UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

FELIX DEJESUS JIMENEZ,
JULIO FRIAS,
BLADIMIR TOMAS VALDEZ,
ALBA NELLYS RODRIGUEZ GONZALEZ,
JEFREY RAPHAEL HERRERA ESPINAL,
[redacted]
SAMMY RODRIGUEZ FRANCISCO,
XAVIER RODRIGUEZ FRANCISCO,
CLARISA RODRIGUEZ FRANCISCO,
CINDY REY, and
LUCIANO MOISES ESTRELLA,

Defendants.

[redacted] **INDICTMENT**

26 Cr.

OVERVIEW

1. Licensed auto dealerships selling new or used cars may, in certain circumstances, issue temporary motor vehicle registrations ("temp tags" or "paper tags") in connection with bona fide sales or leases of vehicles. Temp tags are often printed on a specified type of paper and displayed on a vehicle in lieu of a license plate. Temp tags are valid for a limited time and give drivers who purchase or lease a vehicle an opportunity to obtain permanent registrations.

2. In recent years, individuals have abused the licensing system by setting up sham auto dealerships to generate large numbers of fraudulent temp tags—unconnected to bona fide sales or leases of cars—which are then sold in, among other places, the Southern District of New York. Temp tags obtained in this manner are used to, among other things, deprive states and localities of revenue derived from registration fees, tolls, parking enforcement, and traffic enforcement.

3. From at least in or about June 2017 through at least in or about March 2024, in the Southern District of New York and elsewhere, FELIX DEJESUS JIMENEZ, JULIO FRIAS, BLADIMIR TOMAS VALDEZ, ALBA NELLYS RODRIGUEZ GONZALEZ, JEFREY RAPHAEL HERRERA ESPINAL, [redacted] SAMMY RODRIGUEZ FRANCISCO, XAVIER RODRIGUEZ FRANCISCO, CLARISA RODRIGUEZ FRANCISCO, CINDY REY, and LUCIANO MOISES ESTRELLA, the defendants, and others known and unknown, participated in a scheme to defraud states and localities out of revenue from vehicle registration fees, tolls, parking enforcement, and traffic enforcement, through the use of fraudulent temp tags. As part of the scheme, the defendants created a series of companies for which they obtained used motor vehicle dealer licenses in the States of New Jersey and Georgia. The defendants then used those dealer licenses to fraudulently issue tens of thousands of temp tags, which they used themselves and sold to others, thus enabling the defendants and their customers to deprive states and localities of millions of dollars in revenue from vehicle registration fees, tolls, and parking and traffic tickets, and the defendants to reap millions of dollars for themselves.

NEW JERSEY AND GEORGIA TEMP TAGS

New Jersey

4. At all times relevant to this Indictment, the following statutes, rules, and regulations governed the temporary registration of motor vehicles in the State of New Jersey.[1]

a. Any person or entity wishing to sell motor vehicles within the State of New Jersey was required to apply for a New Jersey Dealer License with the New Jersey Motor Vehicle Commission ("NJ MVC"). To obtain a New Jersey Dealer License, an applicant must have

[1] The laws described herein were in place during the relevant time period. In or about 2024, New Jersey approved a change in the law, in response to the abuse of its temp tag system.

completed a written examination that concerns, among other things, New Jersey laws and regulations pertaining to the issuance of temp tags, and must have certified his or her knowledge of and compliance with such laws and regulations.

b. A New Jersey Dealer License, once issued, authorized a dealer to do business at a particular location in New Jersey, and only at that particular location. Licensed motor vehicle dealers were permitted to issue temp tags for a new or used vehicle purchased from the dealer, subject to regulations. Among other things, it was a prerequisite to the issuance of a temporary registration to have a bona fide sale or lease of a vehicle. Further, licensed dealers were prohibited from issuing temp tags without first confirming that the vehicle for which the temp tag was to be issued was covered by insurance.

c. Licensed motor vehicle dealers could generate temp tags digitally. To do so, a licensed motor vehicle dealer was required to create an account on the NJ MVC website to access a portal through which temp tags could be generated and printed by the dealer. That portal, known as the "eTemp Tag system," was maintained by New Jersey Interactive, LLC ("NIC"), using a server located in Virginia.

d. To issue a temp tag in connection with the sale or lease of a vehicle, a user was required to log into his or her account. The eTemp Tag system warned the user, among other things, as follows: "The Motor Vehicle Commission regulations at N.J.A.C. 13:21-15.5 (a) 14 and 15 require you as a dealer to conduct business from your licensed location." The user was then required to input the following: the name, address, and license state of the registrant; the year, make, model, body type, and color of the vehicle being registered; the vehicle information number or "VIN" number associated with the vehicle being registered;[2] and the insurance company, insurance policy number, and expiration date for the insurance policy covering the vehicle being registered. To issue a temp tag, the user was required to acknowledge that the applicant for the temp tag presented proof of current liability insurance coverage for the vehicle being registered.

e. New Jersey temp tags expired 30 days after issuance. A second temp tag, valid for one additional 30-day period, could be issued in limited circumstances, such as loss of the original title or delay in providing the original title.

