

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

UNITED STATES OF AMERICA

v.

VIDAL "Sandy" ROQUEZ

and

SCHMIDT PRADO,
Defendants.

Cr. No. 1:21CR26MSM-LDA

Violations:

18 U.S.C. § 1349 (Conspiracy to Commit
Wire Fraud)

18 U.S.C. § 1028A (Aggravated Identity
Theft)

18 U.S.C. § 2 (Aiding and Abetting)

Forfeiture

INDICTMENT

The Grand Jury charges that:

COUNT ONE

(Conspiracy to Commit Wire Fraud – 18 U.S.C. § 1349)

Introduction

At all times relevant to this Indictment:

1. VIDAL "SANDY" ROQUEZ (ROQUEZ) resided in the District of Rhode Island.
2. SCHMIDTT PRADO (PRADO) resided in the District of Rhode Island.

The Conspiracy

3. Beginning on a date unknown to the Grand Jury but not later than on or about December 20, 2019 and continuing through on or about February 18, 2020, in the Districts of Rhode Island and Massachusetts, and elsewhere, the defendants,

VIDAL "Sandy" ROQUEZ
and
SCHMIDT PRADO,

did knowingly, willfully, and unlawfully combine, conspire, and agree with each other and other persons, known and unknown to the Grand Jury, to commit wire fraud, that is, to knowingly and with intent to defraud, devise and intend to devise a scheme to defraud and to obtain money from others by means of materially false and fraudulent pretenses, representations, and promises, knowing that they were false and fraudulent when made, and for the purpose of executing such scheme to defraud and to obtain money, caused the transmission of wire communications in interstate and foreign commerce, contrary to 18 U.S.C. § 1343.

The Object of the Conspiracy

4. The object of the conspiracy was for the defendants, ROQUEZ and PRADO, and their co-conspirators, to unlawfully enrich themselves by obtaining money from elderly victims, by fraudulently representing to the victims that a grandchild, child, or other relative was in financial and legal distress; that money was urgently needed to pay expenses relating to the relative's legal issues; and that cash should be given to a courier who would be sent to the homes of the victims.

Manner and Means of the Conspiracy

5. It was a part of the conspiracy that members of the conspiracy contacted elderly victims throughout Rhode Island and Massachusetts by telephone, and, posed as a lawyer or other individual, falsely told the victims that a relative, typically the victim's grandchild or child, had been arrested or incarcerated in connection with a car accident or other legal matter, and that the relative needed money for bail and legal fees, often thousands of dollars.

6. It was further part of the conspiracy that members of the conspiracy sometimes posed, on the telephone, as a victim's grandchild, child, or other relative, to further persuade and induce the victim to provide the cash.

7. It was further part of the conspiracy that, in order to conceal the crime and prevent a victim from sharing information about the calls and requests for money, members of the conspiracy falsely told victims that a "gag order" was in place on his or her relative's legal matter that prohibited the victim from sharing information about the matter.

8. It was further part of the conspiracy that, during the telephone calls, members of the conspiracy informed the victims that a courier or bail bondsman would arrive at their homes to pick up the cash for their relative.

9. It was further part of the conspiracy that ROQUEZ and PRADO retrieved and attempted to retrieve packages of cash from elderly victims at their homes.

Acts in Furtherance of the Conspiracy

10. In furtherance of the conspiracy, at least one of the following acts, among

others, was committed by one or more of the co-conspirators in the Districts of Rhode Island and Massachusetts, and elsewhere:

11. On or about December 20, 2019, a member of the conspiracy called W.R., of Shrewsbury, MA, and told W.R. that his son was in police custody in Worcester, MA and that bail in the amount of \$12,500 had been set in the case. Later that day, ROQUEZ traveled to Shrewsbury, MA, and retrieved \$12,500 in cash from W.R.

