1	MELINDA HAAG (CABN 132612) United States Attorney	Mar Files			
3	J. DOUGLAS WILSON (DCBN 412811) Chief, Criminal Division	700 SE, 50 D 2: 22			
4	KATHERINE B. DOWLING (CABN 220767 Assistant United States Attorney 450 Golden Gate Ave., Box 36055				
6	San Francisco, California 94102 Telephone: (415) 436-7200 Fax: (415) 436-7234				
7	E-Mail: katherine.dowling@usdoj.gov	SEALED			
8	Attorneys for Plaintiff	BY COURT ORDER			
9	UNITED STATE	ES DISTRICT COURT			
	NORTHERN DIST	RICT OF CALIFORNIA			
11	SAN FRANCISCO DIVISION				
12					
13	UNITED STATES OF AMERICA,)	CNo.: CR 13 589			
14	Plaintiff,)				
15	v.)	UNITED STATES' MOTION TO SEAL INDICTMENT [PROPOSED ORDER]			
16	MARVIN SOLIS,				
17 18	Defendant.	UNDER SEAL			
19	J	UNDER SEAL			
20	The United States hereby moves the C	ourt for an order sealing this Motion, the			
21	Indictment, the Sealing Order, and the Arrest Warrant until further order of the Court. The				
22	government believes that disclosure of the existence of those documents may jeopardize the				
23	ongoing investigation and hinder the apprehension of the defendant.				
24					
25	DATED: September 5, 2013	Respectfully submitted,			
26		MELINDA HAAG United States Attorney			
27					
28		KATHERINE B. DOWLING Assistant United States Attorney			
	MOTION TO SEAL INDICTMENT				

ORDER

Based upon the motion of the government and for good cause shown, IT IS HEREBY ORDERED that the government's Motion, the Indictment, the Sealing Order, and the Arrest Warrant shall be sealed until further order of the Court. Notwithstanding this Order, the government shall be allowed to obtain a copy of this Order, as entered, and of the Indictment and Arrest Warrant.

HON. ELIZABETH D. LAPORTE United States Magistrate Judge

DEFENDANT INFORMATION RELATIVE TO	O A CRIMINAL ACTION - IN U.S. DISTRICT COURT
BY: COMPLAINT INFORMATION X INDICTMENT	Name of District Court, and/or Judge/Magistrate Location
OFFENSE CHARGED SUPERSEDIN	G NORTHERN DISTRICT OF CALIFORNIA
	SAN FRANCISCO DIVISION
	250
Minor	3 2012
Misde mean	DIE V MARVINSOUS CIEMARD.
X Felon	DISTRICT COURT NUMBER NORTHERN DISTRICT GOURT
PENALTY: 18 U.S.C. s. 1343 (Wire Fraud) Counts 1-2, 20 years imprisonment, fine of twice the gross gain/loss, 3 years supervised release, and	TO SO E O O CORN
\$100 special assessment per count.	OK TO DOD A
SEALET	FMC
BYCOMPO	DEFENDANT
PROCEEDING	IS NOT IN CUSTODY Has not been arrested, pending outcome this proceeding.
Name of Complaintant Agency, or Person (& Title, if any)	1) X If not detained give date any prior
Special Agent David Strange	summons was served on above charges
person is awaiting trial in another Federal or State Court,	2) Is a Fugitive
☐ give name of court	
	3) Is on Bail or Release from (show District)
this person/proceeding is transferred from another district	
per (circle one) FRCrp 20, 21, or 40. Show District	
	IS IN CUSTODY
	4) On this charge
this is a reprosecution of charges previously dismissed	5) On another conviction
which were dismissed on motion SHOW	Federal State
OI.	6) Awaiting trial on other charges
U.S. ATTORNEY DEFENSE	If answer to (6) is "Yes", show name of institution
this prosecution relates to a	
pending case involving this same	Has detainer Yes If "Yes" give date
defendant MAGISTRATE CASE NO	Deen liled? No filed
prior proceedings or appearance(s)	DATE OF Month/Day/Year ARREST
before U.S. Magistrate regarding this defendant were recorded under	Photographic and the state of t
	Or if Arresting Agency & Warrant were not DATE TRANSFERRED Month/Day/Year
Name and Office of Person Furnishing Information on this form MELINDA HAAG	DATE TRANSFERRED Month/Day/Year TO U.S. CUSTODY
✓ Other U.S. Agency	
Name of Assistant U.S.	This report amends AO 257 previously submitted
Attorney (if assigned) Katherine Dowling	
ADDITIONAL INF	ORMATION OR COMMENTS —
PROCESS:	Dail Assault
☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT	Bail Amount:
If Summons, complete following: Arraignment Initial Appearance	* Where defendant previously apprehended on complaint, no new summons or
Defendant Address:	warrant needed, since Magistrate has scheduled arraignment
330 Hawk Ridge Drive Richmond CA 04906	Date/Time: Before Judge:
330 Hawk Ridge Drive Richmond, CA 94806	
Comments:	