Georgia

5. At all times relevant to this Indictment, the following statutes, rules, and regulations governed the temporary registration of motor vehicles in the State of Georgia.

a. Any person or entity wishing to sell used motor vehicles in the State of Georgia was required to apply for a Georgia Dealer License with the State Board of Registration of Used Motor Vehicle Dealers and Used Motor Vehicle Parts Dealers (the "Georgia State Board"). To obtain a Georgia Dealer License, an applicant had to submit an application that included, among other things, proof that the applicant had attended a Georgia State Board-approved seminar. Such state-approved seminars included, among other things, instruction regarding applicable statutes, rules, and regulations.

b. Georgia regulations required a licensed used vehicle dealer to (a) maintain an inventory of vehicles readily available for sale; and (b) operate on a lot that is large enough to accommodate a sales office, vehicle maintenance, and the display of vehicle inventory. At the time of sale, a licensed used vehicle dealer was required to issue one free temp tag for the

[2] Each motor vehicle produced after 1981 is assigned a unique 17-character series of numbers and letters known as a VIN number, which serves to identify that particular vehicle.

customer's use, which generally expired 45 days from the date of sale. Georgia prohibited dealers from, among other things, placing a temp tag on a vehicle other than the one sold by the dealer, issuing additional temp tags or extending the expiration date beyond the initial registration period, or charging a fee for the issuance or registration of a temp tag.

c. Georgia temp tags could be generated online. To do so, an individual authorized by a licensed motor vehicle dealer had to create an account on an online portal maintained by: (1) Title Technologies LLC ("Title Tec"), using a server located in Nevada, (2) CDK Global, through a system called Computerized Vehicle Registration ("CVR"), or (3) any other state-authorized vendor. To generate a temp tag, a user was required to log into his or her account and input the following information: the name, address, and license state of the registrant; the year, make, model, body type, and color of the vehicle being registered; and the VIN number associated with the vehicle being registered.

TOLLS AND TICKETS IN NEW YORK

Tolls

6. In New York, state and local authorities collect tolls primarily through an electronic system called E-ZPass New York ("E-ZPass"). In general, when a vehicle equipped with a valid E-ZPass transponder passes through a toll, E-ZPass bills the account associated with the transponder. When a vehicle passes through a toll without a valid E-ZPass transponder, the E-ZPass system captures an image of the vehicle's license plate. If the license plate is registered to an existing E-ZPass account in any state, E-ZPass bills that account. If the license plate is not registered with E-ZPass, then E-ZPass requests the registered owner's information from the appropriate authority of the state where the vehicle is registered (typically a state department of motor vehicles or equivalent) and, upon receiving that information, sends a bill to the registered

owner. In New York, this method of toll collection is referred to as "Tolls by Mail." It is also commonly referred to as "toll-by-plate," or "pay-by-plate."

7. Drivers who use temp tags—and particularly Georgia and New Jersey temp tags—often avoid New York tolls, for several reasons.

a. First, some states, including Georgia, do not share registered owner information with E-ZPass in response to Tolls by Mail requests. Accordingly, when a Georgia-registered vehicle passes through a toll in New York without a valid E-ZPass transponder, E-ZPass is generally unable to collect payment for that toll.

b. Second, although New Jersey shares registered owner information with E-ZPass in response to Tolls by Mail requests, it purges temp tag registration information from its database 30 days after the expiration of the temp tag. Accordingly, when a vehicle bearing a New Jersey temp tag passes through a toll in New York without a valid E-ZPass transponder, E-ZPass is generally able to collect payment for that toll only if it submits a Tolls by Mail request to New Jersey within 30 days of the expiration of the temp tag. In many cases, such requests are submitted more than 30 after the temp tag has expired, thereby preventing E-ZPass from collecting payment for the toll.

