

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

**FELONY**

**INDICTMENT FOR CONSPIRACY TO COMMIT  
ACCESS DEVICE FRAUD AND ACCESS DEVICE FRAUD**

UNITED STATES OF AMERICA	*	CRIMINAL NO.
v.	*	SECTION:
JULIET ESTRADA PEREZ	*	VIOLATION: 18 U.S.C. § 1029(b)(2)
LUIS RIVERA GARCIA	*	18 U.S.C. § 1029(a)(1)
JESUS ENRIQUE GONZALES TORRES	*	18 U.S.C. § 1029(a)(3)
ORLANDO GUILLEN DIAZ	*	18 U.S.C. § 1029(a)(4)
YOETNIS VAZQUEZ PEDROSA	*	
YILIAM TORRES	*	
	* * *	

The Grand Jury charges that:

**COUNT 1**  
**(Conspiracy to Commit Access Device Fraud)**

**A. AT ALL TIMES MATERIAL HEREIN**

1. The defendants, **JULIET ESTRADA PEREZ, LUIS RIVERA GARCIA, JESUS ENRIQUE GONZALES TORRES, ORLANDO GUILLEN DIAZ, YOETNIS VAZQUEZ PEDROSA, and YILIAM TORRES**, were Cuban nationals who resided in the State of Florida.

2. Gas Station A was a business in the Eastern District of Louisiana that accepted credit cards for payment.

3. The term “access device” meant any card, plate, code, account number, electronic serial number, personal identification number, or other means of account access that can be used, alone or in conjunction with another access device, to obtain money, goods, services, or any other thing of value, or that can be used to initiate a transfer of funds (other than a transfer originated solely by paper instrument).

4. The term “counterfeit access device” meant any access device that is counterfeit, fictitious, altered, or forged, or an identifiable component of an access device or a counterfeit access device.

5. The term “unauthorized access device” meant any access device that was lost, stolen, expired, revoked, canceled, or obtained with intent to defraud.

6. The term “produce” included design, alter, authenticate, duplicate, or assemble.

7. The term “traffic” meant transfer, or otherwise dispose of, to another, or obtain control of with intent to transfer or dispose of.

8. The term “device-making equipment” meant any equipment, mechanism, or impression designed or primarily used for making an access device or a counterfeit access device.

**B. THE CONSPIRACY**

Beginning at a time unknown to the Grand Jury, but at least on or about July 27, 2015, and continuing through on or about July 31, 2015, in the Eastern District of Louisiana, and elsewhere, the defendants, **JULIET ESTRADA PEREZ, LUIS RIVERA GARCIA, JESUS ENRIQUE GONZALES TORRES, ORLANDO GUILLEN DIAZ, YOETNIS VAZQUEZ PEDROSA, and YILIAM TORRES**, together with others, both known and unknown to the

Grand Jury, did knowingly, intentionally, and unlawfully combine, conspire, confederate, and agree, in a manner affecting interstate commerce, to knowingly, and with intent to defraud:

- a. produce, use, and traffic in one or more counterfeit access devices, in violation of Title 18, United States Code, Section 1029(a)(1);
- b. possess fifteen or more devices which were counterfeit or unauthorized access devices, in violation of Title 18, United States Code, Section 1029(a)(3); and
- c. produce, possess, and have custody and control of device-making equipment, in violation of Title 18, United States Code, Section 1029(a)(4).

**C. MANNER AND MEANS**

Among the manner and means by which the defendants and their co-conspirators carried out the conspiracy were the following:

9. It was part of the conspiracy that co-conspirators would and did produce, possess, and have custody and control of card skimming devices designed to capture credit cards swiped by unsuspecting victims and embossing and encoding equipment designed to produce counterfeit access devices.

10. It was part of the conspiracy that co-conspirators would and did alter gift and prepaid debit cards by, among other things, removing the account numbers from the front of the cards and embossing them with new numbers.

11. It was part of the conspiracy that co-conspirators possessed fifteen or more counterfeit access devices, including both genuine and altered gift and prepaid debit cards.

12. It was part of the conspiracy that co-conspirators would and did distribute counterfeit access devices among themselves.

13. It was part of the conspiracy that co-conspirators would and did use and attempt to use counterfeit access devices to purchase goods and gift cards.

**D. OVERT ACTS**

In furtherance of the conspiracy, and to effect the objects thereof, members of the conspiracy and others known and unknown to the Grand Jury, committed or caused to be committed the overt acts below, among others, within the Eastern District of Louisiana and elsewhere:

1. On or about July 27, 2015, defendants **JULIET ESTRADA PEREZ, LUIS RIVERA GARCIA, JESUS ENRIQUE GONZALES TORRES, ORLANDO GUILLEN DIAZ, YOETNIS VAZQUEZ PEDROSA, and YILIAM TORRES** traveled from Florida to the New Orleans, Louisiana area.

