

UNITED STATES DISTRICT COURT

for the

District of Rhode Island

United States of America

v.

JUAN HICKS

Defendant(s)

Case No. 1:22MJ94LDA

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 January 1, 2012 through April 2022 in the county of _____ in the

District of Rhode Island, the defendant(s) violated:

Code Section

18 U.S.C. § 1343;
18 U.S.C. § 1028A

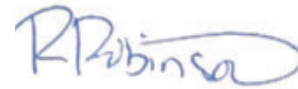
Offense Description

Wire Fraud;
Aggravated Identity Theft

This criminal complaint is based on these facts:

See the attached Affidavit of Special Agent Rachel L. Robinson, of the United States Department of Homeland Security Immigration and Customs Enforcement ("ICE").

☒ Continued on the attached sheet.



Complainant's signature

Special Agent Rachel L. Robinson, HSI-DHS

Printed name and title

Sworn to before me and signed **Telephone**

Date: December 5, 2022

City and state: Providence, Rhode Island



Judge's signature

Lincoln D. Almond, U.S. Magistrate Judge

Printed name and title

UNITED STATES DISTRICT COURT

for the
RHODE ISLAND

United States of America

v.

Juan Hicks, YOB: 1975

Case No. 1:22MJ94LDA

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
(name of person to be arrested) Juan Hicks, YOB: 1975,
who is accused of an offense or violation based on the following document filed with the court:

☐ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☒ Complaint
☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

Wiire Fraud and Aggravated Identity theft in violation of 18 U.S.C. § 1343 and 18 U.S.C. § 1028A (Counts 1 & 2).

Date: December 5, 2022

Issuing officer's signature

City and state: Providence RI

Lincoln D. Almond, U.S. Magistrate Judge

Printed name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____.

Date: _____

Arresting officer's signature

Printed name and title

**AFFIDAVIT IN SUPPORT OF
A CRIMINAL COMPLAINT AND ARREST WARRANT**

I, Rachel L. Robinson, Special Agent with the Department of Homeland Security, Homeland Security Investigations ("HSI"), having been duly sworn, depose and state as follows.

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent/Criminal Investigator with the United States Department of Homeland Security, Homeland Security Investigations ("HSI"), and as a Special Agent of the United States Department of Homeland Security, I am authorized as an officer of the United States to conduct investigations and make arrests for offenses enumerated in Titles 8, 18, and 19 of the United States Code. I have been employed by HSI since May 2007. Prior to that assignment, I was employed as a Customs and Border Protection Officer with Customs and Border Protection for over four years. I am currently assigned to conduct investigations in the Resident Agent in Charge (RAC) Providence Office of HSI. I have prepared numerous affidavits in support of applications for federal search and arrest warrants. As a federal agent, I am authorized to investigate violations of laws of the United States and to execute warrants issued under the authority of the United States.

2. I make this affidavit in support of a criminal complaint and the issuance of an arrest warrant for **JUAN HICKS (YOB 1975)**, for violations of federal law, more specifically described as Wire Fraud, in violation of 18 U.S.C. § 1343 (Count One), and Aggravated Identity Theft, in violation of 18 U.S.C. § 1028A (Count Two).

3. The statements contained in this affidavit are based upon information from my personal observations and training and experience, and review of relevant records related to this investigation, as well as information provided to me by other local law enforcement officers and witnesses involved in this investigation. This affidavit is intended to show merely that there is probable cause for the issuance of a criminal complaint and arrest warrant and does not set forth all of my knowledge about this matter.

PROBABLE CAUSE

4. On April 14, 2022, the Warwick Police Department was notified by ATW Companies¹ (the “Company” or “ATW”), located at 55 Service Avenue, Warwick, Rhode Island, that during an investigation into a cyber-attack on the company’s network, they became aware that their IT Director, JUAN HICKS, had been embezzling from their company and had been importing illegal narcotics from China. The initial Warwick Police Department investigation revealed that HICKS embezzled over a million dollars from ATW and imported narcotics from China utilizing ATW’s mailing system to receive those narcotics and to send U.S. Currency.

5. In 2003, HICKS was hired by ATW as a Network Administrator. After some time, he became Director of IT. In this role, HICKS was responsible for managing the computer network, purchasing computer hardware and software, and managing the

¹ According to its website, for more than a century, ATW Companies has been a world-class supplier of precision tubing and fabricated metal components.

phone systems and internet services. HICKS was issued a company credit card around 2014, that was to be used for company purchases of computer hardware, software, cell phones, as well as the payment of the monthly recurring cell phone bills and internet services which included AT&T, Windstream, Comcast and Cox. On occasion, HICKS would also submit an expense report for services or equipment he would allege was paid on his personal credit cards as well as business travel.

