

Presented to the Court by the foreman of the
Grand Jury in open Court, in the presence
of the Grand Jury and FILED in the U.S.
DISTRICT COURT at Seattle, Washington

January 21, 2021

WILLIAM M. McCOOL, Clerk

By  Deputy

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,
Plaintiff

v.

ARIFKHAN PATHAN,
Defendant.

NO. CR21-010 RSL
INDICTMENT

The Grand Jury charges that:

COUNTS 1 AND 2
(Mail Fraud)

A. The Scheme and Artifice to Defraud

1. Beginning at a time unknown, but no later than on or about August 1, 2020, and continuing until January 4, 2021, in King County, within the Western District of Washington, and elsewhere, Arifkhan PATHAN, and others known and unknown, did knowingly and intentionally devise and attempt to devise, a scheme and artifice to defraud individuals, and to obtain money from individuals by means of false and fraudulent pretenses, representations, and promises, as further and more particularly described below.

INDICTMENT/PATHAN - 1

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1 2. The essence of the scheme and artifice to defraud was for co-schemers to
2 call victims in the United States and persuade the victims by means of false and
3 fraudulent pretenses to send cash via private or commercial interstate carriers, including
4 by falsely claiming that the caller was a federal agent, that the victim's social security
5 numbers had been compromised, and that sending the cash to a safe third party would
6 protect the victim's assets from thieves. As part of the scheme and artifice to defraud,
7 PATHAN took and received packages utilizing private or commercial interstate carriers
8 that contained the victims' assets in U.S. Currency, said packages being placed in the
9 mail by the victims and under the direction of the co-schemers by reason of the false and
10 fraudulent pretenses, representations and promises. Further, as part of the scheme and
11 artifice to defraud, PATHAN deposited said U.S. Currency that had been received via
12 the private or commercial interstate carriers into bank accounts in order to transmit the
13 proceeds of the fraudulent scheme to India.

14 3. During all times relevant to this Indictment, PATHAN lived at a residence
15 in SeaTac, King County, where he would process the packages containing the proceeds
16 of the fraud scheme. A large number of the mail packages containing the victims'
17 money were directed by co-schemers to addresses in King County, Washington, for
18 PATHAN and his co-schemers to collect from the relevant UPS stores and process.

19 4. As a result of the scheme and artifice to defraud, between August 2020 and
20 December 2020, PATHAN obtained and processed packages containing over \$400,000
21 in U.S. Currency from victims of the scheme and artifice to defraud.

22 **B. Manner and Means of the Scheme and Artifice to Defraud**

23 The manner and means used to accomplish the scheme to defraud included the
24 following:

25 5. It was part of the scheme and artifice to defraud for co-schemers to call
26 victims in the United States and persuade the victims by means of false and fraudulent
27 pretenses to send cash via private or commercial interstate carriers for various reasons.

1 The false claims made to the victims included that the caller was a federal agent and that
2 the victim's social security number had been compromised.

3 6. It was further part of the scheme and artifice to defraud that the co-
4 schemers directed the victims to withdraw cash from their accounts and place the U.S.
5 currency in a package. The co-schemers directed the victims to mail the packages
6 containing the U.S. currency to certain addresses in the Western District of Washington,
7 using the false and fraudulent pretenses that sending the cash to a third party would
8 protect the victim's assets from thieves.

9 7. It was part of the scheme and artifice to defraud that the victims were
10 instructed to mail the packages containing the U.S. currency via a private or commercial
11 interstate carrier such as UPS or FedEx. Such private or commercial interstate carriers
12 provide tracking numbers allowing the co-schemers to track the packages of U.S.
13 currency to allow PATHAN to collect the packages on a certain date.

14 8. It was further part of the scheme and artifice to defraud that PATHAN
15 would utilize fraudulent driver's licenses with fake identifying information in order to
16 take and receive the packages from the private and commercial interstate carriers.

17 9. It was further part of the scheme and artifice to defraud that PATHAN
18 would instruct other co-schemers to retrieve packages containing U.S. currency sent via
19 the mail from victims, utilizing fraudulent driver's licenses, and then deliver said
20 packages to PATHAN for processing.

21 10. It was further part of the scheme and artifice to defraud that PATHAN
22 would process the packages and deposit the currency inside the packages into bank
23 accounts supplied by his co-schemers.

24 11. It was further part of the scheme and artifice to defraud that PATHAN
25 obtained a 2% commission on the total amount of U.S. currency contained in the
26 packages in payment for collecting and processing the packages.

C. Execution of the Scheme and Artifice to Defraud

12. On or about the dates listed below, in King County, within the Western District of Washington and elsewhere, PATHAN, having devised the above-described scheme and artifice to defraud, and to obtain money and property by means of false and fraudulent pretenses, representations, and promises, and attempting to do so, knowingly caused to be sent and delivered by private or commercial interstate carriers, and did knowingly take and receive therefrom, according to the directions thereon, the following items, each of which constitutes a separate count of this Indictment:

Count	Date	Sender	Addressee	Item Mailed
1	October 30, 2020	Victim 3, Syracuse, NY	E.C., Seattle, WA	U.S. Currency
2	December 23, 2020	Victim 4, South Bend, IN	D.K., Seattle, WA	U.S. Currency

All in violation of Title 18, United States Code, Sections 1341 and 2.

Forfeiture Allegation

(Mail Fraud)

The allegations contained in Counts 1 and 2 of this indictment are hereby realleged and incorporated herein by reference for the purpose of alleging forfeiture. Upon conviction of an offense of Mail Fraud, as alleged in Counts 1 and 2, the defendant ARIFKHAN PATHAN shall forfeit to the United States, pursuant to Title 18 United States Code § 981(a)(1)(C) by way of Title 28 United States Code § 2461(c), any property that constitutes or is traceable to proceeds of the offense, as well as any personal property that facilitated the offense. This property includes, but is not limited to, a sum of money representing the proceeds the defendant obtained from the offense.

(Substitute Property)

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 party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished with property with cannot be subdivided without difficulty;


it is the intent of the United States, pursuant to Title 21, United States Code, § 853(p), to seek the forfeiture of any other property of the defendant up to the value of the above-described forfeitable property.

A TRUE BILL:

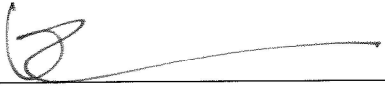
DATED: 1/21/2021

Signature of Foreperson redacted pursuant to the policy of the Judicial Conference of the United States.

FOREPERSON



BRIAN T. MORAN
United States Attorney



S. KATE VAUGHAN
Assistant United States Attorney



CASEY S. CONZATTI
Assistant United States Attorney