

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
UNITED STATES OF AMERICA

:
: SEALED INDICTMENT

- v. -

:
: 19 Cr.

MIRCEA CONSTANTINESCU,
a/k/a "Sobo,"
NIKOLAOS LIMBERATOS,
a/k/a "Nicu Limberto,"
CRISTIAN COSTEA,
a/k/a "Momo,"
ALIN HANES CALUGARU,
IONELA CONSTANTINESCU,
a/k/a "Pitica,"
THEOFRASTOS LYMBERATOS,
ANDREW ELIOPOULOS,
VALENTIN PETRESCU,
a/k/a "Gico Cosmin Giscan,"
a/k/a "Zoltan Pruma,"
PETER SAMOLIS,
KELLY KARKI LAM,
GEORGE SERBAN,
DRAGOS DIACONU,
MADLIN ALEXANDRU ANCA,
a/k/a "Mateo Fernandez Alejandro,"
CRISTIAN ULMANU,
a/k/a "Boris Moravec," and
IULIANA MIHAILESCU,

Defendants.

19 CRIM 651

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COUNT ONE

(Conspiracy to Commit Access Device Fraud)

The Grand Jury charges:

OVERVIEW OF THE SCHEME

1. From at least in or about 2014 until at least in or about September 2019, in the Southern District of New York and

elsewhere, MIRCEA CONSTANTINESCU, a/k/a "Sobo," NIKOLAOS LIMBERATOS, a/k/a "Nicu Limberto," CRISTIAN COSTEA, a/k/a "Momo," ALIN HANES CALUGARU, IONELA CONSTANTINESCU, a/k/a "Pitica," THEOFRASTOS LYMBERATOS, ANDREW ELIOPOULOS, VALENTIN PETRESCU, a/k/a "Gico Cosmin Giscan," a/k/a "Zoltan Pruma," PETER SAMOLIS, KELLY KARKI LAM, GEORGE SERBAN, DRAGOS DIACONU, MADLIN ALEXANDRU ANCA, a/k/a "Mateo Fernandez Alejandro," CRISTIAN ULMANU, a/k/a "Boris Moravec," and IULIANA MIHAILESCU, the defendants, together with others known and unknown, carried out a wide-ranging scheme as part of a transnational "ATM skimming" organization (the "Skimming Organization"). The Skimming Organization's activities involved, among other things, unlawfully obtaining debit card account information by using advanced technological devices to surreptitiously record victim accountholders' debit card numbers and personal identification numbers at automatic teller machines ("ATMs") and then manufacturing counterfeit and fraudulent debit cards that bear the victim accountholders' account information, which members of the scheme then used to fraudulently withdraw cash from the victim accountholders' bank accounts. This type of scheme is colloquially referred to as "ATM skimming."

2. The defendants' scheme was international in scope, and the defendants carried out hundreds of ATM skimming operations across the United States, including in New York and at least 17

other states. The defendants' scheme defrauded financial institutions and individual victims of more than \$20 million.

3. The defendants assumed various roles in the Skimming Organization. Certain members assisted in receiving packages containing skimming devices or component parts shipped from other parts of the United States and abroad. Other members of the Skimming Organization assisted in engineering the skimming devices that the Organization used. Other members directed or worked in teams deployed across the United States to carry out ATM skimming attacks, casing ideal locations for the attacks, installing skimming devices on ATMs, removing those devices, and cashing out large numbers of fraudulent debit cards manufactured as a result of the skimming operations. Still other members assisted the Skimming Organization in laundering the proceeds of the skimming attacks through bank accounts, properties, businesses, and the transportation of bulk cash.

STATUTORY ALLEGATIONS

4. From at least in or about 2014 until at least in or about September 2019, in the Southern District of New York and elsewhere, MIRCEA CONSTANTINESCU, a/k/a "Sobo," NIKOLAOS LIMBERATOS, a/k/a "Nicu Limberto," CRISTIAN COSTEA, a/k/a "Momo," ALIN HANES CALUGARU, IONELA CONSTANTINESCU, a/k/a "Pitica," THEOFRASTOS LYMBERATOS, ANDREW ELIOPOULOS, VALENTIN PETRESCU, a/k/a "Gico Cosmin Giscan," a/k/a "Zoltan Pruma,"

PETER SAMOLIS, KELLY KARKI LAM, GEORGE SERBAN, DRAGOS DIACONU, MADLIN ALEXANDRU ANCA, a/k/a "Mateo Fernandez Alejandro," CRISTIAN ULMANU, a/k/a "Boris Moravec," and IULIANA MIHAILESCU, 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, Sections 1029(a)(1), (a)(2), (a)(3), (a)(4), and (a)(5).

