



UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA

October 2019 Grand Jury

UNITED STATES OF AMERICA,

Plaintiff,

v.

TITO LOZADA,  
MERCEDES MONTANEZ,  
aka "Gloria Sanchez  
Rivera,"  
LUISA CAMARGO,  
aka "Wuendy Cardenas," and  
MARIA LUISA HENAO,

Defendants.

CR No. 2:19-CX-00680-JFW

I N D I C T M E N T

[18 U.S.C. § 1349: Conspiracy to  
Commit Wire Fraud; 18 U.S.C.  
§ 1029(a)(4): Possession of  
Device-Making Equipment]

The Grand Jury charges:

COUNT ONE

[18 U.S.C. § 1349]

[ALL DEFENDANTS]

A. INTRODUCTORY ALLEGATIONS

At times relevant to this Indictment:

1. Bank of America, N.A., JP Morgan Chase Bank, N.A., and  
Wells Fargo Bank, N.A., were financial institutions insured by the  
Federal Deposit Insurance Corporation.

1           2.     Customer account information for Bank of America, Chase  
2 Bank, and Wells Fargo was located on servers outside the State of  
3 California. Thus, anytime a customer withdrew money at a Bank of  
4 America, Chase Bank, or Wells Fargo branch, a computer at that bank  
5 branch would contact servers outside the State of California to  
6 retrieve data and permit or deny the withdrawal.

7           3.     Avis Car Rental was a subsidiary of Avis Budget Group,  
8 Inc., and the company maintained all rental contracts on servers in  
9 Salt Lake City, Utah, outside of the State of California. Thus,  
10 anytime a customer entered into a rental contract with Avis, Avis  
11 would contact servers outside the State of California.

12 B.     OBJECT OF THE CONSPIRACY

13           5.     Beginning on a date unknown to the Grand Jury, and  
14 continuing through at least on or about September 26, 2019, in Los  
15 Angeles County, within the Central District of California, and  
16 elsewhere, defendants TITO LOZADA, MERCEDES MONTANEZ, also known as  
17 ("aka") "Gloria Sanchez Rivera," LUISA CARMARGO, aka "Wuendy  
18 Cardenas," and MARIA LUISA HENAO, together with others known and  
19 unknown to the Grand Jury, knowingly conspired to commit wire fraud,  
20 in violation of Title 18, United States Code, Section 1343.

21 C.     MANNER AND MEANS OF THE CONSPIRACY

22           6.     The object of the conspiracy was to be accomplished, in  
23 substance, as follows:

- 24           a.     Defendant MONTANEZ would rent a vehicle from Avis.  
25           b.     Defendant LOZADA would drive the rental vehicle with  
26 defendants MONTANEZ and CAMARGO to identify and approach potential  
27 victims, usually middle-aged or elderly women.

28

1 c. Defendants LOZADA, HENAO, and MONTANEZ would initially  
2 approach victims and falsely state that he or she had winning lottery  
3 tickets and needed help cashing the tickets.

4 d. Defendants LOZADA and HENAO would pretend to contact  
5 lottery officials who were, in fact, co-conspirators who falsely,  
6 confirmed that the ticket was a winning ticket that could only be  
7 released with a deposit or fee.

8 e. Defendants LOZADA, HENAO, and CAMARGO, knowing the  
9 lottery ticket was worthless, would offer to help cash the ticket, in  
10 order to encourage victims to contribute money or jewelry for the  
11 ticket's deposit or fee.

12 f. Defendants LOZADA, HENAO, and CAMARGO would drive the  
13 victims to get money and other valuables from the victims' homes and  
14 to withdraw money from bank branches that defendants LOZADA, HENAO,  
15 and CAMARGO told the victims were for the ticket's deposit or fee.

16 g. Defendants LOZADA, HENAO, and CAMARGO would falsely  
17 tell victims to retrieve additional money from others for the  
18 ticket's deposit or fee and instead drive away and steal the victims'  
19 money and jewelry.

20 h. Defendants LOZADA, HENAO, and MONTANEZ communicated  
21 about the scheme and potential victims over WhatsApp.

22 i. Defendants LOZADA, MONTANEZ, and CAMARGO possessed  
23 lottery tickets and proceeds of the scheme in a rental car.

24 D. OVERT ACTS

25 6. In furtherance of the conspiracy and to accomplish its  
26 object, on or about the following dates, defendants LOZADA, HENAO,  
27 MONTANEZ, and CAMARGO, and others known and unknown to the Grand  
28 Jury, committed various overt acts within the Central District of



1 California, and elsewhere, including, but not limited to, the  
2 following:

3 Victim S.G.

4 Overt Act No. 1: On or before March 8, 2017, defendants  
5 LOZADA, HENAO, MONTANEZ, and CAMARGO traveled to Maywood, California.