6. During a cyber-attack which took place in March 2022, ATW hired a forensic company to determine the source of attack and to identify vulnerabilities. According to ATW officials, HICKS was not cooperative with providing his ATW computer and passwords as per policy. It was thereafter discovered that HICKS embezzled a large amount of money from the company and was terminated in April 2022. The internal ATW investigation revealed that HICKS had embezzled over one million dollars from ATW since 2012. It became clear that HICKS devised a scheme to obtain money from ATW using fraudulent representations, causing hundreds of wires to be transmitted, in violation of 18 U.S.C. § 1343.

7. To orchestrate this scheme, HICKS created fraudulent invoices and submitted false expense reports to ATW for reimbursement; used the corporate AMEX account for personal charges and created fabricated credit card statements for reimbursement. The fraudulent invoices contained misrepresentations of the amount charged or paid, the amount HICKS personally paid, and the descriptions of items received/paid for. In some instances, the fraudulent invoices were submitted by HICKS were completely fabricated, in that no items or services of any kind were ever ordered

or paid for. HICKS' false and fraudulent representations caused interstate wires to be sent in the amount of the expense report from ATW's Rockland Trust bank account, headquartered in Massachusetts, to HICKS' Bank of America account, headquartered in North Carolina.

8. ATW provided documentation of loss from 2012 to 2022, with the most significant amount of fraud occurring in 2021, just over \$247,000. 2020 was just behind that with a loss of over \$188,000, in which ATW determined that every expense report HICKS submitted for reimbursement was fraudulent.

Fraudulent Phone Charges

9. On April 8, 2022, ATW became aware that HICKS had enrolled family members on the Company's Verizon Wireless plan, issued additional cell phones to himself and the Company had been paying these monthly fees with no reimbursement by HICKS. At the time, ATW identified that on its main Verizon account HICKS had four phone lines assigned to himself (401-301-8296, 401-408-5000, 401-318-8118, 508-207-0127), none of which were his company issued phone which was 508-207-2211. ATW found a second billing account under A. T. Wall (981445485-00001) that had not only HICKS' company phone but 6 other phones that were all his family's cell phones including his wife's (508-717-9126) and daughter's (508-717-1978). It appears that one of the other phones on this bill was for HICKS' mother and one was for his son-in-law. As HICKS was the only person with authorization and access to the Verizon accounts, these fraudulent phone payments went on for several years. Upon discovery of this aspect of the fraud scheme in April 2022, HICKS was terminated immediately upon his

arrival to the company. It was determined that with respect to personal charges on the company Verizon bills, HICKS started this in 2015. The total fraudulent charges on all Verizon accounts for HICKS is calculated to be \$41,686.37, including equipment purchased on ATW accounts for personal use.

Discovery of Other Fraudulent Expenses

10. In the course of calculating HICKS' personal charges on the Company's Verizon accounts, ATW began to note that there were personal charges by HICKS on the corporate American Express bill that was issued to him, including an Onstar subscription. ATW began to pull older AMEX bills and discovered that HICKS had been putting personal charges on the Corporate AMEX, modifying the bill when he submitted it for payment and not reimbursing the Company for these personal charges. For instance, ATW found charges for StubHub that were doctored on the submitted AMEX bill to be a valid vendor such as CDW, Dell or Amazon. ATW found the purchase of plane tickets for family members to travel or personal travel for himself that were doctored on the submitted invoice to be a valid vendor. ATW found personal purchases for Lowe's, ShopDisney, Auto Repairs and others. HICKS did not report these as personal expenses and did not reimburse the Company for these purchases. In addition, ATW pulled all of the expense reports for HICKS and found evidence that he had fraudulently submitted doctored documents with his expense reports, claiming that he had paid them on behalf of the company with his personal Visa card. In some instances, HICKS would take an actual bill that had already been paid for on the

Corporate AMEX, modify the amount of the invoice and submit it for reimbursement. HICKS would also claim that he was taking training classes and submit those for reimbursement. ATW was able to contact the training companies and obtain his training records which showed that the invoices HICKS submitted for reimbursement were fictitious.