5. It was a part and an object of the conspiracy that MIRCEA CONSTANTINESCU, a/k/a "Sobo," NIKOLAOS LIMBERATOS, a/k/a "Nicu Limberto," CRISTIAN COSTEA, a/k/a "Momo," ALIN HANES CALUGARU, IONELA CONSTANTINESCU, a/k/a "Pitica," THEOFRASTOS LYMBERATOS, ANDREW ELIOPOULOS, VALENTIN PETRESCU, a/k/a "Gico Cosmin Giscan," a/k/a "Zoltan Pruma," PETER SAMOLIS, KELLY KARKI LAM, GEORGE SERBAN, DRAGOS DIACONU, MADLIN ALEXANDRU ANCA, a/k/a "Mateo Fernandez Alejandro," CRISTIAN ULMANU, a/k/a "Boris Moravec," and IULIANA MIHAILESCU, the defendants, and others known and unknown, knowingly and with intent to defraud, as a part of an offense affecting interstate and foreign commerce, would and did produce, use, and traffic in one and more counterfeit access devices, in violation of Title 18, United States Code, Section 1029(a)(1).

6. It was further a part and an object of the conspiracy that MIRCEA CONSTANTINESCU, a/k/a "Sobo," NIKOLAOS LIMBERATOS,

a/k/a "Nicu Limberto," CRISTIAN COSTEA, a/k/a "Momo," ALIN HANES CALUGARU, IONELA CONSTANTINESCU, a/k/a "Pitica," THEOFRASTOS LYMBERATOS, ANDREW ELIOPOULOS, VALENTIN PETRESCU, a/k/a "Gico Cosmin Giscan," a/k/a "Zoltan Pruma," PETER SAMOLIS, KELLY KARKI LAM, GEORGE SERBAN, DRAGOS DIACONU, MADLIN ALEXANDRU ANCA, a/k/a "Mateo Fernandez Alejandro," CRISTIAN ULMANU, a/k/a "Boris Moravec," and IULIANA MIHAILESCU, the defendants, and others known and unknown, knowingly and with intent to defraud, as a part of an offense affecting interstate and foreign commerce, would and did traffic in and use one and more access devices during a one-year period, and by such conduct obtained more than \$1,000 during that period, in violation of Title 18, United States Code, Section 1029(a)(2).

7. It was further a part and an object of the conspiracy that MIRCEA CONSTANTINESCU, a/k/a "Sobo," NIKOLAOS LIMBERATOS, a/k/a "Nicu Limberto," CRISTIAN COSTEA, a/k/a "Momo," ALIN HANES CALUGARU, IONELA CONSTANTINESCU, a/k/a "Pitica," THEOFRASTOS LYMBERATOS, ANDREW ELIOPOULOS, VALENTIN PETRESCU, a/k/a "Gico Cosmin Giscan," a/k/a "Zoltan Pruma," PETER SAMOLIS, KELLY KARKI LAM, GEORGE SERBAN, DRAGOS DIACONU, MADLIN ALEXANDRU ANCA, a/k/a "Mateo Fernandez Alejandro," CRISTIAN ULMANU, a/k/a "Boris Moravec," and IULIANA MIHAILESCU, the defendants, and others known and unknown, knowingly and with intent to defraud, as a part of an offense affecting interstate and foreign commerce,

would and did possess fifteen and more devices which were counterfeit and unauthorized access devices, in violation of Title 18, United States Code, Section 1029(a)(3).

8. It was further a part and an object of the conspiracy that MIRCEA CONSTANTINESCU, a/k/a "Sobo," NIKOLAOS LIMBERATOS, a/k/a "Nicu Limberto," CRISTIAN COSTEA, a/k/a "Momo," ALIN HANES CALUGARU, IONELA CONSTANTINESCU, a/k/a "Pitica," THEOFRASTOS LYMBERATOS, ANDREW ELIOPOULOS, VALENTIN PETRESCU, a/k/a "Gico Cosmin Giscan," a/k/a "Zoltan Pruma," PETER SAMOLIS, KELLY KARKI LAM, GEORGE SERBAN, DRAGOS DIACONU, MADLIN ALEXANDRU ANCA, a/k/a "Mateo Fernandez Alejandro," CRISTIAN ULMANU, a/k/a "Boris Moravec," and IULIANA MIHAILESCU, the defendants, and others known and unknown, knowingly and with intent to defraud, as a part of an offense affecting interstate and foreign commerce, would and did produce, traffic in, have custody and control of, and possess device-making equipment, in violation of Title 18, United States Code, Section 1029(a)(4).