6 Overt Act No. 2: On or about March 8, 2017, in Maywood,  
7 California, defendant HENAO falsely represented to victim S.G., a 76-  
8 year-old woman, that defendant HENAO had a winning lottery ticket.

9 Overt Act No. 3: On or about March 8, 2017, in Maywood,  
10 California, defendant CAMARGO pretended to overhear S.G.'s  
11 conversation with defendant HENAO and offered to help cash the  
12 purported winning lottery ticket, even though defendant CAMARGO knew  
13 that defendant HENAO's ticket was worthless.

14 Overt Act No. 4: On or about March 8, 2017, defendant HENAO  
15 told S.G. that defendant HENAO was calling the phone number listed on  
16 the lottery ticket to confirm the winning numbers, but defendant  
17 HENAO instead called a co-conspirator who falsely represented to S.G.  
18 that the lottery ticket in defendant HENAO's possession was a winning  
19 lottery ticket and that a cash payment was required to release the  
20 winning proceeds.

21 Overt Act No. 5: On or about March 8, 2017, defendants HENAO  
22 and CAMARGO drove S.G. to S.G.'s residence where S.G. collected  
23 valuable jewelry and approximately \$14,000 for defendants HENAO and  
24 CAMARGO that S.G. believed would be used to release lottery proceeds.

25 Overt Act No. 6: On or about March 8, 2017, defendants HENAO  
26 and CAMARGO drove S.G. to a residence and falsely told S.G. that  
27 someone would return with \$20,000 for S.G.  
28

1        Overt Act No. 7:        On or about March 8, 2017, in Maywood,  
2 California, defendants HENAO and CAMARGO left S.G. at that residence  
3 and stole the jewelry and approximately \$14,000 in cash that S.G. had  
4 given them.

5        Victim J.E.

6        Overt Act No. 8:        On or about October 6, 2018, defendants  
7 LOZADA and HENAO traveled to Vallejo, California, in the Northern  
8 District of California.

9        Overt Act No. 9:        On or about October 6, 2018, in Vallejo,  
10 California, defendant LOZADA falsely represented to victim J.E., a  
11 65-year-old woman, that defendant LOZADA had a winning lottery  
12 ticket.

13        Overt Act No. 10:        On or about October 6, 2018, defendant  
14 LOZADA told J.E. that he would call the lottery company to confirm  
15 the winning numbers, but instead called a co-conspirator who said  
16 that a payment was required to release the proceeds of the lottery  
17 ticket.

18        Overt Act No. 11:        On or about October 6, 2018, defendant  
19 LOZADA drove J.E. to a Safeway store in Vallejo, California, where  
20 J.E. withdrew approximately \$2,200 from her bank account at an  
21 automated teller machine for defendant LOZADA that J.E. believed  
22 would be used to release lottery proceeds.

23        Overt Act No. 12:        On or about October 6, 2018, defendant HENAO  
24 acted as a "lookout" at the Safeway store in Vallejo, California.

25        Overt Act No. 13:        On or about October 6, 2018, in Vallejo,  
26 California, defendants LOZADA and HENAO stole the jewelry and  
27 approximately \$2,200 in cash that J.E. had given them.

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1        Victim R.B.

2        Overt Act No. 14:    On or about March 21, 2019, defendant HENAO  
3 traveled to Chula Vista, California, within the Southern District of  
4 California.

5        Overt Act No. 15:    On or about March 21, 2019, in Chula Vista,  
6 California, a co-conspirator identified herself as "Teresa" to victim  
7 R.B., a 73-year-old woman, and falsely claimed to have a winning  
8 lottery ticket.

9        Overt Act No. 16:    On or about March 21, 2019, defendant HENAO  
10 identified herself as "Rosa Morales" to R.B. and falsely represented  
11 that defendant HENAO was a social worker who could help cash  
12 "Teresa's" lottery ticket.

13        Overt Act No. 17:    On or about March 21, 2019, defendant HENAO  
14 told R.B. that defendant HENAO was calling the phone number on the  
15 lottery ticket to confirm it was a winning ticket, but defendant  
16 HENAO instead called a co-conspirator who told R.B. that the lottery  
17 ticket was real and that a cash payment was needed to release the  
18 lottery proceeds.

19        Overt Act No. 18:    On or about March 21, 2019, defendant HENAO  
20 and the co-conspirator who identified herself as "Teresa," drove R.B.  
21 to a Wells Fargo Bank located in Chula Vista, California where R.B.  
22 removed approximately \$14,000 from her safety deposit box and gave it  
23 and another approximately \$2,000 to defendant HENAO and the co-  
24 conspirator.