11. The total amount of money HICKS obtained under fraudulent means from ATW Companies is approximately \$1,042,000 since 2012.

12. ATW provided HSI Providence with fraudulent expense reports submitted by HICKS from dozens of companies/vendors.

Examples of Fraudulent Reimbursement for Alleged Computer Hardware, Computer Software and Computer Equipment Purchases

13. The investigation has determined that during the period OF 2012 to his termination in 2022, HICKS submitted approximately 223 fraudulent claims for reimbursement totaling approximately \$590,074.31. The investigation has determined these reimbursement claims were fraudulent in that HICKS either did not purchase the hardware/software/computer equipment or fabricated the invoice to receive payment from ATW. Examples of a few of these fraudulent reimbursement requests include:

14. **Exostar** – On June 17, 2021, HICKS submitted to ATW a reimbursement claim for \$8,447.40, claiming he purchased and paid for software from Exostar related to the DFARS-CMMC certification. ATW fulfilled that claim for \$8,447.40, sending a wire to HICKS' Bank of America account ending in 5581. Records show on June 9, 2021,

HICKS completed an online purchase with Exostar to generate the bill. However, HICKS then cancelled the order via email. On July 14, 2021, HICKS sent an email to Exostar and stated “we never purchased any software from Exostar. I have been seeing a large number of emails come from your company, but assumed they were spam as we had been investigating DFARS and CMMC. But I have not purchased or authorized anything to be purchased as of yet, and speaking to the tech that assigned this project he hasn’t requested anything be purchased either. I am not sure how the invoice was generated, but what needs to be done to clear this up?” Exostar subsequently cancelled the order. HSI TFO Smith contacted Exostar and confirmed the invoice (INV300495) submitted to ATW by HICKS was fraudulent.

15. **Yobitech** – On November 13, 2020, HICKS submitted an expense report claiming he paid \$1,319.20 for Yobitech Hard Drives on his personal visa card. The invoice submitted showed a purchase date of October 27, 2020. ATW fulfilled that claim, sending a wire to HICKS’ Bank of America account ending in 5581. The investigation determined that HICKS was charged and paid \$236.47 for those hard drives using his corporate American Express account. HICKS then created a false invoice, inflating the price of the hard drives by more than \$1,000, and submitted the false invoice to ATW for reimbursement. A review of the fraudulent and original Yobitech invoice shows that the charges were altered, and payment information was changed to HICKS’ personal visa card from the Company American Express card. Your affiant has reviewed the Corporate American Express statement and observed a charge

from Yobitech for \$236.47 on October 28, 2020. HSI TFO Smith contacted Yobitech and confirmed the invoice submitted to ATW Companies by HICKS was fraudulent.

16. **Cleverbridge²** – From 2015 to 2012, HICKS submitted invoices for reimbursement from Cleverbridge, claiming that they were valid business purchases on his personal Visa credit card. ATW fulfilled those claims, sending wires to HICKS' bank account. ATW obtained the original order history and original statements from Cleverbridge and provided those statements to investigators. It was determined that HICKS falsified Cleverbridge invoices for reimbursement in the amount of \$56,033.99, submitting 23 invoices from 2015 to March 2022.

Reimbursement for Fraudulent Training

17. The investigation has determined that HICKS submitted multiple invoices from various vendors on expense reports, claiming that they were for valid training exams, books, classes, or conferences against his personal credit cards. Those invoices were determined to be fraudulent and used to fraudulently receive monies from ATW. It has been determined that the total amount of fraud incurred through the submission of fraudulent training expenses is approximately \$91,893.01. The following are examples of this aspect of the scheme:

18. **Global Knowledge** – Skillsoft Global Knowledge, a company based out of North Carolina, is a worldwide leader in IT and technology training. From 2016-2021,

² Cleverbridge provides global billing solutions for digital goods, online services and SaaS companies in B2C and B2B markets.

HICKS submitted Global Knowledge Invoices for training totaling \$51,740. All of these invoices were fraudulent. For example, on May 21, 2021, HICKS submitted to ATW a purported invoice for a Global Knowledge class for \$8,000. The invoice shows two courses for \$5,000.00 each then a 20% Bundle Discount of \$2,000, and shows that the \$8,000 was paid by HICKS on his personal Visa card. On May 21, 2021, ATW fulfilled that claim, sending a wire transfer to his Bank of America account ending in 5581.