Parking and Traffic Violations

8. The New York City Department of Finance ("NYCDOF") is responsible for tracking, enforcing, and collecting payment for all parking and traffic tickets (collectively, "violations") issued in the City of New York. Violations are principally tracked by Motorist ID, which is a unique identifier assigned to every New York-licensed driver or registered vehicle owner.

9. In general, once a specific license plate exceeds $350 in outstanding violations,

NYCDOF will take enforcement action against the vehicle bearing that license plate or, alternatively, may take collateral enforcement action against other vehicles registered to the same Motorist ID as the offending license plate. Enforcement action generally involves the booting or towing of a vehicle, which requires the registered owner to pay all outstanding violations to regain use or possession of the vehicle. Additionally, when a vehicle is registered in New York, enforcement action may include suspension of the vehicle's registration.

10. Drivers who consistently use temp tags—and particularly out-of-state temp tags—are largely impervious to such enforcement action, for several reasons.

a. First, out-of-state license plates, including out-of-state temp tags, are not linked by Motorist ID to the vehicle's registered owner. Accordingly, NYCDOF can take enforcement action only against the vehicle bearing the offending out-of-state temp tag, not against other vehicles registered to the same owner.

b. Second, because NYCDOF can take enforcement action only against a vehicle bearing an offending out-of-state temp tag, and because such temp tags typically expire and are replaced within thirty to sixty days of issuance, many vehicles bearing out-of-state temp tags either do not reach the $350 enforcement threshold before their temp tags are replaced, or they are not located and subjected to enforcement in that period. Once an out-of-state temp tag is permanently removed from a vehicle, NYCDOF is unable to take enforcement action against that vehicle.

c. Third, although NYCDOF may suspend the registration of a New York registered vehicle, it lacks the authority to do so for vehicles registered in other states. Relatedly, many states, including New Jersey and Georgia, do not consider out-of-state violations when issuing licenses and registrations. A driver's accumulation of violations in New York therefore does not prevent the driver from obtaining a temp tag or permanent vehicle registration in New Jersey or Georgia.

d. Fourth, NYCDOF does not connect out-of-state license plates with existing Motorist IDs assigned to New York-licensed drivers and registered vehicle owners. Accordingly, when a New York-licensed driver incurs violations using an out-of-state temp tag, those violations do not prevent the driver from registering a vehicle in New York.

THE DEALERSHIPS

11. On or about December 20, 2016, an individual ("CC-1") related to LUCIANO ESTRELLA, the defendant, formed Estrella Auto Mall LLC ("Estrella Auto"). On or about January 27, 2017, CC-1 obtained a used motor vehicle dealer license from the State of New Jersey for Estrella Auto. From between on or about June 7, 2017, up to and including on or about October 10, 2022, Estrella Auto issued approximately 3,595 temp tags, including new tags and extensions, using an eTemp Tag system account for which ESTRELLA was an authorized user. On or about August 1, 2019, NJ MVC served CC-1 with a temporary order of suspension, notice of preliminary hearing, and notice of proposed license revocation for Estrella Auto relating to its fraudulent issuance of temp tags. On or about August 12, 2019, CC-1, acting on behalf of Estrella Auto, agreed to pay a fine and to undergo a two-month suspension from the eTemp Tag system, and admitted to violating New Jersey regulations. On or about December 27, 2021, NJ MVC again served CC-1 with a temporary order of suspension, notice of preliminary hearing, and notice of proposed license revocation for Estrella Auto relating to its fraudulent issuance of temp tags. On or about January 10, 2022, CC-1, acting on behalf of Estrella Auto, agreed to pay a fine and to

undergo a three-month suspension from the eTemp Tag system, and admitted to violating New Jersey regulations.

12. On or about April 13, 2018, BLADIMIR TOMAS VALDEZ, the defendant, formed Blad Motors LLC ("Blad Motors"), a New Jersey Limited Liability Company. On or about July 18, 2018, VALDEZ obtained a used motor vehicle dealer license from the State of New Jersey for Blad Motors. From between on or about August 4, 2018, up to and including on or about February 6, 2020, Blad Motors issued approximately 1,263 temp tags, including new tags and extensions. On or about February 6, 2020, NJ MVC served VALDEZ with a temporary order of suspension, notice of preliminary hearing, and notice of proposed license revocation for Blad Motors relating to the issuance of temp tags in the names of purported customers who reported that their identities had been stolen and that they had not purchased vehicles from Blad Motors. On or about February 24, 2020, VALDEZ, acting on behalf of Blad Motors, agreed to pay a fine and to undergo a two-month suspension from the eTemp Tag system, and admitted to violating New Jersey regulations.

