwick, RI 02886
214 Washington Street Hoboken, NJ 07030
21 Central Avenue Seekonk, MA 02771
765 Main Street East Greenwich, RI 02818
37-10 Broadway Long Island City, NY 11103
3060 Washington Street Boston, MA 02119
1927 Post Road Warwick, RI 02886

8. Alonso indicated that he had access to live ATM surveillance footage in his capacity as director of security for Santander. During the course of a telephone conversation between Alonso, myself and other members of the USSS, Alonso observed an individual believed to be COLIN conducting ATM transactions at a Santander bank ATM on Central Avenue in Seekonk, Massachusetts. Specifically Alonso observed an individual (later determined to be COLIN) attempting to insert multiple cards into the ATM. Alonso indicated it was the same person who had conducted the previous fraudulent ATM withdrawals in Warwick. USSS alerted the Seekonk Police Department (Seekonk PD), which responded to the scene. A Seekonk PD patrol shift supervisor arrived at the ATM at approximately 8:35 pm and observed an unoccupied Volkswagen with its engine and lights running, approximately 30 yards from the bank, parked in such a way that a large dumpster blocked any views from the vehicle to the bank. Seekonk PD approached the individual and asked him to exit the lobby. He was handcuffed and frisked for weapons. In his pants pocket were a wallet with a Florida driver's license identifying him as Dean Colin. Also in his wallet were 9 cards with a magnetic stripe. COLIN was asked how he got the area and said he took an Uber. Seekonk PD then observed a Volkswagen key protruding from his pocket. Seekonk alerted the alarm on the key and the nearby Volkswagen responded. COLIN also had two cellular phones, an iPhone X and an Samsung Galaxy S8 Android phone.

9. Also located on COLIN's person was a hotel key card for Comfort Inn, with a key holder marked "125". I contacted the nearest Comfort Inn I am aware of,

which is located on Foxboro Massachusetts, and asked if Room 125 was occupied. Comfort Inn indicated yes. USSS agents then went to the Comfort Inn in Foxboro and showed an employee a surveillance image of the ATM withdrawals which took place May 22 in Warwick, RI. Comfort Inn confirmed it was the same person occupying Room 125. A state court search warrant was obtained for Room 125. Located in the room were the sweatshirt marked "23" described above, two additional bank cards, one with numbers encoded on it and one that was not encoded. In addition \$65,920 U.S. currency was in the hotel room. All of the denominations were \$50 bills except one \$20 bill. Also located was packing tape with a stamp on the side marked Warwick, RI which typical of the type of packing tape obtained in post offices. An iPad mini was also located in the hotel room.

10. After COLIN's arrest, I ran the nine various bank cards seized from his person through a card reader. Of the nine cards, six of the cards had COLIN's name on them. The other three cards did not have any names on them. Four of the nine cards had account numbers encoded on the magnetic stripe which did not match the issuing bank. For example, one card was labeled Bank of America on the front of the card, but was encoded with an American Express account number. The other five cards had numbers encoded with numbers that did match the issuing bank. I subsequently ran the two additional cards seized from COLIN's hotel room through a reader. One card was marked FairWinds Bank on the front, but was encoded with an American Express number. The second card was marked "Disney" on the front, but was not encoded with any numbers on the back.

11. On May 24, 2019 Seekonk PD executed a state court search warrant on the Volkswagen which was seized at the time of COLIN's arrest. The Volkswagen was rented from rental from Alamo car rentals at Logan Airport in Boston, MA on May 17, 2019 at 6:23 am was due to be returned at 6:00 am on May 24, 2019. It was rented via Priceline.com in the name of "[REDACTED]," of Santa Monica CA. Inside the Volkswagen, among other items were the following:

- One Black and Silver Deftun Card Reader Writer with USB cable attached, Model MSRX6, which can be used to encode bank cards.
- Receipt from US Post Office Warwick, RI for package sent to residence Miami FL [REDACTED], Miami FL (COLIN's residential address as listed on his Florida driver's license)
- 2 additional bank cards
- Rubber bands consistent with wrapping money, similar to the rubber bands used to wrap currency found in COLIN's hotel room
- American Airlines boarding pass in the name of COLIN from-Miami, FL to Boston MA dated May 22, 2019.

12. As of this date, ATM transactions which are connected to COLIN by video surveillance involve at least 29 different American Express Platinum account numbers. These are transactions where the video surveillance can be matched with the ATM withdrawals through bank records.

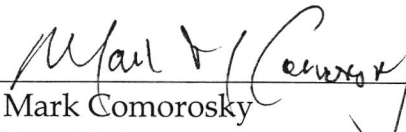
CONCLUSION

13. Based on the foregoing facts, there is probable cause to believe that DEAN EMMANUEL COLIN committed the offences of device access fraud and conspiracy to

commit device access fraud in violation of 18 U.S.C. §§ 1029(a)(1),(2),(3),(4) and(5).

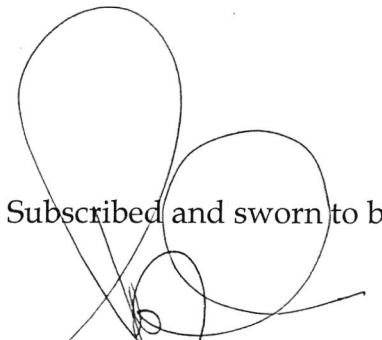
Accordingly, I respectfully request a criminal complaint and arrest warrant be issued for DEAN EMMANUEL COLIN.

Respectfully submitted,



Mark Comorosky

Special Agent
U.S. Secret Service


Subscribed and sworn to before me on May 24, 2019.

Honorable Patricia A. Sullivan
UNITED STATES MAGISTRATE JUDGE