Another example, on August 28, 2021, HICKS submitted a fraudulent invoice, claiming that he purchased Global Knowledge self-study materials for Certified Ethical Hacker V12 Advance, costing \$2,475.00, claiming he paid this amount on his personal Visa card. On September 2, 2021, ATW fulfilled that claim, sending a wire to HICKS Bank of America account ending in 5581. ATW Companies email communications with Global Knowledge, show that HICKS had not obtained any training from Global Knowledge since 2014. Your affiant contacted Global Knowledge and confirmed that there are no training records on the account for JUAN HICKS after December 2014.

19. **Thompson Prometric** - Prometric is a provider of technology-enabled testing and assessment solutions to licensing and certification organizations, academic institutions, and government agencies. HICKS submitted 43 invoices for exams he claimed to have taken at Prometric Testing Center 005, located at 146 West Boylston Drive, Worcester MA 01606, between August 09th, 2012 and October 9th, 2021, for a total amount of \$19,100. Based upon those submitted invoices, the exams HICKS claimed to have taken were offered by various clients such as Cisco, Citrix, Microsoft, EC-Council. According to the 43 invoices, those exams were paid by HICKS with the following

credit cards ending in: 9007, 1863, 6397, 6379, 5945. Thompson Prometric has advised that it is unable to find any evidence of any account that had been established by HICKS.

20. **VMware** - VMware, Inc. is an American cloud computing and virtualization technology company with headquarters in Palo Alto, California. On May 4, 2015, HICKS submitted a reimbursement expense to ATW Companies in the amount of \$5,695.00 on expense report # 050415. This expense was supported by an invoice from VMware dated May 5^h, 2015. The invoice listed HICKS as a student who attended Course # 6232C titled "VCXN610: VMWare Certified Design Expert, Network Virtualization Boot Camp." The invoice lists that the course was taken in Santa Clara, CA, between 5/18/2015 and 5/22/2015. The invoice lists that the cost for this course as \$5,695.00 and the payment method was a VISA carding ending in 6579 with an in the name of HICKS. ATW Companies reported that HICKS did not have any associated travel with that invoice.

21. **Hacker Halted Security Conference** - International Council of E-Commerce Consultants, also known as EC-Council, is the world's largest cyber security technical certification body. Hacker Halted is EC-Council's annual IT Security Conference. On May 6, 2014, HICKS submitted a reimbursement claim to ATW in the amount of \$5,973 on expense report # 050614. This expense was supported by a purported invoice from Hacker Halted Security Conference, dated 5/6/2014. The invoice was addressed to HICKS and contained the following purchased items: Hacker Halted Conference: Certified Ethical Hacker Condensed Course exam prep for CEH

312-50 & 312-55; Hacker Halted Conference: CEH Wireless Hacking Condensed Course exam prep for CEHW 322-10 & 322-15; and Hacker Halted Conference: Exams 312-50, 312-55, 322-10 & 322-15. The invoice listed the total cost as \$5,973.00. The invoice listed the payment method was a VISA carding ending in 1038 with an expiration of 5/2015. On October 20, 2022, TFO Smith contacted EC-Council regarding the invoices submitted by HICKS. On October 24, 2022, EC-Council confirmed that HICKS has not made any purchases from EC-Council and confirmed that Exams 322-10, 322-15 and 312-15 do not exist, and that EC-Council has not offered a wireless course.

22. **Citrix** - Citrix Systems, Inc. is an American multinational cloud computing and virtualization technology company that provides server, application and desktop virtualization, networking, software as a service, and cloud computing technologies. On May 18, 2013, HICKS submitted a reimbursement claim to ATW Companies in the amount of \$3,425 on expense report # 051813. This expense was supported by an invoice from Citrix dated 05/06/2013. The invoice was addressed to HICKS and contained the following purchased items: Citrix Synergy Conference: Virtualization and XenAPP 6.5 Professional Conference June 01-04-2013 Sacramento CA. The invoice listed the total cost as \$3,425. The invoice listed the payment method as a credit card ending in 1038 with an expiration of 05/2014. On October 20, 2022, TFO Smith contacted Citrix, who, on November 7, 2022, confirmed that they were unable to locate any records for HICKS regarding the conference listed on the submitted invoice.