13. On or about November 1, 2019, FELIX DEJESUS JIMENEZ and JULIO FRIAS, the defendants, formed F&J Auto Mall LLC ("F&J"), a New Jersey Limited Liability Company. On or about November 14, 2019, DEJESUS JIMENEZ and FRIAS obtained a used motor vehicle dealer license from the State of New Jersey for F&J. On the license application, DEJESUS JIMENEZ and FRIAS listed the address of a multi-dealer auto mall in New Jersey ("NJDAM") as the address for F&J. From between on or about November 5, 2020, up to and including on or about December 2, 2021, F&J issued approximately 38,087 temp tags, including new tags and extensions. On or about December 9, 2021, NJ MVC served DEJESUS JIMENEZ with a temporary order of suspension, notice of preliminary hearing, and notice of proposed license revocation for F&J relating to its fraudulent issuance of temp tags. On or about December 20,

2021, DEJESUS JIMENEZ, acting on behalf of F&J, agreed to pay a fine and not to contest the revocation of F&J's New Jersey Dealer License, and admitted to violating New Jersey regulations.

14. On or about November 19, 2019, CLARISA RODRIGUEZ FRANCISCO, the defendant, formed Kasa Auto Group LLC ("Kasa Auto"), a New Jersey Limited Liability Company. On or about December 6, 2019, CLARISA RODRIGUEZ FRANCISCO obtained a used motor vehicle dealer license from the State of New Jersey for Kasa Auto. On the license application, CLARISA RODRIGUEZ FRANCISCO listed NJDAM as the address for Kasa Auto. From between on or about June 3, 2020, up to and including on or about September 5, 2020, Kasa Auto issued approximately 5,761 temp tags, including new tags and extensions. On or about September 28, 2020, NJ MVC issued an order of suspension for Kasa Auto relating to its fraudulent issuance of temp tags.

15. On or about January 11, 2023, XAVIER RODRIGUEZ FRANCISCO, the defendant, assumed ownership of Liam Auto Sales LLC ("Liam Auto"), a New Jersey Limited Liability Company, which had previously operated under a different name and had an active New Jersey used motor vehicle dealer license. On or about March 16, 2023, XAVIER RODRIGUEZ FRANCISCO obtained a renewed used motor vehicle dealer license from the State of New Jersey for Liam Auto. On the license renewal application, XAVIER RODRIGUEZ FRANCISCO listed NJDAM as the address for Liam Auto. From between on or about February 8, 2023, up to and including on or about July 15, 2023, Liam Auto issued approximately 444 temp tags, including new tags and extensions. On or about July 15, 2023, NJ MVC suspended Liam Auto's access to the eTemp Tag system.

16. On or about January 4, 2022, JEFREY RAPHAEL HERRERA ESPINAL, the defendant, formed Herrera Auto Group LLC ("Herrera Auto"), a Georgia Limited Liability

Company. On or about April 20, 2022, HERRERA ESPINAL obtained a used motor vehicle dealer license from the State of Georgia for Herrera Auto. On the dealer license application, HERRERA ESPINAL listed an address in La Grange, Georgia (the "La Grange Address") as the address for Herrera Auto. From between on or about June 8, 2022, up to and including on or about December 20, 2022, Herrera Auto issued approximately 20,924 temp tags, including new tags and extensions. On or about November 2, 2022, the Georgia Department of Revenue ("GA DOR") cited Herrera Auto for the issuance of more than approximately 14,000 unauthorized temp tags, many of which, GA DOR stated, showed fraudulent information, such as names, VINs, or addresses.

17. On or about February 26, 2022, CINDY REY, the defendant, formed Cindy Auto Imports, LLC ("Cindy Auto"), a Georgia Limited Liability Company. On or about March 31, 2022, REY obtained a used motor vehicle dealer license from the State of Georgia for Cindy Auto. On the dealer license application, REY listed the La Grange Address as the address for Cindy Auto. From between on or about July 7, 2022, up to and including on or about December 2, 2022, Cindy Auto issued approximately 5,881 temp tags, including new tags and extensions. On or about November 2, 2022, the GA DOR cited Cindy Auto for the issuance of more than approximately 2,800 unauthorized temp tags, many of which, GA DOR stated, showed fraudulent information, such as names, VINs, or addresses.