9. It was further a part and an object of the conspiracy that MIRCEA CONSTANTINESCU, a/k/a "Sobo," NIKOLAOS LIMBERATOS, a/k/a "Nicu Limberto," CRISTIAN COSTEA, a/k/a "Momo," ALIN HANES CALUGARU, IONELA CONSTANTINESCU, a/k/a "Pitica," THEOFRASTOS LYMBERATOS, ANDREW ELIOPOULOS, VALENTIN PETRESCU, a/k/a "Gico Cosmin Giscan," a/k/a "Zoltan Pruma," PETER SAMOLIS, KELLY KARKI LAM, GEORGE SERBAN, DRAGOS DIACONU, MADLIN ALEXANDRU ANCA, a/k/a

"Mateo Fernandez Alejandro," CRISTIAN ULMANU, a/k/a "Boris Moravec," and IULIANA MIHAILESCU, the defendants, and others known and unknown, knowingly and with intent to defraud, as a part of an offense affecting interstate and foreign commerce, would and did effect transactions with one and more access devices issued to another person or persons, to receive payment and other things of value during a one-year period the aggregate value of which was equal to and greater than \$1,000, in violation of Title 18, United States Code, Section 1029(a)(5).

OVERT ACTS

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

a. On or about June 26, 2018, MIRCEA CONSTANTINESCU, a/k/a "Sobo," the defendant, shipped a credit card point-of-sale terminal used to fashion skimming devices from a shipping facility in or around Mt. Pocono, Pennsylvania to Veracruz, Mexico.

b. On or about December 5, 2017, NIKOLAOS LIMBERATOS, a/k/a "Nicu Limberto," the defendant, installed a skimming device on an ATM at a bank located in or around Babylon, New York.

c. On or about June 24, 2018, CRISTIAN COSTEA, a/k/a "Momo," the defendant, during a telephone call with a co-conspirator, discussed perpetrating the scheme by having the co-conspirator send COSTEA skimming equipment.

d. On or about January 7 and 14, 2017, ALIN HANES CALUGARU, the defendant, installed skimming devices on an ATM in or around Canterbury, Connecticut.

e. On or about January 6, 2018, IONELA CONSTANTINESCU, a/k/a "Pitica," the defendant, used fraudulent debit cards to withdraw cash from victim accountholders' bank accounts using ATMs in or around New York, New York.

f. On or about November 11, 2016, THEOFRASTOS LYMBERATOS, the defendant, installed a skimming device on an ATM in or around Manchester, New Hampshire.

g. On or about January 6, 2018, ANDREW ELIOPOULOS, the defendant, used fraudulent debit cards to withdraw cash from victim accountholders' bank accounts using ATMs in or around Glen Cove, Westbury, and Whitestone, New York.

h. On or about June 25, 2017, VALENTIN PETRESCU, a/k/a "Gico Cosmin Giscan," a/k/a "Zoltan Pruma," the defendant, installed and removed a skimming device on and from an ATM in or around Boston, Massachusetts.

i. On or about October 28, 2017, PETER SAMOLIS, the defendant, installed a skimming device on an ATM in or around Queens, New York.

j. On or about July 31 and August 1, 2018, KELLY KARKI LAM, the defendant, during a telephone call with a co-conspirator, discussed perpetrating the scheme by having another co-conspirator deposit funds into her account at a bank that does not require identification for cash deposits and then by withdrawing those funds and transferring them into the account of the co-conspirator on the call.

k. On or about June 18, 2018, GEORGE SERBAN, the defendant, shipped a skimming device from in or around Miami, Florida to Tobyhanna, Pennsylvania.

l. On or about June 2 and 3, 2018, DRAGOS DIACONU, the defendant, used fraudulent debit cards to withdraw cash from victim accountholders' bank accounts using ATMs in or around Chattanooga and Ooltewah, Tennessee.

m. On or about June 2 and 3, 2018, MADLIN ALEXANDRU ANCA, a/k/a "Mateo Fernandez Alejandro," the defendant, used fraudulent debit cards to withdraw cash from victim accountholders' bank accounts using ATMs in or around Chattanooga and Ooltewah, Tennessee.

n. On or about June 20, 2017, CRISTIAN ULMANU, a/k/a "Boris Moravec," the defendant, installed and removed a skimming

device on and from an ATM in or around Somerville,
Massachusetts.

o. On or about May 27, 2017, IULIANA MIHAILESCU, the
defendant, used fraudulent debit cards to withdraw cash from
victim accountholders' bank accounts using ATMs in or around
Boston, Brookline, Sturbridge, Brighton, and Natick,
Massachusetts.