Other Personal Expenses With Fabricated American Express Statements

23. A review of the American Express statements HICKS submitted to ATW shows numerous fabricated statements on his corporate American Express account. When utilizing his American Express corporate account, HICKS was responsible for downloading the statement from the American Express website, reconciling it which included identifying the company and general ledger account and was supposed to provide receipts for expenditures. Because the majority of charges were with vendors who had online accounts (Dell, CDW, Verizon, AT&T), HICKS was not always required to provide receipts with the understanding that in the event backup evidence was needed he would retrieve it from the online websites. Investigators have determined that HICKS fabricated numerous American Express statements over the years 2015 to 2022 by doctoring the statement to make it appear that the charge/payee on the reconciliation report was a legitimate business expense. This activity resulted in fraudulent invoices paid for HICKS' personal expenses by ATW of more than \$96,000. Examples include:

24. **Yeti** – On December 10, 2017, HICKS submitted to ATW his corporate American Express bill, showing a purchase of CDW Merchandise for \$1,372.05 on December 10, 2017. The actual American Express bill on this account shows the real payment was made to Yeti Coolers for \$1,372.05. HICKS did the same on December 20, 2018, in which he submitted to ATW a purported American Express bill showing a purchase from Dell in the amount of \$679.25. The actual American Express bill reflects

that purchase to be from Yeti Coolers in the amount of \$679.25. By fabricating the American Express bills to make it appear that the payments were for legitimate ATW business expenses, HICKS caused ATW to pay him for personal expenses he made to Yeti Coolers.

25. **Onstar** - On February 1, 2018, continuing through March 26, 2022, monthly Onstar charges began to be auto charged on HICKS' corporate American Express account. In the beginning, HICKS would modify his American Express statements to show that the Onstar payments were actually payments to either Dell or CDW. HICKS did not have a company provided automobile, therefore ATW would not reimburse for Onstar. All Onstar charges were personal expenses for which HICKS was not entitled to reimbursement by ATW. Your Affiant reviewed the actual American Express statements, and the payments were being made to Onstar and not to Dell.

26. **United Airlines** - In July 2019, HICKS submitted to ATW his corporate American Express statement reflecting a purchase from Dell for \$1,596.60 on July 5, 2019. ATW reimbursed HICKS for this amount, believing it to be a legitimate business expense. Your Affiant reviewed the actual corporate American Express statement which reflected that the purchase of \$1,596.60 was from United Airlines for travel from Boston to San Francisco, CA. This travel was determined not to be business-related travel. To disguise this personal travel expense, HICKS doctored his American Express statement to make it appear that the payment had been made to Dell as a legitimate business expense, causing ATW to pay for this personal expense.

27. **ShopDisney** – HICKS submitted to ATW statements on his corporate American Express account for purchases he made on July 18, 2019 for \$24.95 and \$107.87, and on July 19, 2019 for \$839.11, reflecting purchases from CDW. Your Affiant reviewed the original corporate American Express statement which reflects those transactions to be from ShopDisney. To disguise these personal expenses, HICKS doctored his American Express statement to make it appear that the payments had been made to CDW to look like a legitimate business expense.

28. **Hyatt** - On July 25, 2019, HICKS made a purchase for \$1,545.63 on his corporate American Express account for a stay at the Hyatt Emeryville, CA from July 21, 2019, to July 25, 2019. This was not valid business travel. Corresponding to that travel, on July 25, 2019, HICKS also paid for parking at Boston Logan International Airport for \$152.00 on his corporate American Express account.

29. **American Airlines** – HICKS submitted to ATW a statement from his corporate American Express account showing a purchase on April 6, 2019 of \$1,559.75 to AT&T Bill Payment. Your Affiant reviewed the original corporate American Express statement which reflects those transactions to be from American Airlines listing the passenger as M.H. M.H. is the mother of JUAN HICKS. In this instance, HICKS doctored his American Express statement to make it appear that the payment had been made to AT&T Bill Payment.

30. **Best Buy** – On February 9, 2019, and February 10, 2019, HICKS made purchases of \$276.18 and \$1,252.45, respectively, using the corporate American Express account, from Best Buy located in North Dartmouth, MA. This BestBuy is located in

North Dartmouth, MA, which is near HICKS' residence. ATW was able to locate hard copies of those receipts which reflected the \$276.18 purchase was for Blue Ray movies and colored light bulbs, and the \$1,252.45 purchase included a LG 4K Smart TV, tilt mount and 5 Year Geek Squad Protection (GSP). These purchases were not business-related purchases. ATW paid for these charges to Best Buy as HICKS claimed they were for legitimate business expenses.