18. On or about March 10, 2022, XAVIER RODRIGUEZ FRANCISCO, the defendant, formed Francisco Auto Mall, LLC ("Francisco Auto"), a Georgia Limited Liability Company. On or about March 31, 2022, RODRIGUEZ FRANCISCO obtained a used motor vehicle dealer license from the State of Georgia for Francisco Auto. On the dealer license application, RODRIGUEZ FRANCISCO listed the La Grange Address as the address for

Francisco Auto. From between on or about January 2, 2023, up to and including on or about March 7, 2023, Francisco Auto issued approximately 5,555 temp tags, including new tags and extensions. On or about February 8, 2023, the GA DOR cited Francisco Auto for the issuance of more than 2,500 unauthorized temp tags, many of which, GA DOR stated, showed fraudulent information, such as names, VINs, or addresses.

THE SCHEME

19. From at least in or about June 2017 through at least in or about March 2024, in the Southern District of New York and elsewhere, FELIX DEJESUS JIMENEZ, JULIO FRIAS, BLADIMIR TOMAS VALDEZ, ALBA NELLYS RODRIGUEZ GONZALEZ, JEFREY RAPHAEL HERRERA ESPINAL, [redacted] SAMMY RODRIGUEZ FRANCISCO, XAVIER RODRIGUEZ FRANCISCO, CLARISA RODRIGUEZ FRANCISCO, CINDY REY, and LUCIANO MOISES ESTRELLA, the defendants, participated in a scheme to use fraudulently obtained temp tags to deprive New York State and New York City of revenue derived from registration fees, tolls, parking tickets, and traffic tickets, and to reap millions of dollars for themselves by selling those fraudulently obtained temp tags to others.

20. To effect the scheme, certain defendants and their coconspirators set up companies for which they obtained vehicle dealer licenses from New Jersey and Georgia, including Blad Motors LLC (New Jersey), Estrella Auto Mall (New Jersey), F&J Auto Mall (New Jersey), Dealership-1 Group (New Jersey), Kasa Auto Group (New Jersey), Liam Auto Sales (New Jersey), Cindy Auto (Georgia), Francisco Auto Mall (Georgia), Hererra Auto Group (Georgia) (collectively, the "Dealerships"). Contrary to New Jersey and Georgia laws and regulations, the Dealerships, among other things, did not conduct business from authorized locations, regularly issued temp tags without corresponding sales or leases of vehicles, and repeatedly issued temp tags

for the same vehicles.

21. The defendants and their co-conspirators used the Dealerships to generate a total of more than 100,000 temp tags, a significant portion of which were registered to addresses in the Southern District of New York, and which they sold in the Southern District of New York and elsewhere at prices ranging from approximately $50 to $250 per tag, producing millions of dollars in profits.

22. In selling temp tags, certain defendants represented at times, in sum and substance, that, by using a temp tag generated by a Dealership, customers would avoid having to pay tolls and/or tickets. Since at least in or around 2017, temp tags issued by the Dealerships have incurred at least approximately $11,800,000 in unpaid parking and traffic tickets in New York City and at least approximately $3,100,000 in unpaid E-ZPass tolls in New York State.

23. As part of the scheme, the defendants, their co-conspirators, and the Dealerships shared, among other things, business addresses, ownership/management of the Dealerships, customers, and profits. For example, between in about June 2017 through in or about March 2024:

a. With respect to F&J, every defendant either: (i) was an owner; (ii) was listed on documents submitted to NJ MVC; (iii) was authorized to use the eTemp Tag system on behalf of F&J; (iv) sold temp tags issued by F&J; (v) was issued temp tags by F&J; or (vi) sent money to or received money from a bank and/or peer-to-peer money transfer account controlled by F&J.

b. Each of the Dealerships issued at least one temp tag to a customer or vehicle that received a temp tag from another Dealership. Some dealerships, including Blad Motors, Kasa Auto, F&J, Hererra Auto, Cindy Auto, and Francisco Auto, shared customers or vehicles with every other Dealership.

24. As part of the scheme, scheme members sent and received interstate wires,

including wires from the Southern District of New York, to NIC and Title Tec servers located in Virginia and Nevada, respectively, in order to, among other things, generate temp tags. For example, between in or about November 2020 and in or about December 2021, F&J issued approximately 37,000 temporary tags through the NIC portal. IP log-in data show that many of the tags were issued from IP addresses associated with locations in Yonkers and the Bronx, New York, and transmitted to NIC's servers in Virginia.

25. Temp tags issued by the Dealerships have been the subject of numerous complaints lodged with the New York Police Department ("NYPD") and other law enforcement agencies, including by victims who have received bills for tolls and tickets that they did not incur. Additionally, temp tags issued by the Dealerships were involved in at least approximately 1,200 incidents reported to the NYPD, including at least six homicides.