12. On or about January 6, 2020, a member of the conspiracy called J.B., of Northborough, MA, falsely identified himself as J.B.'s grandson and told J.B. that he had been arrested in Boston. Another member of the conspiracy joined the call, falsely claimed to be an attorney for J.B.'s grandson and instructed J.B. to have \$12,000 in bail money ready for a courier. Later that day, ROQUEZ traveled to Northborough, MA, and retrieved \$12,000 in cash from J.B.

13. On or about January 10, 2020, a member of the conspiracy called H.J., of Weston, MA, and told H.J. that his grandson had been in a car accident in California, that his grandson had been arrested for texting while driving and that bail money was needed. Later that day, ROQUEZ traveled to Weston, MA, and retrieved \$14,000 in cash from H.J.

14. On or about February 4, 2020, a member of the conspiracy called J.J., of Portsmouth, RI, falsely identified herself as J.J.'s niece, and told J.J. that she had been in a car accident and needed money for bail. Another member of the conspiracy joined the call, falsely claimed to be an attorney for J.J.'s niece and instructed J.J. to give \$9,000 to a courier who would be sent to her home. Later that day, ROQUEZ traveled to

Portsmouth, RI, and retrieved \$9,000 in cash from J.J.

15. On or about February 4, 2020, a member of the conspiracy called L.H., of Tiverton, RI, falsely identified herself as L.H.'s niece and told L.H. that she had been in a car accident and needed money for bail. Another member of the conspiracy joined the call, falsely claimed to be an attorney for L.H.'s niece and instructed L.H. to give \$9,500 to a courier who would be sent to her home. Later that day, ROQUEZ traveled to Tiverton, RI, and retrieved \$9,500 in cash from L.H.

16. On or about February 4, 2020, a member of the conspiracy called P.D., of Cranston, RI, falsely claimed to be her grandson, told P.D. that he was in trouble after a fight, and asked her to call his attorney. After P.D. called the phone number provided for an attorney, a member of the conspiracy told her that her grandson needed \$9,000 or he would stay in prison for 7 months. That member of the conspiracy instructed P.D. that a courier would arrive to pick up the money. After that call, ROQUEZ traveled to Cranston, and retrieved \$9,000 in cash from P.D. Later that day, a member of the conspiracy called P.D. again, told her that her grandson was in more trouble and that he needed additional money. Thereafter, ROQUEZ again traveled to Cranston, and retrieved \$8,000 in cash from P.D. A member of the conspiracy called P.D. again that same day and asked for additional money.

17. On or about February 6, 2020, a member of the conspiracy called N.M., of South Kingstown, RI, falsely claimed to be her daughter, said that she had been arrested, and told N.M. that someone would call with information about paying her bond. Another member of the conspiracy then called N.M., claimed to be a public

defender, and instructed her to provide money to a courier who would be sent to her home. Later that day, ROQUEZ traveled to South Kingstown, RI and retrieved \$9,400 from N.M.

18. On or about February 7, 2020, a member of the conspiracy placed a telephone call to L.S., of Warwick, RI, falsely identified himself as a Cranston, RI police officer, and told L.S. that his grandson had been involved in a motor vehicle accident in which two females, one of which was pregnant, were injured. The caller told L.S. that his grandson had been arrested and that \$14,000 in money was needed. Another member of the conspiracy joined the call and falsely claimed to be L.S.'s grandson. Later that day, ROQUEZ traveled to Warwick and retrieved \$14,000 from a representative of L.S.

19. On February 18, 2020, a member of the conspiracy placed a telephone call to J.M., of Little Compton, RI, and told J.M. that his granddaughter had been arrested and needed \$9,000 for bail money. Also, on February 18, 2020, ROQUEZ and PRADO exchanged texted messages with J.M.'s address and other information about PRADO retrieving \$9,000 from J.M. at his home. That day, PRADO traveled to J.M.'s residence in Little Compton, RI and attempted to retrieve \$9,000 from J.M.

All in violation of 18 U.S.C. § 1349.

COUNT TWO

(Aggravated Identity Theft - 18 U.S.C. §§ 1028A, 2)

20. The allegations contained in paragraphs 1-19 of this Indictment are re-

alleged and incorporated by reference as though fully set forth herein.