25        Overt Act No. 19:    On or about March 21, 2019, in Chula Vista,  
26 California, the co-conspirator who identified herself as "Teresa"  
27 grabbed victim R.B. and tried to pull her back inside defendant  
28

1 HENAO's vehicle as R.B. was attempting to escape with approximately  
2 \$16,000 that belonged to the victim.

3 Victim M.A.

4 Overt Act No. 20: On or about April 1, 2019, in Hawaiian  
5 Gardens, California, defendant MONTANEZ falsely represented to victim  
6 M.A., a 67-year-old woman, that defendant MONTANEZ had a lottery  
7 ticket, but had not yet checked the numbers.

8 Overt Act No. 21: On or about April 1, 2019, defendant LOZADA  
9 told M.A. that defendant LOZADA was calling the phone number on  
10 defendant MONTANEZ's lottery ticket; defendant LOZADA instead called  
11 a co-conspirator who falsely said that the lottery ticket was worth  
12 one million dollars, but that proceeds would be taxed.

13 Overt Act No. 22: On or about April 1, 2019, defendant LOZADA  
14 falsely told M.A. that if the lottery commission received a \$30,000  
15 fee upfront, the winning lottery ticket would not be taxed.

16 Overt Act No. 23: On or about April 1, 2019, defendant LOZADA  
17 drove M.A. to M.A.'s house where M.A. retrieved approximately \$2,600  
18 for defendant LOZADA to pay the fee for the lottery ticket.

19 Overt Act No. 24: On or about April 1, 2019, defendant LOZADA  
20 drove M.A. to a Bank of America branch in Cerritos, California, where  
21 M.A. withdrew approximately \$10,000 from her account and gave it to  
22 defendant LOZADA to, as M.A. believed, pay the fee for the lottery  
23 ticket.

24 Overt Act No. 25: On or about April 1, 2019, defendant LOZADA  
25 drove M.A. to another Bank of America branch in Cerritos, California,  
26 where M.A. withdrew another approximately \$10,000 from her account  
27 and also gave it to defendant LOZADA to, as M.A. believed, pay the  
28 fee for the lottery ticket.



1        Overt Act No. 26:    On or about April 1, 2019, defendant LOZADA  
2 dropped off M.A. at an apartment complex and falsely told her that a  
3 woman in the apartment would give them another \$8,000 for the fee for  
4 the lottery ticket.

5        Overt Act No. 27:    On or about April 1, 2019, defendant LOZADA  
6 left M.A. at that apartment complex and stole the approximately  
7 \$22,600 in cash that M.A. had given him.

8        Communications over WhatsApp

9        Overt Act No. 28:    On or about July 20, 2019, defendant  
10 MONTANEZ sent a WhatsApp message in the Spanish language to defendant  
11 LOZADA stating, in substance, the following: "This lady has" followed  
12 by pictures of four money bags.

13        Overt Act No. 29:    On or about July 24, 2019, defendant HENAO  
14 sent a WhatsApp message in the Spanish language to defendant LOZADA  
15 stating, in substance, the following: "It's time for Martha to arrive  
16 to make money and travel."

17        Overt Act No. 30:    On or about August 1, 2019, defendant HENAO  
18 sent a WhatsApp message in the Spanish language to defendant LOZADA  
19 stating, in substance, the following: "We did a job but the one with  
20 the money was the husband."

21        Victim A.T.

22        Overt Act No. 31:    On or before September 16, 2019, defendants  
23 LOZADA, MONTANEZ, and CAMARGO traveled to San Pedro, California.

24        Overt Act No. 32:    On or about September 16, 2019, in San  
25 Pedro, California, defendant MONTANEZ falsely told victim A.T., a 64-  
26 year-old woman, that defendant MONTANEZ had a winning lottery ticket.

27        Overt Act No. 33:    On or about September 16, 2019, defendant  
28 CAMARGO, in front of A.T. and pretending not to know defendant



1 MONTANEZ, offered to help defendant MONTANEZ redeem the winning  
2 lottery ticket, even though defendant CAMARGO knew that the ticket  
3 was worthless.

4 Overt Act No. 34: On or about September 16, 2019, defendant  
5 CAMARGO falsely told A.T. that defendant CAMARGO was calling a  
6 lottery official, but defendant CAMARGO instead called a co-  
7 conspirator who falsely confirmed that the ticket was a winning  
8 ticket and that a \$20,000 deposit was needed to cash the ticket.