STATUTORY ALLEGATIONS

COUNT ONE
(Conspiracy to Commit Wire Fraud)

The Grand Jury charges:

26. The allegations set forth in paragraphs 1 through 25 are repeated and realleged as if set forth fully herein.

27. From at least in or about June 2017 through at least in or about March 2024, in the Southern District of New York and elsewhere, FELIX DEJESUS JIMENEZ, JULIO FRIAS, BLADIMIR TOMAS VALDEZ, ALBA NELLYS RODRIGUEZ GONZALEZ, JEFREY RAPHAEL HERRERA ESPINAL, [redacted] SAMMY RODRIGUEZ FRANCISCO, XAVIER RODRIGUEZ FRANCISCO, CLARISA RODRIGUEZ FRANCISCO, CINDY REY, and LUCIANO MOISES ESTRELLA, the defendants, and others known and unknown, willfully and knowingly combined, conspired, confederated, and agreed together and

with each other to commit wire fraud, in violation of Title 18, United States Code, Section 1343.

28. It was a part and an object of the conspiracy that FELIX DEJESUS JIMENEZ, JULIO FRIAS, BLADIMIR TOMAS VALDEZ, ALBA NELLYS RODRIGUEZ GONZALEZ, JEFREY RAPHAEL HERRERA ESPINAL, [redacted] SAMMY RODRIGUEZ FRANCISCO, XAVIER RODRIGUEZ FRANCISCO, CLARISA RODRIGUEZ FRANCISCO, CINDY REY, and LUCIANO MOISES ESTRELLA, the defendants, and others known and unknown, knowingly having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, would and did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, in violation of Title 18, United States Code, Section 1343, to wit, the defendants agreed to make and caused to be made false statements to the states of New Jersey and Georgia in connection with the issuance of temp tags, and to fraudulently display temp tags on vehicles operating in New York, which the defendants used to deprive New York State and agencies and instrumentalities thereof of revenue derived from tolls, and sent and received, and caused others to send and receive, emails and other electronic communications, to and from the Southern District of New York and elsewhere, in furtherance of that scheme.

29. It was further a part and an object of the conspiracy that FELIX DEJESUS JIMENEZ, JULIO FRIAS, BLADIMIR TOMAS VALDEZ, ALBA NELLYS RODRIGUEZ GONZALEZ, JEFREY RAPHAEL HERRERA ESPINAL, [redacted] SAMMY RODRIGUEZ FRANCISCO, XAVIER RODRIGUEZ FRANCISCO, CLARISA RODRIGUEZ FRANCISCO, CINDY REY, and LUCIANO MOISES ESTRELLA, the

defendants, and others known and unknown, knowingly having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, would and did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, in violation of Title 18, United States Code, Section 1343, to wit, the defendants agreed to make and caused to be made false statements to the states of New Jersey and Georgia in connection with the issuance of temp tags, and to fraudulently display temp tags on vehicles operating in New York, which the defendants used to deprive NYCDOF of revenue derived from parking and traffic tickets, and sent and received, and caused others to send and receive, emails and other electronic communications, to and from the Southern District of New York and elsewhere, in furtherance of that scheme.

(Title 18, United States Code, Section 1349.)

COUNT TWO
(Wire Fraud on New York State Tolling Authorities)

The Grand Jury further charges:

30. The allegations set forth in paragraphs 1 through 25 are repeated and realleged as if set forth fully herein.

31. From at least in or about June 2017 through at least in or about March 2024, in the Southern District of New York and elsewhere, FELIX DEJESUS JIMENEZ, JULIO FRIAS, BLADIMIR TOMAS VALDEZ, ALBA NELLYS RODRIGUEZ GONZALEZ, JEFREY RAPHAEL HERRERA ESPINAL, [redacted] SAMMY RODRIGUEZ FRANCISCO, XAVIER RODRIGUEZ FRANCISCO, CLARISA RODRIGUEZ FRANCISCO, CINDY REY, and LUCIANO MOISES ESTRELLA, the defendants, knowingly having devised

and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, transmitted and caused to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds, for the purpose of executing such scheme and artifice, to wit, the defendants engaged in a scheme to make false statements to the states of New Jersey and Georgia in connection with the issuance of temp tags, and to fraudulently display temp tags on vehicles operating in New York, which the defendants used to deprive New York State and agencies and instrumentalities thereof of revenue derived from tolls, and sent and received, and caused others to send and receive, emails and other electronic communications, to and from the Southern District of New York and elsewhere, in furtherance of that scheme.

