

Magistrate Judge Mary Alice Theiler

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AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,
Plaintiff,

v.

RODRIGO MOURA, and
MELANIE YODER,
Defendants.

MAGISTRATE'S DOCKET NO.
CASE NO. *MS 10-255*

COMPLAINT for Violation
Title 18 United States Code
Sections 371 and 1028(a)(1)

BEFORE Mary Alice Theiler, United States Magistrate Judge, Seattle, Washington.

COUNT 1

(Conspiracy to Commit Unlawful Production of Identification Documents)

A. The Offense

1. Beginning at a date uncertain, but within the last five years, and continuing through in or around September 2009, within the Western District of Washington and elsewhere, RODRIGO MOURA, MELANIE YODER, and others known and unknown, did knowingly and willfully combine, conspire, confederate and agree together to knowingly and without lawful authority produce identification documents in violation of Title 18, United States Code, Sections 1028(a)(1), 1028(b)(1)(A)(ii) and (B) and 2.

B. The Object of the Conspiracy

2. The object of the conspiracy was to obtain genuine Washington driver's licenses and personal identification cards for individuals who were not legally qualified to obtain a Washington driver's license or personal identification card.

1 **C. Background**

2 3. Washington state law provides that to apply for a driver's license or identification
3 card, an applicant must provide his or her: 1) name of record as established by proof of identity;
4 2) date of birth as established by satisfactory evidence of age; 3) sex; 4) Washington residence
5 address; 5) description; 6) driving licensing history, and; 7) any additional information required
6 by the department.

7 4. Washington state law further provides that for purposes of obtaining a valid
8 driver's license or identification card, a resident is a person who manifests an intent to live or be
9 located in the state on more than a temporary or transient basis. Evidence of residency includes:
10 1) becoming a registered voter in the state; 2) receiving benefits under one of the Washington
11 public assistance programs; 3) or declaring residency for purpose of obtaining a state license or
12 tuition fees at resident rates.

13 5. Washington state law does not authorize a licensing service representative to issue
14 a driver's license or identification card to an applicant who does not satisfy all of the criteria
15 listed above.

16 **D. Manner and Means of the Conspiracy**

17 6. It was part of the conspiracy that RODRIGO MOURA offered to obtain
18 Washington State drivers' licenses or personal identification cards for individuals who were not
19 legally qualified to obtain such documents.

20 7. It was further part of the conspiracy that RODRIGO MOURA would charge a fee
21 of approximately \$3,000.00 to assist individuals in obtaining Washington State drivers' licenses
22 or personal identification cards knowing those individuals were not legally qualified to obtain
23 such documents.

24 8. It was further part of the conspiracy that RODRIGO MOURA would transport the
25 individuals to the Bellevue, Washington Office of the Department of Licensing and instruct
26 them to contact DOL employee MELANIE YODER for assistance.

27 9. It was further part of the conspiracy that MELANIE YODER would process the
28 individuals' drivers' license applications or personal identification card applications knowing

1 those individuals were not legally qualified to obtain such documents.

2 10. It was further part of the conspiracy that RODRIGO MOURA would pay
3 MELANIE YODER a portion of the fee so that she would issue drivers' licenses and personal
4 identification cards to individuals who were not legally qualified to obtain such documents.

5 **E. Overt Acts**

6 11. Count 2 this Complaint is incorporated by reference herein and alleged as separate
7 overt acts in furtherance of the conspiracy and to accomplish one or more of its objects as if fully
8 set forth herein.

9 All in violation of Title 18, United States Code, Section 371 and Section 2.

10 **COUNT 2**

11 **(Unlawful Production of an Identification Document)**

12 On or about February 12, 2010, at Bellevue, within the Western District of Washington,
13 RODRIGO MOURA and MELANIE YODER, knowingly and without lawful authority, caused
14 the Washington State Department of Licensing to produce and transport in the mail, an
15 identification card in the name of J.R.R. number *****136DQ, and such production was in and
16 affecting interstate commerce.