21. On or about February 4, 2020, in the Districts of Rhode Island and elsewhere, defendant,

VIDAL "Sandy" ROQUEZ

did knowingly transfer, possess, and use, without lawful authority, a means of identification of another person, to wit the name of the grandson of P.D., during and in relation to a felony violation enumerated in 18 U.S.C. § 1028A(c), to wit, conspiracy to commit wire fraud, in violation of 18 U.S.C. § 1349, knowing that the means of identification belonged to another actual person.

All in violation 18 U.S.C. §§ 1028A(a)(1) and 2, and *Pinkerton v. United States*, 328 U.S. 640 (1946).

COUNT THREE

(Aggravated Identity Theft - 18 U.S.C. §§ 1028A, 2)

22. The allegations contained in paragraphs 1-19 of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

23. On or about February 7, 2020, in the Districts of Rhode Island and elsewhere, defendant,

VIDAL "Sandy" ROQUEZ

did knowingly transfer, possess, and use, without lawful authority, a means of identification of another person, to wit the name of the grandson of L.S., during and in relation to a felony violation enumerated in 18 U.S.C. § 1028A(c), to wit, conspiracy to

commit wire fraud, in violation of 18 U.S.C. § 1349, knowing that the means of identification belonged to another actual person.

All in violation 18 U.S.C. §§ 1028A(a)(1) and 2, and *Pinkerton v. United States*, 328 U.S. 640 (1946).

COUNT FOUR

(Aggravated Identity Theft - 18 U.S.C. §§ 1028A, 2)

24. The allegations contained in paragraphs 1-19 of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

25. On or about February 18, 2020, in the Districts of Rhode Island and elsewhere, defendants,

VIDAL "Sandy" ROQUEZ
and
SCHMIDT PRADO,

did knowingly transfer, possess, and use, without lawful authority, a means of identification of another person, to wit the name of the granddaughter of J.M., during and in relation to a felony violation enumerated in 18 U.S.C. § 1028A(c), to wit, conspiracy to commit wire fraud, in violation of 18 U.S.C. § 1349, knowing that the means of identification belonged to another actual person.

All in violation of 18 U.S.C. §§ 1028A(a)(1) and 2, and *Pinkerton v. United States*, 328 U.S. 640 (1946).

FORFEITURE ALLEGATION

Upon conviction of the conspiracy to commit wire fraud offense alleged in Count 1 of this Indictment, defendants

**VIDAL ROQUEZ
and
SCHMIDT PRADO,**

shall forfeit to the United States of America, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), all right, title, and interest in any and all property, real or personal, which constitutes or is derived from proceeds traceable to violations of 18 U.S.C. §§ 1349 and 1343, and a sum of money equal to the total amount of proceeds obtained as a result of the offenses, including but not limited to, the following.

- an iPhone, IMEI # 353903100715372 obtained from PRADO on February 18, 2020;
- an iPad, S/N: F9GZJ4NFMF3Q obtained from ROQUEZ's residence on February 19, 2020;
- an iPhone 6s, IMEI: 358570078972775, S/N: DNPS61B8GRYD obtained from ROQUEZ's residence on February 19, 2020; and
- an iPhone 11, IMEI: 356557100699585, S/N: DNQZR0MCN72J, obtained from ROQUEZ on or about February 26, 2020.

If any of the above-described forfeitable property, as a result of any act or omission of the defendant, cannot be located upon the exercise of due diligence, has been transferred, sold to, or deposited with a third party, has been placed beyond the

jurisdiction of the court, has been substantially diminished in value, or has been commingled with other property which cannot be divided without difficulty, it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c), to seek forfeiture of any other property of said defendants up to the value of the forfeitable property described above.

All in accordance with 18 U.S.C. § 981(a)(1), as incorporated by 28 U.S.C. § 2461(c), and Rule 32.2(a), Federal Rules of Criminal Procedure.