9 Overt Act No. 35: On or about September 16, 2019, defendants  
10 MONTANEZ and CAMARGO accepted approximately \$14,000 from A.T. that  
11 A.T. believed was for the deposit on a winning lottery ticket.

12 Overt Act No. 36: On or about September 16, 2019, in San  
13 Pedro, California, defendants MONTANEZ and CAMARGO drove victim A.T.  
14 to a residence and told A.T. to retrieve another \$6,000 from the  
15 resident for the deposit on the lottery ticket.

16 Overt Act No. 37: On or about September 16, 2019, in San  
17 Pedro, California, defendants MONTANEZ and CAMARGO left victim A.T.  
18 at that residence and stole the approximately \$14,000 in cash that  
19 A.T. had given them.

20 Attempted Fraud

21 Overt Act No. 38: On or about August 21, 2019, defendant  
22 MONTANEZ rented a gray Dodge Journey vehicle with California license  
23 plate 8JCZ203 (the "Dodge") from Avis, using the alias "Gloria  
24 Sanchez Rivera."

25 Overt Act No. 39: On or about September 19, 2019, defendant  
26 LOZADA drove the Dodge with defendants MONTANEZ and CAMARGO to  
27 Ontario, California.

28

1        Overt Act No. 40:    On or about September 19, 2019, in Ontario,  
2 California, defendant MONTANEZ contacted an elderly female.

3        Overt Act No. 41:    On or about September 20, 2019, defendant  
4 LOZADA drove the Dodge with defendants MONTANEZ and CAMARGO to El  
5 Monte, California.

6        Overt Act No. 42:    On or about September 20, 2019, in or around  
7 El Monte, California, defendants MONTANEZ and CAMARGO contacted  
8 multiple elderly females.

9        Victim M.C.

10       Overt Act No. 43:    On or about September 26, 2019, defendant  
11 LOZADA drove the Dodge with defendants MONTANEZ and CAMARGO to Long  
12 Beach, California.

13       Overt Act No. 44:    On or about September 26, 2019, in Long  
14 Beach, California, defendant MONTANEZ falsely represented to victim  
15 M.C., a 67-year-old woman, that defendant MONTANEZ had a winning  
16 lottery ticket.

17       Overt Act No. 45:    On or about September 26, 2019, in Long  
18 Beach, California, defendant CAMARGO pretended to overhear M.C.'s  
19 conversation with defendant MONTANEZ and offered to help cash the  
20 lottery ticket, even though defendant CAMARGO knew the ticket was  
21 worthless.

22       Overt Act No. 46:    On or about September 26, 2019, defendant  
23 MONTANEZ told M.C. that defendant MONTANEZ was calling the phone  
24 number on the lottery ticket, but instead defendant MONTANEZ called a  
25 co-conspirator who falsely represented to M.C. that the lottery  
26 ticket in defendant MONTANEZ's possession was a winning lottery  
27 ticket and that the lottery company needed a \$15,000 fee to process  
28 the ticket.



1           Overt Act No. 47:    On or about September 26, 2019, defendants  
2 MONTANEZ and CAMARGO drove M.C. in the Dodge to a Chase Bank branch  
3 in Long Beach, California, where M.C. withdrew approximately \$1,369  
4 for what she believed was the lottery ticket processing fee.

5           Overt Act No. 48:    Defendant MONTANEZ accepted victim M.C.'s  
6 approximately \$1,369.

7           Overt Act No. 49:    Defendant MONTANEZ drove victim M.C. in the  
8 Dodge to a residence and falsely told M.C. that the resident would  
9 also contribute money towards the lottery ticket processing fee.

10          Overt Act No. 50:    On or about September 26, 2019, defendants  
11 MONTANEZ and CAMARGO left victim M.C. at that residence and stole the  
12 approximately \$1,369 in cash that M.C. had given them.

13          Overt Act No. 51:    On or about September 26, 2019, in Long  
14 Beach, California, defendants LOZADA, MONTANEZ, and CAMARGO possessed  
15 in the Dodge lottery tickets and thousands of dollars in cash.

COUNT TWO

[DEFENDANT LOZADA]

[18 U.S.C. § 1029(a)(4)]

On or about September 26, 2019, in Los Angeles County, within the Central District of California, defendant TITO LOZADA, knowingly and with intent to defraud, had control and custody of, and possessed, device-making equipment (as defined in Title 18, United States Code, Section 1029(e)(6)), namely, a Deftun model MSR605 credit card reader/writer, with said control, custody, and possession affecting interstate and foreign commerce.

A TRUE BILL

*/s/*

\_\_\_\_\_  
Foreperson

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