17 All in violation of Title 18 United States Code, Sections 1028(a)(1), 1028(b)(1)(A)(ii)
18 and 2.

19 The undersigned complainant being duly sworn states:

20 I, DANIEL BENNETT, Affiant, being first duly sworn, state as follows:

21 1. I am a Special Agent with the Federal Bureau of Investigation (FBI), United States
22 Department of Justice and have been so employed for approximately eight years. As a Special
23 Agent, I have participated in numerous investigations involving Public Corruption and White
24 Collar Crime. During the course of my work as a Special Agent, I have conducted numerous
25 investigations involving public corruption, white collar crime and false identification documents.
26 I have investigated numerous individuals who have assumed false or stolen identities in order to
27 evade detection by law enforcement or to commit fraud. As a result, I am familiar with schemes
28 involving the production of identification documents. I am currently assigned to the Seattle

1 office of the FBI.

2 2. I make this affidavit in support of a Complaint charging RODRIGO MOURA and
3 MELANIE YODER with Conspiracy to Commit Unlawful Production of Identification
4 Documents in violation of Title 18, United States Code, Section 371, and Unlawful Production
5 of Identification Documents, in violation of Title 18, United States Code Section 1028(a)(1) and
6 1028(b)(1)(A)(ii) and (B). This affidavit is submitted solely for the purpose of establishing
7 probable cause for the complaint and does not purport to set forth all of my knowledge of, or
8 investigation into, the offense.

9 3. In September 2009, a confidential human source (CHS) reported that RODRIGO
10 MOURA, a Brazilian immigrant, was fraudulently obtaining Washington State Driver's Licenses
11 and/or Personal Identification Cards for individuals who did not meet Washington residency
12 requirements or were otherwise unqualified to obtain Washington identification documents.
13 According to the CHS, individuals fly to Washington State from all over the United States to
14 obtain a Washington State Identification card or license. The CHS claimed this is because
15 Washington state is one of only a few States that does not require proof of legal immigration
16 status. The CHS stated that once the customers arrive, MOURA picks them up at the airport and
17 drives them to a Kirkland, Washington motel. Once there, MOURA provides the individuals
18 with a driver's license exam questions and answers. The next day, MOURA transports them to
19 the Bellevue Office of the Department of Licensing. According to the CHS, MOURA works
20 with a female Department of Licensing employee. MOURA communicates with his DOL
21 contact to ensure the individual meets with her. Once the ID is issued, it is mailed to one of a
22 series of pre-arranged addresses where it is later retrieved by MOURA's associates. It is then
23 given to MOURA, who delivers it to the individual. MOURA informed the CHS that he pays
24 the DOL employee \$500.00 per ID. The CHS estimated that MOURA had arranged for
25 hundreds if not thousands of fraudulent ID's using his DOL contact.

26 4. The CHS is an undocumented immigrant who the FBI paid to assist with this
27 investigation. The FBI assisted the CHS with obtaining authorization to work in the United
28 States for one year in exchange for his assistance.

1 5. According to the CHS, he/she had supplied MOURA with addresses that were
2 used to deliver the fraudulently obtained drivers' licenses and identification cards. I know from
3 my training and experience that the Washington State Department of Licensing mails each
4 completed drivers license or personal identification card to the address listed on the application.
5 Therefore, any scheme to obtain drivers' licenses and/or personal identification cards requires a
6 supply of legitimate addresses.

7 6. The CHS provided me with a recent address used by RODRIGO for the delivery of
8 a personal identification card. I checked with the Washington State Department of Licensing,
9 Special Investigations Unit personnel, who confirmed the address provided by the CHS had
10 received an Washington State personal identification card around the time identified by the CHS.
11 The personal identification card delivered to the address had been issued by Department of
12 Licensing Service Representative (LSR) MELANIE SILAB YODER. A review of DOL
13 records for the month of June 2009, also indicated that she had issued forty-five Washington
14 drivers' licenses to individuals claiming to be from Brazil. According to Fred Bjornberg, of the
15 DOL Special Investigations Unit, this was an unusually high number of Brazilian immigrants for
16 one employee in such a short period of time.