AUSE S D 2:22 1 MELINDA HAAG (CABN 132612) United States Attorney 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 NORTHERN DISTRICT OF CALIFORNIA 10 SAN FRANCISCO DIVISION 11 UNITED STATES OF AMERICA. 12 Plaintiff, <u>VIOLATIONS</u>: 18 U.S.C. § 1343—Wire Fraud; 18 U.S.C. §§ 981, 982 & 28 U.S.C. 13 14 § 2461(c)—Criminal Forfeiture MARVIN SOLIS, 15 Defendant. 16 SAN FRANCISCO VENUE 17 18 19 INDICTMENT 20 The Grand Jury charges: 21 **Introductory** Allegations At all times relevant to this Indictment: 22 1. 23 MARVIN SOLIS was a resident of Richmond, California, in the Northern District

- of California. SOLIS was the sole owner of Hawk Ridge Investments, LLC, a real estate investment business.
- 2. SOLIS maintained bank accounts at Washington Mutual Bank in his name and in the name of his business Hawk Ridge Investments, LLC. The Hawk Ridge Investments, LLC bank account number was xxxxxx-4299.

INDICTMENT

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3. From approximately September 2008 through March 2009, SOLIS devised and executed a scheme to defraud victims out of approximately \$220,000 by falsely representing that he would help them locate real estate investment properties to purchase. Instead, SOLIS spent the victims' money and failed to provide any services in return.

MANNER AND MEANS OF THE SCHEME TO DEFRAUD

- 4. SOLIS falsely and fraudulently represented to at least three investors that he would help them locate and acquire real estate investment properties when, in fact, he did not provide such services.
- 5. Instead, SOLIS engaged in a fraudulent scheme in which, unknown to the investors, he used their money to, among other things, pay his own expenses and trade in the futures market.
- 6. As part of his fraudulent scheme, SOLIS used and caused investors to use interstate wire communications to provide the funds for his scheme. Monies obtained through the fraudulent scheme were funneled through banks that received Troubled Asset Relief Program funding.
- COUNTS ONE AND TWO: (18 U.S.C. § 1343 Wire Fraud)
 - 7. Paragraphs 1 through 6 are realleged as though set forth fully herein.
- 8. Beginning at a time unknown to the Grand Jury, but no later than September 2008, and continuing until approximately March 2009, in the Northern District of California and elsewhere, the defendant,

MARVIN SOLIS,

did knowingly and intentionally devise a material scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, promises, and omission and concealment of material facts, knowing that the pretenses, representations, promises, omissions, and concealment were false and fraudulent when made, and, for the purpose of executing such scheme and artifice, did knowingly cause to be transmitted the following wire communications in interstate and foreign commerce on or about the dates set

forth below:

Count	Date	Amount	Prom	Tro.
ONE	10/22/2008	\$20,000	D.C.'s Citibank Account	SOLIS' Washington Mutual Account
TWO	1/14/2009	\$55,000	D.C./C.F.'s Washington Mutual Account	SOLIS' Washington Mutual Account (4299)

Each in violation of Title 18, United States Code, Section 1343.

<u>FORFEITURE ALLEGATION</u>: (18 U.S.C. § 981(a)(1)(C), 982(a)(2) and 28 U.S.C. § 2461(c) - Wire Fraud Forfeiture)

- 9. The allegations of Counts One and Two of this Indictment are realleged and by this reference fully incorporated herein for the purpose of alleging forfeiture pursuant to the provisions of Title 18, United States Code, Sections 981(a)(1)(C), 982(a)(2) and 28 U.S.C. § 24619(c).
- 10. Upon a conviction of any of the offenses alleged in Counts One and Two, the defendant,

MARVIN SOLIS,

shall forfeit to the United States all property, constituting and derived from proceeds traceable to said offenses, including but not limited to, a money judgment equal to the amount of the proceeds obtained from the offense.

- 11. If any of said 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, any and all interest defendant has in other property shall be vested in the United States and forfeited to the United States pursuant to Title 21, United States Code, Section

INDICTMENT

1	853(p), as incorporated by Title 28, United States Code, Section 2461(c) and Rule 32.2 of the			
2	Federal Rules of Criminal Procedure.			
3				
4	Dated: September			
5	Manual Dotation			
6	Many J. Reterion FOREPERSON			
7	MELINDA HAAG United States Attorney			
8 9				
10	J. DOUGLAS WILSON			
11	Chief, Criminal Division			
12				
13	(Approved as to form: AUSA/DOWLING			
14	AUSAGDO W LING			
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INDICTMENT