(Title 18, United States Code, Section 1029(b)(2).)

COUNT TWO

(Conspiracy to Commit Wire Fraud and Bank Fraud)

The Grand Jury further charges:

11. The allegations contained in paragraphs 1, 2, 3 and 10
above are hereby repeated, realleged, and incorporated by
reference as if fully set forth herein.

12. From at least in or about 2014 until at least in or
about September 2019, in the Southern District of New York and
elsewhere, MIRCEA CONSTANTINESCU, a/k/a "Sobo," NIKOLAOS
LIMBERATOS, a/k/a "Nicu Limberto," CRISTIAN COSTEA, a/k/a
"Momo," ALIN HANES CALUGARU, IONELA CONSTANTINESCU, a/k/a
"Pitica," THEOFRASTOS LYMBERATOS, ANDREW ELIOPOULOS, VALENTIN
PETRESCU, a/k/a "Gico Cosmin Giscan," a/k/a "Zoltan Pruma,"
PETER SAMOLIS, KELLY KARKI LAM, GEORGE SERBAN, DRAGOS DIACONU,
MADLIN ALEXANDRU ANCA, a/k/a "Mateo Fernandez Alejandro,"
CRISTIAN ULMANU, a/k/a "Boris Moravec," and IULIANA MIHAILESCU,

the defendants, and others known and unknown, willfully and knowingly, did combine, conspire, confederate, and agree together and with each other to commit wire fraud, in violation of Title 18, United States Code, Section 1343, and bank fraud, in violation of Title 18, United States Code, Section 1344.

13. It was a part and object of the conspiracy that MIRCEA CONSTANTINESCU, a/k/a "Sobo," NIKOLAOS LIMBERATOS, a/k/a "Nicu Limberto," CRISTIAN COSTEA, a/k/a "Momo," ALIN HANES CALUGARU, IONELA CONSTANTINESCU, a/k/a "Pitica," THEOFRASTOS LYMBERATOS, ANDREW ELIOPOULOS, VALENTIN PETRESCU, a/k/a "Gico Cosmin Giscan," a/k/a "Zoltan Pruma," PETER SAMOLIS, KELLY KARKI LAM, GEORGE SERBAN, DRAGOS DIACONU, MADLIN ALEXANDRU ANCA, a/k/a "Mateo Fernandez Alejandro," CRISTIAN ULMANU, a/k/a "Boris Moravec," and IULIANA MIHAILESCU, the defendants, and others known and unknown, willfully and 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.

14. It was further a part and object of the conspiracy that MIRCEA CONSTANTINESCU, a/k/a "Sobo," NIKOLAOS LIMBERATOS, a/k/a "Nicu Limberto," CRISTIAN COSTEA, a/k/a "Momo," ALIN HANES CALUGARU, IONELA CONSTANTINESCU, a/k/a "Pitica," THEOFRASTOS LYMBERATOS, ANDREW ELIOPOULOS, VALENTIN PETRESCU, a/k/a "Gico Cosmin Giscan," a/k/a "Zoltan Pruma," PETER SAMOLIS, KELLY KARKI LAM, GEORGE SERBAN, DRAGOS DIACONU, MADLIN ALEXANDRU ANCA, a/k/a "Mateo Fernandez Alejandro," CRISTIAN ULMANU, a/k/a "Boris Moravec," and IULIANA MIHAILESCU, the defendants, and others known and unknown, willfully and knowingly, would and did execute and attempt to execute a scheme and artifice to defraud a financial institution, the deposits of which were then insured by the Federal Deposit Insurance Corporation, and to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, such financial institution, by means of false and fraudulent pretenses, representations, and promises, in violation of Title 18, United States Code, Section 1344.

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

COUNT THREE
(Aggravated Identity Theft)

The Grand Jury further charges:

15. The allegations contained in paragraphs 1, 2, 3 and 10 above are hereby repeated, realleged, and incorporated by reference as if fully set forth herein.