(Title 18, United States Code, Sections 1343 and 2.)

COUNT THREE
(Wire Fraud on NYCDOF)

The Grand Jury further charges:

32. The allegations set forth in paragraphs 1 through 25 are repeated and realleged as if set forth fully herein.

33. From at least in or about June 2017 through at least in or about March 2024, in the Southern District of New York and elsewhere, FELIX DEJESUS JIMENEZ, JULIO FRIAS, BLADIMIR TOMAS VALDEZ, ALBA NELLYS RODRIGUEZ GONZALEZ, JEFREY RAPHAEL HERRERA ESPINAL, [redacted] SAMMY RODRIGUEZ FRANCISCO, XAVIER RODRIGUEZ FRANCISCO, CLARISA RODRIGUEZ FRANCISCO, CINDY REY, and LUCIANO MOISES ESTRELLA, the defendants, knowingly having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, transmitted and caused to

be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds, for the purpose of executing such scheme and artifice, to wit, the defendants engaged in a scheme to make false statements to the states of New Jersey and Georgia in connection with the issuance of temp tags, and to fraudulently display temp tags on vehicles operating in New York, which the defendants used to deprive NYCDOF of revenue derived from parking and traffic tickets, and sent and received, and caused others to send and receive, emails and other electronic communications, to and from the Southern District of New York and elsewhere, in furtherance of that scheme.

(Title 18, United States Code, Sections 1343 and 2.)

COUNT FOUR
(Conspiracy to Commit Access Device Fraud)

The Grand Jury further charges:

34. The allegations set forth in paragraphs 1 through 25 are repeated and realleged as if set forth fully herein.

35. From at least in or about June 2017 through at least in or about March 2024, in the Southern District of New York and elsewhere, FELIX DEJESUS JIMENEZ, JULIO FRIAS, BLADIMIR TOMAS VALDEZ, ALBA NELLYS RODRIGUEZ GONZALEZ, JEFREY RAPHAEL HERRERA ESPINAL, [redacted] SAMMY RODRIGUEZ FRANCISCO, XAVIER RODRIGUEZ FRANCISCO, CLARISA RODRIGUEZ FRANCISCO, CINDY REY, and LUCIANO MOISES ESTRELLA, the defendants, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit access device fraud, in violation of Title 18, United States Code, Section 1029(a)(3).

36. It was a part and object of the conspiracy that FELIX DEJESUS JIMENEZ, JULIO

FRIAS, BLADIMIR TOMAS VALDEZ, ALBA NELLYS RODRIGUEZ GONZALEZ, JEFREY RAPHAEL HERRERA ESPINAL, [redacted] SAMMY RODRIGUEZ FRANCISCO, XAVIER RODRIGUEZ FRANCISCO, CLARISA RODRIGUEZ FRANCISCO, CINDY REY, and LUCIANO MOISES ESTRELLA, the defendants, and others known and unknown, knowingly and with intent to defraud, as part of an offense affecting interstate and foreign commerce, would and did possess fifteen or more unauthorized access devices, in violation of Title 18, United States Code, Section 1029(a)(3).

Overt Acts

37. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York:

a. On or about October 24, 2019, from a computer located in Manhattan, New York, NIC account credentials issued to Blad Motors in the name of BLADIMIR TOMAS VALDEZ, the defendant, were used to generate a New Jersey temp tag.

b. On or about June 6, 2020, from a computer located in the Bronx, New York, NIC account credentials issued to Kasa Auto in the name of CLARISA RODRIGUEZ FRANCISCO, the defendant, were used to generate a New Jersey temp tag.

c. On or about June 29, 2020, from a computer located in Manhattan, New York, NIC account credentials issued to Kasa Auto in the name of XAVIER RODRIGUEZ FRANCISCO, the defendant, were used to generate a New Jersey temp tag.

d. On or about June 29, 2020, from a computer located in Manhattan, New York, NIC account credentials issued to Kasa Auto in the name of ALBA NELLYS RODRIGUEZ GONZALEZ, the defendant, were used to generate a New Jersey temp tag.

e. On or about November 10, 2020, from a computer located in Manhattan, New York, NIC account credentials issued to F&J Auto in the name of ALBA NELLYS RODRIGUEZ GONZALEZ, the defendant, were used to generate a New Jersey temp tag.