17 7. On February 05, 2010, FBI Special Agents outfitted a second CHS (CHS #2) with
18 audio and video recording equipment. CHS #2 is a documented immigrant with work
19 authorization in the United States. He was paid to work for the FBI. The CHS was also carrying
20 false identification including a Mexican birth certificate, a Matricula Consular ID card and a
21 Mexican Driver's License. At approximately 12:36 p.m, CHS #2 entered the Bellevue Office of
22 the Department of Licensing, located at 13133 Bel Red Road, Bellevue Washington 98005. At
23 approximately 12:43 pm, CHS #2 made contact with an Asian female LSR, later identified as
24 MELANIE YODER at the "greeter's station," a position that DOL employees occupy to answer
25 general questions on how to obtain services at the DOL. YODER is heard on tape asking CHS
26 #2 "are you with Rodrigo?" to which CHS #2 answered "yeah." YODER questioned the validity
27 of the CHS's identification documents and said "none of this is going to work if you were to go
28 there now." YODER further advised CHS #2 that "you are going to have to wait until

1 tomorrow when I am on the counter, because if you were to wait... to go there right now, they are
2 going to make a comment on the document and you won't be able to do anything." After telling
3 CHS #2 what time the office opens and how crowded it is on Saturday, YODER advised CHS #2
4 that he should come in the next day at 8:30 a.m. and he/she should "get a number, if your
5 number is missed then that's when you can go to me..I don't know which counter yet....look for
6 me tomorrow, show your number and say "Oh, somebody called my number already" and that's
7 how I can help you...Otherwise if you show that document right now, they are going to say 'no'
8 to that and you can't even start taking your test." CHS #2 agreed and left the building.

9 8. On February 12, 2010, FBI Special Agents again outfitted CHS #2 with covert
10 audio and video recording equipment. The CHS was again carrying false identification
11 documents to include a Mexican birth certificate, a Matricula consular ID card and a Mexican
12 driver's license. The CHS again entered the Bellevue Office of the Department of Licensing to
13 attempt to purchase a Washington State ID card using these documents. FBI Agents discretely
14 observed this transaction. The CHS was assisted by YODER, between 2:07 p.m. and 2:15 p.m.

15 9. At one point during their interaction, YODER walked away from the counter area.
16 While she was away, MOURA called CHS #1 and told him YODER had just called and said
17 CHS #2 was at the DOL. MOURA stated that YODER also told him that CHS #2's documents
18 were fake and that she was nervous about issuing him an ID. MOURA told CHS #1 that
19 YODER would issue the license to CHS #2. A review of telephone records confirms that on
20 February 12, 2010 at 2:11 pm, there was a one minute telephone call from YODER'S cellular
21 telephone to MOURA'S cellular telephone.

22 10. Near the end of their encounter, CHS #2 can be heard asking YODER "The
23 money? Rodrigo or...?" to which the YODER replies "Yes....call him." CHS #2 left the
24 Department of Licensing with a temporary ID card in the name of the false identification
25 documents.


26 11. Approximately two hours later, CHS #2 met with MOURA at a Kirkland,
27 Washington parking lot. CHS #2 was again outfitted with audio and video recording equipment
28 and FBI Agents observed the meeting. CHS #2 entered MOURA's blue Ford Fusion and spoke

1 with MOURA. MOURA told CHS #3 that "she knew your documents were fake...and she got
2 scared." MOURA also stated that he told YODER that CHS #2 needed a valid ID to work and
3 that she should issue him the license. Later in the conversation, MOURA is seen on video
4 accepting \$3,000.00 in cash from CHS #2.

5 12. With the assistance of Special Investigations Unit, the FBI received the ID card
6 which had been mailed out to an address controlled by the FBI. The Special Investigations Unit
7 also supplied the Department of Licensing Record of Application for the CHS dated February
8 12, 2010. The LSR signature line clearly shows a signature of "Myoder" and a identification
9 number of "249," which, according to the DOL, is YODER's LSR identification number.

10 **CONCLUSION**

11 13. Based on the forgoing, I submit that RODRIGO MOURA and MELANIE YODER
12 have committed the crimes of Conspiracy to Commit Unlawful Production of Identification
13 Documents in violation of Title 18, United States Code, Section 371 and Unlawful Production of
14 Identification Documents in violation of Title 18, United States Code, Sections 1028(a)(1),
15 1028(b)(1)(A)(ii) and 2.

16 
17 DANIEL BENNETT, Affiant
18 Federal Bureau of Investigation

19 SUBSCRIBED and SWORN TO before me this 16th day of June, 2010 by Special Agent
20 Daniel Bennett.

21 
22 MARY ALICE THEILER
23 United States Magistrate Judge