

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

**BILL OF INFORMATION FOR THEFT OF
MAIL, POSSESSION OF STOLEN MAIL
AND CONSPIRACY TO COMMIT BANK FRAUD**

UNITED STATES OF AMERICA	*	CRIMINAL DOCKET NO.
v.	*	SECTION:
GREGORY HERNANDEZ	*	VIOLATIONS: 18 U.S.C. §1344
	*	18 U.S.C. §1349
	*	18 U.S.C. §1708
	*	*
	*	*

The United States Attorney charges that:

(Bank Fraud Conspiracy)

COUNT 1

From in or about December 2007 and continuing through on or about July 27, 2010, in the Eastern District of Louisiana, including the Parishes of Orleans, Jefferson and St. Charles, and elsewhere, the defendant, **GREGORY HERNANDEZ**, did knowingly and intentionally combine, conspire, confederate and agree with other persons known and unknown to the United States Attorney to knowingly execute and attempt to execute a scheme and artifice to defraud financial institutions, including Omni Bank, Capital One Bank, First Premier Bank, Regions Bank, Whitney National Bank, and Parish National Bank, all of whose deposits were insured by the Federal Deposit

Insurance Corporation (FDIC), and to obtain by means of false and fraudulent pretenses, representations, and promises, any of the moneys, funds and property owned by and under the custody and the control of said financial institutions; in violation of Title 18, United States Code, Sections 1344 (1 & 2) and 2.

MANNER AND MEANS OF THE CONSPIRACY

The manner and means by which the defendant and his co-conspirators sought to accomplish the objects and purpose of the conspiracy included, among others, the following:

1. As part of the conspiracy, defendant **GREGORY HERNANDEZ** stole first-class letters from U.S. Postal Service mailboxes and abstracted from within those letters the personal and business checks belonging to other individuals and companies.
2. As part of the conspiracy, defendant **GREGORY HERNANDEZ** fraudulently altered and forged the dollar values inscribed on checks he had stolen.
3. As part of the conspiracy, defendant **GREGORY HERNANDEZ** fraudulently altered and replaced the names legitimately inscribed on said stolen checks with the names of the defendant's co-conspirators.
4. As part of the conspiracy, the defendant **GREGORY HERNANDEZ** paid co-conspirators to unlawfully present and cash these altered and forged checks at financial institutions, while the defendant waited outside the bank to receive his share of the profits.

OVERT ACTS

On or about the following dates, in furtherance of and to conceal the conspiracy and accomplish its purposes, the following overt acts, among others, were committed in the Eastern District of Louisiana and elsewhere:

1. On or about January 31, 2009, the defendant, **GREGORY HERNANDEZ**, unlawfully entered an apartment building located at 7 Fontainebleau Drive, New Orleans, Louisiana, and rummaged through the residents' mailboxes.

2. On or about February 15, 2008, the defendant, **GREGORY HERNANDEZ**, stole a letter out of a mailbox located at 4503 Prytania Street, New Orleans, Louisiana, and subsequently abstracted from within said letter a business check (drawn on Omni Bank) issued by “Gulf Coast After Hours” to Jeff Brumberger in the amount of \$6,460.00.
3. On or about March 15, 2008, the defendant, **GREGORY HERNANDEZ**, stole a letter out of a mailbox located at 4503 Prytania Street, New Orleans, Louisiana, and subsequently abstracted from within said letter a business check (drawn on Omni Bank) issued by “Gulf Coast After Hours” to Jeff Brumberger in the amount of \$4,165.00.
4. On or about June 25, 2010, the defendant, **GREGORY HERNANDEZ**, together with a co-conspirator whose identity is known to the U.S. Attorney (herein identified as “A.E.”), drove to the Capital One Boutte branch in Luling, Louisiana, where “A.E.” cashed a check which had been stolen previously by **HERNANDEZ** from a residential mailbox located on Jefferson Avenue in New Orleans, Louisiana. This check, dated June 24, 2010, had originally been issued by Adam Newman in the amount of \$1,000.00. Prior to “A.E.” cashing this check at Capital One, defendant **HERNANDEZ** had fraudulently: (a) removed and replaced the legitimate payee’s name with “A.E.’s” name; and (b) altered the face value of the check from \$1,000.00 to \$1,560.00.
5. On or about July 12, 2010, the defendant, **GREGORY HERNANDEZ**, and co-conspirator “A.E.” drove to the Capital One Boutte branch in Luling, Louisiana, where “A.E.” cashed a check which had been stolen previously by **HERNANDEZ** from a residential mailbox located on Jefferson Avenue in New Orleans, Louisiana. This check, dated July 10, 2010, had been originally issued by Jeffrey Rouse MD in the amount of \$2,830.00. Prior to “A.E.” cashing this check at Capital One, defendant **HERNANDEZ** had fraudulently removed and replaced the legitimate payee’s name with “A.E.’s” name.
6. On or about July 23, 2010, the defendant, **GREGORY HERNANDEZ**, and co-conspirator “A.E.” drove to the Capital One Boutte branch in Luling, Louisiana, where “A.E.” attempted to cash a check which had been stolen previously by **HERNANDEZ** from a residential mailbox located in New Orleans, Louisiana. This check, dated July 21, 2010, had been originally issued by Russell Willis. Prior to “A.E.” attempting to cash this check at Capital One, defendant **HERNANDEZ** had fraudulently: (a) removed and replaced the legitimate payee’s name with “A.E.’s” name; and (b) altered and increased the face value of the check to \$1,560.00.

All in violation of Title 18, United States Code, Section 1349.

COUNT 2

On or about January 31, 2009, in the Eastern District of Louisiana, the defendant, **GREGORY HERNANDEZ**, did attempt to obtain, steal and take from and out of a mail receptacle located at 7 Fontainebleau Drive, New Orleans, Louisiana, any letter and mail addressed to a resident of the apartment building located at 7 Fontainebleau Drive, New Orleans, Louisiana; in violation of Title 18, United States Code, Section 1708.

COUNT 3

On or about January 31, 2009, in the Eastern District of Louisiana, the defendant, **GREGORY HERNANDEZ**, did unlawfully have in his possession any letter, that is, a letter addressed to Bhanukira Sunkara, 2511 S. Carrollton Ave, Apt. 302, New Orleans, LA 70118, which the defendant had stolen, taken, embezzled and abstracted from a mail receptacle and letter box located at 2511 S. Carrollton Avenue, New Orleans, Louisiana, knowing the said letter to have been stolen, taken, embezzled and abstracted from United States mail; in violation of Title 18, United States Code, Section 1708.

COUNT 4

On or about June 11, 2009, in the Eastern District of Louisiana, the defendant, **GREGORY HERNANDEZ**, did steal and abstract from and out of a mail receptacle and letter box located at 4846 Magazine Street, New Orleans, Louisiana, a letter addressed to Kate Chadwick at 4846 Magazine Street, New Orleans, Louisiana; in violation of Title 18, United States Code, Section 1708.

COUNT 5

On or about June 11, 2009, in the Eastern District of Louisiana, the defendant, **GREGORY HERNANDEZ**, did unlawfully have in his possession an article or thing, that is, a business check

dated June 9, 2009, in the amount of \$265.68 payable to Southern Digital/Xerox and issued by English Turn Limited Partnership, which the defendant had stolen, taken, embezzled and abstracted from a first class letter addressed to Southern Digital/Xerox at 5221 Magazine Street, New Orleans, Louisiana, knowing the said business check to have been stolen, taken, embezzled and abstracted from United States mail; in violation of Title 18, United States Code, Section 1708.

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New Orleans, Louisiana
January 24, 2010