

For Immediate Release
December 8, 2011

**FORMER SANTA FE BANK OFFICIAL PLEADS GUILTY
TO MISAPPLICATION OF BANK FUNDS**

ALBUQUERQUE – This morning in federal court, **Anthony Moya**, 35, of Santa Fe, N.M., pled guilty to misapplication of funds by a bank official under a plea agreement with the U.S. Attorney's Office. Moya faces a maximum sentence of 30 years imprisonment, five years of supervised release, and a \$1,000,000 fine at sentencing. Moya remains on conditions of release under pretrial supervision pending his sentencing hearing, which has yet to be scheduled.

U.S. Attorney Kenneth J. Gonzales said that Moya pled guilty to Count 9 of an 11-count indictment charging Moya with eight counts of bank fraud and three counts of misapplication of funds by a bank employee. At the time of the offenses charged, Moya was the manager of a branch office of CitiFinancial Inc. in Santa Fe (CitiFinancial). The indictment also charged Moya's wife, Eunice Moya, with aiding and abetting the bank fraud charged in the first eight counts of the indictment.

According to the indictment, which was filed on October 27, 2010, between June 2004 and October 2005, Moya and his wife devised a scheme to defraud CitiFinancial and obtain the bank's money through the fraudulent use of nominee borrowers. Moya allegedly recruited nominee borrowers to sign loan documents for the benefit of persons who did not qualify for bank loans and represented that the nominee borrowers would not be responsible for repaying the loans. After the loans were approved by CitiFinancial, Moya and his wife received substantial portions of the loan proceeds which they spent for their own benefit. Counts 1 through 8 of the indictment allege that Moya and his wife unlawfully obtained loan proceeds totaling \$176,788.99 from the nominee borrowers by facilitating the processing of fraudulent

loan applications. Counts 9 through 11 charge Moya, in his capacity as an official of CitiFinancial, with willfully misappropriating bank funds in the aggregate amount of \$269,721.90.

In his plea agreement, Moya acknowledged, as a branch manager, he had a duty to make decisions on loans in the best interests of CitiFinancial, and not based upon his own financial self-interest or that of his family or friends. Despite this duty, Moya admitted preparing and approving mortgage loans for nominal borrowers in which he and his friends had a significant financial interest. Moya also admitted involving his wife in his criminal activity by asking nominal borrowers to sign over loan proceeds to his wife. Moya then required his wife to endorse and deposit the checks. Moya also asked his wife to notarize signatures on mortgage loan applications in which he had an undisclosed financial interest.

In the plea agreement, Moya asserts that his wife did not know that the loan applications or the checks were part of his criminal conduct, and that she acted only because Moya told her to do so. The plea agreement states that CitiFinancial did not suffer any actual financial loss from the charges charged in the indictment because Moya either repaid the loans, or made sure that the loans were repaid.

Under the terms of the plea agreement, the U.S. Attorney's Office will move to dismiss the indictment against Eunice Moya. It also will move to dismiss the remaining charges against Moya after he is sentenced.

The case was investigated by the Federal Bureau of Investigation, and is being prosecuted by Assistant U.S. Attorney Jonathon M. Gerson.

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