A TRUE BILL:



Grand Jury Foreperson

RICHARD B. MYRUS
Acting United States Attorney

Denise M. Barton

DENISE MARIE BARTON
Assistant U.S. Attorney

Lee H. Vilker

LEE H. VILKER
Assistant U.S. Attorney
Deputy Chief, Criminal Division

Dated: March 5, 2021

PER 18 U.S.C. 3170

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

BY: ☐ INFORMATION ☒ INDICTMENT ☐ COMPLAINT

CASE NO. I:21CR26MSM-LDA-01

Matter 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

RICHARD B. MYRUS

☒ U.S. Atty ☐ Other U.S. Agency
Phone No. (401) 709-5000Name of Asst.
U.S. Attorney
(if assigned)

DENISE M. BARTON

PROCEEDING

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

Department of Homeland Security Investigation (HSI)

☐ 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.

20-MJ-00023-LDA

Place of
offense RHODE ISLAND

County

USA vs.

Defendant: Vidal "Sandy" Roquez

Address:

☐ Interpreter Required Dialect: _____Birth
Date☐ Male☐ Alien☒ Female (if applicable)

Social Security Number

DEFENDANT

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): David A. Cooper, Esq.

☐ 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 4

Set	Title & Section/Offense Level (Petty = 1 / Misdemeanor = 3 / Felony = 4)	Description of Offense Charged	Felony/Misd.
	See Attached Sheet.	See Attached Sheet.	<input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
			<input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
			<input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
			<input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
			<input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
		Estimated Trial Days: 7 days	<input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor

United States v. Vidal ("Sandy") Roquez
INDICTMENT COVER SHEET ATTACHMENT

Count 1: (Conspiracy to Commit Wire Fraud – 18 U.S.C. §§ 1349, 1343)

MAX PENALTY

- a. 20 years imprisonment;
- b. Fine of twice the gross gain/loss;
- c. 3 years supervised release;
- d. \$100 special assessment.

Count 2-4: (Aggravated Identity Theft - 18 U.S.C. §§ 1028A, 2)

MAX PENALTY

- a. Mandatory minimum of 2 years imprisonment, consecutive to underlying felony.

FORFEITURE ALLEGATION

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

BY: ☐ INFORMATION ☒ INDICTMENT ☐ COMPLAINTCASE NO. 1:21CR26MSM-LDA-02Matter 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 RICHARD B. MYRUS
☒ U.S. Atty ☐ Other U.S. Agency
Phone No. (401) 709-5000Name of Asst.
U.S. Attorney (if assigned) DENISE M. BARTON

PROCEEDING

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

Department of Homeland Security Investigation (HSI)

☐ 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.20-MJ-00022-LDAPlace of
offense RHODE ISLAND

County

USA vs.

Defendant: Schmitt A. PradoAddress: [REDACTED]☐ Interpreter Required Dialect: _____Birth Date [REDACTED] ☒ Male ☐ Alien
☐ Female (if applicable)Social Security Number [REDACTED]

DEFENDANT

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☐ FugitiveDefense Counsel (if any): Scott A. Lutes, Esq.☐ 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 2

Set	Title & Section/Offense Level (Petty = 1 / Misdemeanor = 3 / Felony = 4)	Description of Offense Charged	Felony/Misd.
	See Attached Sheet.	See Attached Sheet.	<input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
			<input checked="" 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: 7 days	<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor

United States v. Schmitt A. Prado
INDICTMENT COVER SHEET ATTACHMENT

Count 1: (Conspiracy to Commit Wire Fraud – 18 U.S.C. §§ 1349, 1343)

MAX PENALTY

- a. 20 years imprisonment;
- b. Fine of twice the gross gain/loss;
- c. 3 years supervised release;
- d. \$100 special assessment.

Count 4: (Aggravated Identity Theft - 18 U.S.C. §§ 1028A, 2)

MAX PENALTY

- a. Mandatory minimum of 2 years imprisonment, consecutive to underlying felony.

FORFEITURE ALLEGATION