2. On or about July 31, 2015, members of the conspiracy installed two card skimming devices at Gas Station A.

3. On or about July 31, 2015, defendants **JULIET ESTRADA PEREZ, LUIS RIVERA GARCIA, JESUS ENRIQUE GONZALES TORRES, ORLANDO GUILLEN DIAZ, YOETNIS VAZQUEZ PEDROSA, and YILIAM TORRES** possessed approximately 98 counterfeit access devices.

4. From on or about July 28, 2015 through on or about July 31, 2015, defendants **JULIET ESTRADA PEREZ, LUIS RIVERA GARCIA, JESUS ENRIQUE GONZALES TORRES, ORLANDO GUILLEN DIAZ, YOETNIS VAZQUEZ PEDROSA, and YILIAM TORRES** possessed and had custody and control of device-making equipment, including card skimming devices, a card encoding machine, and a card embossing machine.

5. On or about July 31, 2015, co-conspirators used one or more counterfeit access devices.

All in violation of Title 18, United States Code, Sections 1029(a)(1), (a)(3), (a)(4), and (b)(2).

**COUNT 2**  
**(Access Device Fraud)**

**A. AT ALL TIMES MATERIAL HEREIN**

1. The allegations in Section A of Count 1 are incorporated as though fully set forth herein.

**B. THE OFFENSE OF ACCESS DEVICE FRAUD**

2. On or about July 31, 2015, in the Eastern District of Louisiana, and elsewhere, the defendants, **JULIET ESTRADA PEREZ, LUIS RIVERA GARCIA, JESUS ENRIQUE GONZALES TORRES, ORLANDO GUILLEN DIAZ, YOETNIS VAZQUEZ PEDROSA,** and **YILIAM TORRES**, did knowingly and with intent to defraud possess fifteen or more counterfeit and unauthorized access devices, and by such conduct affect interstate commerce.

All in violation of Title 18, United States Code, Section 1029(a)(3).

**COUNT 3**  
**(Access Device Fraud)**

**A. AT ALL TIMES MATERIAL HEREIN**

1. The allegations in Section A of Count 1 are incorporated as though fully set forth herein.

**B. THE OFFENSE OF ACCESS DEVICE FRAUD**

2. On or about July 31, 2015, in the Eastern District of Louisiana, and elsewhere, the defendants, **JULIET ESTRADA PEREZ, LUIS RIVERA GARCIA, JESUS ENRIQUE**

**GONZALES TORRES, ORLANDO GUILLEN DIAZ, YOETNIS VAZQUEZ PEDROSA,** and **YILIAM TORRES**, did knowingly and with intent to defraud produce, possess, and have custody and control of device-making equipment, including but not limited to, card-skimming devices, a card encoding machine, and a card embossing machine, and by such conduct affect interstate commerce.

All in violation of Title 18, United States Code, Section 1029(a)(4).

**NOTICE OF ACCESS DEVICE FRAUD FORFEITURE**

1. The allegations of Counts 1-3 of this Indictment are realleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 18, United States Code, Sections 982(a)(2)(B) and 1029(c)(1)(C).

2. Upon conviction of the offenses in violation of Title 18, United States Code, Section 1029 set forth in Counts 1-3 of this Indictment, the defendants, **JESUS ENRIQUE GONZALES TORRES, JULIET ESTRADA PEREZ, LUIS RIVERA GARCIA, ORLANDO GUILLEN DIAZ, YOETNIS VAZQUEZ PEDROSA, and YILIAM TORRES,** shall forfeit to the United States of America

(A) pursuant to Title 18, United States Code, Section 982(a)(2)(B), any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of such violations;

(B) pursuant to Title 18, United States Code, Section 1029(c)(1)(C), any personal property used or intended to be used to commit the offenses;

3. If any of the property described above, 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 party;
- 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 divided without difficulty,

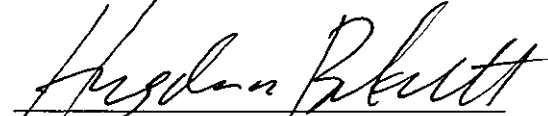
the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Sections 982(b)(1) and 1029(c)(2) and Title 28, United States Code, Section 2461(c).

All pursuant to 18 U.S.C. §§ 982(a)(2)(B) and 1029(c)(1)(C) and 28 U.S.C. § 2461(c).

A TRUE BILL:

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FOREPERSON

KENNETH ALLEN POLITE, JR.  
UNITED STATES ATTORNEY

  
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HAYDEN M. BROCKETT  
Assistant United States Attorney

New Orleans, Louisiana  
October 2, 2015