31. **Entertainment** - HICKS submitted statements from his corporate American Express account showing purchases to Dell on April 13, 2018, for \$1,683.25, May 05, 2018, for \$2,327.04, and March 1, 2019, for \$2,729.16. Your Affiant reviewed the actual corporate American Express statements which reflect those transactions to be from StubHub. To disguise these personal expense, HICKS doctored his American Express statement to make it appear that the payments had been made to Dell as a legitimate business expense.

32. On July 25, 2022, a Grand Jury Subpoena was served upon American Express requesting all accounts in the name of Juan D. HICKS, corporate card ending in 4007. On November 15, 2022, a response was received from American Express. Your affiant has reviewed these records and compared them to what was provided by ATW companies and the statements submitted by HICKS. As discussed above, this review has determined that HICKS doctored many of the American Express statements to make them appear that the charges were for legitimate business expenses when they were entirely personal in nature.

HICKS' Personal Bank of America Account

33. On July 25, 2022, a Grand Jury Subpoena was served to Bank of America for accounts related to Juan D. HICKS. In August 2022, a response was received from Bank of America containing Bank of America accounts ending in 5581 and 6328. The accounts were in the name of Juan HICKS, 55 Service Ave, Warwick, RI 02886-1020.

34. A review of the account ending in 5581 shows that, from 2013-2022, the amounts of wire transfers from ATW vastly increased and became more frequent. From 2016-2022, when the ATW wire transfers came into his Bank of America account ending in 5581, HICKS would send wires overseas to Hong Kong/China with descriptions such as POP Goods, Cake Pans or Cake Supplies. From 2016 to 2022, records show HICKS sent 76 wire transfers from his Bank of America account for a total of \$196,420. In 2020, wires began to lessen and bank statements revealed HICKS began to make large branch withdrawals. In some months, the bank account began to be nearly depleted.

35. An example of this banking activity involves the abovementioned company Yobitech. On November 16, 2020, HICKS' Bank of America statement shows a transfer from ATW Companies for \$7,373.33 which included the reimbursement for the false invoice with the inflated price for the Yobitech hard drives. Immediately thereafter, HICKS made three separate withdrawals: of \$2,600 in North Dartmouth MA on 11/16/20, of \$2,500 on 11/17/20, and a second \$2,500 withdrawal on 11/17/20 in Warwick, RI

36. From 2020 forward, through a review of HICKS' bank account, as well as email communications found on his company laptop provided by ATW, HICKS began to gradually move away from initiating wire transfers to pay for suspected narcotics from China to sending Cash in Mail (CIM) for those narcotics utilizing ATW's mail system.

Aggravated Identity Theft

37. HICKS submitted fabricated invoices from Intrасystems for reimbursement from ATW. Seven invoices from 2018-2021 contained a Sales Representative name J.F., phone number 781-986-1700, and email address jfrew@intrасystems.com. For example, on or about March 3, 2021, HICKS submitted to ATW for reimbursement a purported invoice from Intrасystems for \$1,799.96 for the payment of Shoretel VPN Concentrator Site Licenses. In this invoice, HICKS claimed to have paid this amount to Intrасystems on his personal visa card. The name J.F. is listed on the invoice as the Sales Contact for Intrасystems. On November 30, 2022, HSI TFO Smith spoke with J.F. of Intrасystems. J.F. confirmed that he is currently employed by Intrасystems as the Account Manager. J.F. confirmed that the invoices HICKS submitted to ATW were not genuine Intrасystems invoices and that he did not consent to have his name listed on these fraudulent invoices.

Information on Narcotics Purchases and Cash Payments

38. After HICKS' termination, a forensic examination of his ATW computer revealed that he was importing into the United States narcotics such as oxycodone, Percocet and "purples." ATW provided email communications to law enforcement that

were discovered on HICKS' company laptop. HICKS was using his personal email account geordimiss4@gmail.com and communicating with alanbruno032@gmail.com. The investigation determined that HICKS was initially sending wire transfers from this Bank of America account to pay for the narcotics, then began to utilize the ATW mail system to send "Cash in Mail" (CIM) via FedEx or UPS. A sample of some of the emails sent to and from HICKS concerning his purchase of narcotics is provided below.

39. On March 3rd, 2022, HICKS sent an email to alanbruno032@gmail.com that stated: "I am sorry I didnt get back to you about the deal, I have been traveling and will not be home until tomorrow. I need to place an order for 200 purple and 50 40 mg oxy. When do you think you can ship? Let me know. Thanks, Juan."