16. From at least in or about 2014 until at least in or about September 2019, in the Southern District of New York and elsewhere, MIRCEA CONSTANTINESCU, a/k/a "Sobo," NIKOLAOS LIMBERATOS, a/k/a "Nicu Limberto," CRISTIAN COSTEA, a/k/a "Momo," ALIN HANES CALUGARU, IONELA CONSTANTINESCU, a/k/a "Pitica," THEOFRASTOS LYMBERATOS, ANDREW ELIOPOULOS, VALENTIN PETRESCU, a/k/a "Gico Cosmin Giscan," a/k/a "Zoltan Pruma," PETER SAMOLIS, KELLY KARKI LAM, GEORGE SERBAN, DRAGOS DIACONU, MADLIN ALEXANDRU ANCA, a/k/a "Mateo Fernandez Alejandro," CRISTIAN ULMANU, a/k/a "Boris Moravec," and IULIANA MIHAILESCU, the defendants, and others known and unknown, knowingly did transfer, possess, and use, without lawful authority, a means of identification of another person, during and in relation to a felony violation enumerated in Title 18, United States Code, Section 1028A(c), and aided and abetted the same, to wit, the defendants, among other things, engaged in ATM skimming to unlawfully obtain debit card information for victim accountholders (including, but not limited to, the victim

accountholders' names, debit card numbers, and personal identification numbers), created fraudulent debit cards using the stolen victim information, and then used the fraudulent debit cards bearing the victim accountholders' debit card numbers to make millions of dollars in unauthorized withdrawals from the victims accountholders' bank accounts, all during and in relation to the conspiracy to commit access device fraud charged in Count One of this Indictment and the conspiracy to commit wire fraud and bank fraud charged in Count Two of this Indictment.

(Title 18, United States Code, Sections 1028A(a)(1), 1028A(b), and 2.)

COUNT FOUR
(Conspiracy to Commit Money Laundering)

The Grand Jury further charges:

17. The allegations contained in paragraphs 1, 2, 3 and 10 above are hereby repeated, realleged, and incorporated by reference as if fully set forth herein.

18. From at least in or about 2014 until at least in or about September 2019, in the Southern District of New York and elsewhere, MIRCEA CONSTANTINESCU, a/k/a "Sobo," NIKOLAOS LIMBERATOS, a/k/a "Nicu Limberto," CRISTIAN COSTEA, a/k/a "Momo," ALIN HANES CALUGARU, and KELLY KARKI LAM, the defendants, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together

and with each other to violate Title 18, United States Code, Sections 1956(a)(1)(A)(i), 1956(a)(1)(B)(i), and 1957(a).

19. It was a part and an object of the conspiracy that MIRCEA CONSTANTINESCU, a/k/a "Sobo," NIKOLAOS LIMBERATOS, a/k/a "Nicu Limberto," CRISTIAN COSTEA, a/k/a "Momo," ALIN HANES CALUGARU, and KELLY KARKI LAM, the defendants, and others known and unknown, in an offense involving and affecting interstate and foreign commerce, knowing that the property involved in certain financial transactions, to wit, cash transactions and wire transfers, represented the proceeds of some form of unlawful activity, would and did conduct and attempt to conduct such financial transactions, which in fact involved the proceeds of specified unlawful activity, to wit, the conspiracy to commit access device fraud alleged in Count One of this Indictment, and the conspiracy to commit wire fraud and bank fraud alleged in Count Two of this Indictment, with the intent to promote the carrying on of the specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(A)(i).

20. It was further a part and an object of the conspiracy that MIRCEA CONSTANTINESCU, a/k/a "Sobo," NIKOLAOS LIMBERATOS, a/k/a "Nicu Limberto," CRISTIAN COSTEA, a/k/a "Momo," ALIN HANES CALUGARU, and KELLY KARKI LAM, the defendants, and others known and unknown, in an offense involving interstate and foreign commerce, knowing that the property involved in certain

financial transactions, to wit, cash transactions and wire transfers, represented the proceeds of some form of unlawful activity, would and did conduct and attempt to conduct such financial transactions, which in fact involved the proceeds of specified unlawful activity, to wit, the conspiracy to commit access device fraud alleged in Count One of this Indictment, and the conspiracy to commit wire fraud and bank fraud alleged in Count Two of this Indictment, knowing that the transactions were designed in whole and in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of the specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i).