f. On or about August 19, 2021, from a computer located in Manhattan, New York, NIC account credentials issued to F&J Auto in the name of FELIX DEJESUS JIMENEZ, the defendant, were used to generate a New Jersey temp tag.

g. On or about June 12, 2022, from a computer located in Yonkers, New York, TitleTec account credentials issued to Herrera Auto in the name of JEFREY RAPHAEL HERRERA ESPINAL, the defendant, were used to generate a Georgia temp tag.

h. On or about July 23, 2022, from a computer located in Yonkers, New York, TitleTec account credentials issued to Cindy Auto in the name of CINDY REY, the defendant, were used to generate a Georgia temp tag.

i. On or about January 5, 2023, from a computer located in Manhattan, New York, TitleTec account credentials issued to Francisco Auto in the name of XAVIER RODRIGUEZ FRANCISCO, the defendant, were used to generate a Georgia temp tag.

j. On or about February 25, 2023, from a computer located in the Bronx, New York, NIC account credentials issued to Liam Auto in the name of XAVIER RODRIGUEZ FRANCISCO, the defendant, were used to generate a New Jersey temp tag.

k. On or about December 23, 2023, from a computer located in Manhattan, New York, NIC account credentials issued to Estrella Auto in the name of LUCIANO MOISES ESTRELLA, the defendant, were used to generate a New Jersey temp tag.

(Title 18, United States Code, Sections 1029(a)(3) and (b)(2).)

COUNT FIVE
(Access Device Fraud)

The Grand Jury further charges:

38. The allegations set forth in paragraphs 1 through 25 are repeated and realleged as if set forth fully herein.

39. From at least in or about June 2017 through at least in or about March 2024, in the Southern District of New York and elsewhere, FELIX DEJESUS JIMENEZ, JULIO FRIAS, BLADIMIR TOMAS VALDEZ, ALBA NELLYS RODRIGUEZ GONZALEZ, JEFREY RAPHAEL HERRERA ESPINAL, [redacted] SAMMY RODRIGUEZ FRANCISCO, XAVIER RODRIGUEZ FRANCISCO, CLARISA RODRIGUEZ FRANCISCO, CINDY REY, and LUCIANO MOISES ESTRELLA, the defendants, knowingly and with intent to defraud, as part of an offense affecting interstate and foreign commerce, attempted to and did use, and traffic in, one and more unauthorized access devices, and by such conduct did obtain things of value aggregating $1,000 or more, and aided and abetted the same, to wit, the defendants used NIC, Title Tec, and CVR user credentials to generate a total of approximately 100,000 New Jersey and Georgia temp tags, and sold such temp tags to customers for approximately $50 to $250 per temp tag.

(Title 18, United States Code, Sections 1029(a)(2), (b)(1), and 2.)

FORFEITURE ALLEGATION

40. As a result of committing the offenses alleged in Counts One, Two, and Three of this Indictment, FELIX DEJESUS JIMENEZ, JULIO FRIAS, BLADIMIR TOMAS VALDEZ, ALBA NELLYS RODRIGUEZ GONZALEZ, JEFREY RAPHAEL HERRERA ESPINAL, [redacted] SAMMY RODRIGUEZ FRANCISCO, XAVIER RODRIGUEZ FRANCISCO, CLARISA RODRIGUEZ FRANCISCO, CINDY REY, and LUCIANO MOISES ESTRELLA, the defendants, 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 and all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of said offenses, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offenses.

41. As a result of committing the offenses alleged in Counts Four and Five of this Indictment, FELIX DEJESUS JIMENEZ, JULIO FRIAS, BLADIMIR TOMAS VALDEZ, ALBA NELLYS RODRIGUEZ GONZALEZ, JEFREY RAPHAEL HERRERA ESPINAL, [redacted] SAMMY RODRIGUEZ FRANCISCO, XAVIER RODRIGUEZ FRANCISCO, CLARISA RODRIGUEZ FRANCISCO, CINDY REY, and LUCIANO MOISES ESTRELLA, the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Sections 982(a)(2)(B) and 1029(c)(1)(C), any and all property constituting, or derived from, proceeds obtained directly or indirectly, as a result of the commission of said offenses, and any and all personal property used or intended to be used to commit said offenses, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offenses.

Substitute Assets Provision

42. If any of the above-described forfeitable property, 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 person;

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 subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Sections 981, 982, and 1029;
Title 21, United States Code, Section 853; and
Title 28, United States Code, Section 2461.)

[redacted]
FOREPERSON

Jay Clayton
JAY CLAYTON
United States Attorney