40. On February 17th, 2022, HICKS sent an email to alanbruno032@gmail.com which stated "Hi my friend, Thanks for shipping. I will need an order next week of 250 purple and 60 40mg Oxy. When do you think you will be able to ship? Thanks, Juan."

41. On January 23, 2022, HICKS sent an email to alanbruno032@gmail.com which stated: "Hi my friend, I need to place two orders this week. One small and one larger. The small order is for 50 purple and 20 40mg oxy. I will send the CIM Monday for Tuesday delivery. The large order is for 200 purple and 60 40mg oxy. I will send the CIM for this order and the extra 100 purple you sent on Thursday for Friday delivery. Does that work for you? If so when can you send the small order? Let me know. Thanks, Juan."

42. On December 15th, 2021, an email correspondence was sent from alanbruno032@gmail.com to HICKS stating: "I sent the 110 Oxy my friend yesterday I

will send the 320 Percocet tomorrow morning for Friday morning delivery I am going to pick up the purples this evening. Also let me know if you are going to need for before Xmas because for the next couple of weeks some suppliers take days off. I will email you the TN tomorrow for the purples Have a good day."

43. On December 13, 2021, an email correspondence was sent from HICKS to alanbruno032@gmail.com which stated: "Here is the TN for today's CIM 775475634479. I just dropped it off at FedEx so you should be able to track it later today. My payroll will be processed late Wednesday, so I will have the CIM for the large order sent first thing Thursday for delivery early Friday Morning and will have that TN for you Thursday Morning." FedEx records provided by ATW show a package sent to C.B. on December 13, 2021. On December 17, 2021, Bank of America records show a wire from ATW in the amount of \$12,433.35. On December 17, 2021. HICKS made ATM cash withdrawal of \$2800.00 then RI Teller cash withdrawal of \$5,200.00. FedEx records provided by ATW show a package sent to C.B. on December 20, 2021.

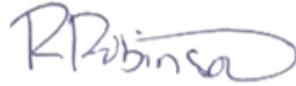
44. On November 17th, 2021, an email correspondence was sent from HICKS to alanbruno032@gmail.com which stated "Hi my friend, I need to order 225 purple and 60 40 mg. When can you ship? Just let me know when you can. Thanks, Juan."

45. In 2019 and 2020, HSI Providence was notified of three CBP seizures of Oxycodone that were imported from China and were destined to Juan HICKS at two different addresses in Warwick, RI. In September 2019, a parcel containing 152 grams of Oxycodone was sent from China and was intended to be delivered to Juan HICKS at 55 Service Avenue, Warwick RI (Address of ATW Companies). In September 2019, a

parcel containing 160 grams of Oxycodone was sent from China and was intended to be delivered to Juan HICKS at 55 Service Avenue, Warwick RI. In September 2019, a parcel containing 163 grams of Oxycodone was sent from China and was intended to be delivered to JNJ Technologies at 1643 Warwick Avenue, Suite 146, Warwick RI. HSI RAC Providence confirmed with the United States Postal Inspection Service that 1643 Warwick Avenue, Suite 146, Warwick RI was a UPS Store and that box 146 was being rented by Juan HICKS of 384 North Street, New Bedford MA, since January 23, 2019.

CONCLUSION

46. Based on the forgoing, there is probable cause to believe that from on or about January 1, 2012, through in or about April 2022, defendant JUAN HICKS, having knowingly devised a scheme and artifice to defraud and for obtaining money under false pretenses, transmitted and caused to be transmitted writings and signals in interstate commerce for the purpose of executing such scheme, in violation of 18 U.S.C. § 1343 (Count One – Wire Fraud). In addition, there is probable cause to believe that on or about March 3, 2021, defendant JUAN HICKS, during and in relation to the felony offense of wire fraud, contrary to 18 U.S.C. § 1343, did knowingly transfer, possess and use, without lawful authority, a means of identification of another person, to wit the name of J.F., in violation of 18 U.S.C. § 1028A (Count Two – Aggravated Identity Theft).




RACHEL L. ROBINSON
Special Agent
Homeland Security Investigations

Attested to by the applicant in accordance with the requirements of Fed. R.
Crim. P. 4.1 by **Telephone**.

(specify reliable electronic means)

December 5, 2022

Date


Judge's signature

Providence RI

City and State

Lincoln D. Almond, U.S. Magistrate Judge