21. It was a further part and an object of the conspiracy that MIRCEA CONSTANTINESCU, a/k/a "Sobo," NIKOLAOS LIMBERATOS, a/k/a "Nicu Limberto," CRISTIAN COSTEA, a/k/a "Momo," ALIN HANES CALUGARU, and KELLY KARKI LAM, the defendants, and others known and unknown, within the United States, knowingly would and did engage and attempt to engage in monetary transactions in criminally derived property of a value greater than \$10,000 and that was derived from specified unlawful activity, to wit, the conspiracy to commit access device fraud alleged in Count One of this Indictment, and the conspiracy to commit wire fraud and

bank fraud alleged in Count Two of this Indictment, in violation of Title 18, United States Code, Section 1957(a).

(Title 18, United States Code, Section 1956(h).)

FORFEITURE ALLEGATIONS

22. As a result of committing the offense alleged in Count One of this Indictment, MIRCEA CONSTANTINESCU, a/k/a "Sobo," NIKOLAOS LIMBERATOS, a/k/a "Nicu Limberto," CRISTIAN COSTEA, a/k/a "Momo," ALIN HANES CALUGARU, IONELA CONSTANTINESCU, a/k/a "Pitica," THEOFRASTOS LYMBERATOS, ANDREW ELIOPOULOS, VALENTIN PETRESCU, a/k/a "Gico Cosmin Giscan," a/k/a "Zoltan Pruma," PETER SAMOLIS, KELLY KARKI LAM, GEORGE SERBAN, DRAGOS DIACONU, MADLIN ALEXANDRU ANCA, a/k/a "Mateo Fernandez Alejandro," CRISTIAN ULMANU, a/k/a "Boris Moravec," and IULIANA MIHAILESCU, 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 offense, and any and all personal property used or intended to be used to commit said offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense that the defendants personally obtained and the following specific property:

- a. 200 Asbury Avenue, Westbury, New York;

b. 452 Lafayette Street, Unit C1, Brooklyn, New York; and

c. 569 Putnam Avenue, Brooklyn, New York.

23. As a result of committing the offense alleged in Count Two of this Indictment MIRCEA CONSTANTINESCU, a/k/a "Sobo," NIKOLAOS LIMBERATOS, a/k/a "Nicu Limberto," CRISTIAN COSTEA, a/k/a "Momo," ALIN HANES CALUGARU, IONELA CONSTANTINESCU, a/k/a "Pitica," THEOFRASTOS LYMBERATOS, ANDREW ELIOPOULOS, VALENTIN PETRESCU, a/k/a "Gico Cosmin Giscan," a/k/a "Zoltan Pruma," PETER SAMOLIS, KELLY KARKI LAM, GEORGE SERBAN, DRAGOS DIACONU, MADLIN ALEXANDRU ANCA, a/k/a "Mateo Fernandez Alejandro," CRISTIAN ULMANU, a/k/a "Boris Moravec," and IULIANA MIHAILESCU, the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(2)(A), any and all property, constituting, or derived from, proceeds obtained directly or indirectly as a result of the commission of said offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense that the defendants personally obtained and the following specific property:

a. 200 Asbury Avenue, Westbury, New York;

b. 452 Lafayette Street, Unit C1, Brooklyn, New York; and

c. 569 Putnam Avenue, Brooklyn, New York.

24. As a result of committing the offense alleged in Count Four of this Indictment, MIRCEA CONSTANTINESCU, a/k/a "Sobo," NIKOLAOS LIMBERATOS, a/k/a "Nicu Limberto," CRISTIAN COSTEA, a/k/a "Momo," ALIN HANES CALUGARU, and KELLY KARKI LAM, the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), any and all property, real and personal, involved in said offense, or any property traceable to such property, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense that the defendants personally obtained and the following specific property:

- a. 200 Asbury Avenue, Westbury, New York;
- b. 452 Lafayette Street, Unit C1, Brooklyn, New York; and
- c. 569 Putnam Avenue, Brooklyn, New York.

Substitute Assets Provision

25. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- 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 defendants 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.)


Foreperson

Geoffrey S. Berman
GEOFFREY S. BERMAN
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

MIRCEA CONSTANTINESCU, a/k/a "Sobo,"
et al.,

Defendants.

SEALED INDICTMENT

19 Cr. _____

(18 U.S.C. §§ 1028A(a)(1), 1028A(b),
1029(b)(2), 1349, 1956(h), and 2.)

GEOFFREY S. BERMAN

United States Attorney


