

FILED

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

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CLERK US DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA FLORIDA

UNITED STATES OF AMERICA

v.

CASE NO. 8:19 cr 328 T35-AEP

18 U.S.C. § 1956(h)

18 U.S.C. § 2315

NICHOLAS PELLEGRINO

INDICTMENT

~~SEALED~~

The Grand Jury charges:

COUNT ONE

(Money Laundering Conspiracy—18 U.S.C. § 1956(h))

A. Introduction

At times relevant to this Indictment:

1. A “call center” was an organization, typically located in India, staffed by individuals who made telephone calls to potential victims, often residing in the United States, and caused those victims to send money to the defendants and other conspirators by using false and fraudulent means, including Internal Revenue Service (“IRS”) Impersonation Fraud and Payday Loan Fraud.

a. IRS Impersonation Fraud: India-based call centers impersonated IRS officers and misled U.S. residents to believe that they owed

~~SEALED~~

money to the IRS and would be arrested and fined if they did not pay their alleged back taxes immediately.

b. Payday Loan Fraud: India-based call centers misled U.S. residents to believe that the callers were loan officers and that the U.S. residents were eligible for fictitious “payday loans” (small, short-term, unsecured loans wherein repayment is generally linked to a borrower's next paycheck or regular income payment, such as a social security check). The India-based callers caused the U.S. residents to pay upfront “worthiness fees” to demonstrate an ability to repay the loans. The victims received nothing in return.

2. Defendant NICHOLAS PELLEGRINO, who lived in the Middle District of Florida, retrieved fraudulently-obtained cash payments made by victims via money transmitter services such as Western Union and MoneyGram and deposited fraud proceeds into third party bank accounts, or returned cash proceeds to other conspirators, as directed.

B. The Conspiracy

3. Beginning on an unknown date, but no later than in or around June 2015, and continuing through at least in or around August 2015, in the Middle District of Florida and elsewhere, the defendant,

NICHOLAS PELLEGRINO,

along with N.P. and B.D., did knowingly combine, conspire, confederate, and agree with each other and others, both known and unknown to the Grand Jury, to commit offenses against the United States, to wit:

a. knowing that the property involved in a financial transaction represented the proceeds of some form of unlawful activity, did conduct, and attempt to conduct, a financial transaction, which in fact involved the proceeds of specified unlawful activity, that is, wire fraud, in violation of 18 U.S.C. § 1343, with the intent to promote the carrying on of specified unlawful activity, in violation of 18 U.S.C. § 1956(a)(1)(A)(i); and

b. knowing that the property involved in a financial transaction represented the proceeds of some form of unlawful activity, did conduct, and attempt to conduct, a financial transaction, which in fact involved the proceeds of specified unlawful activity, that is, wire fraud, in violation of 18 U.S.C. § 1343, knowing that the transaction was designed in whole or in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of specified unlawful activity, in violation of 18 U.S.C. § 1956(a)(1)(B)(i).

C. Manner and Means of the Conspiracy

4. The manner and means by which the conspirators sought to accomplish the objects of the conspiracy included, among others, the following:

a. It was a part of the conspiracy that the conspirators would and did engage in a scheme to extract money from victims by telephoning them and making false and fraudulent misrepresentations;

b. It was further a part of the conspiracy that conspirators would and did at times falsely and fraudulently represent themselves to be U.S. government officials, and would and did obtain money from said victims by threatening victims with prosecution and/or arrest for purported tax violations unless the victims paid alleged fines or fees immediately;

c. It was further a part of the conspiracy that conspirators would and did at times falsely and fraudulently represent themselves to be loan officers, and would and did obtain money from said victims by falsely representing to the victims that they had qualified for a loan that would be funded upon the payment of advanced fees;

d. It was further a part of the conspiracy that conspirators would and did direct and instruct victims to transmit money to the defendant and/or other conspirators using one or more wire transmitter services;

e. It was further a part of the conspiracy that the defendant and/or other conspirators would and did retrieve from the money transmitter services the fraudulently-obtained funds wired by the victims;

f. It was further a part of the conspiracy that conspirators would and did direct and cause victims to transfer funds via interstate wire transfers, which conspirators converted to cash for various purposes, including to conceal from law enforcement agencies and financial institutions the identities of the victims, the nature of the financial transactions, and the sources of the fraud proceeds;

g. It was further a part of the conspiracy that the defendant and/or other conspirators would and did provide the fraud proceeds to other conspirators in cash, so the proceeds could be concealed and further divided as directed by coconspirators;

h. It was further a part of the conspiracy that conspirators would and did transfer, or cause to be transferred, funds utilizing interstate and foreign wire communications;

i. It was further a part of the conspiracy that conspirators would and did share in the fraud proceeds, usually receiving percentages commensurate with their respective roles, for their personal enrichment and entertainment;

j. It was further a part of the conspiracy that conspirators would and did use some of the fraud proceeds to promote and perpetuate the scheme; and

k. It was further a part of the conspiracy that conspirators would and did engage in multiple meetings, perform acts, and make statements to promote and achieve the objects of the conspiracy and to misrepresent, hide, and conceal, and cause to be misrepresented, hidden, and concealed, the purpose of the conspiracy and the acts committed in furtherance thereof.

In violation of 18 U.S.C. § 1956(h).

COUNT TWO
(Receipt of Stolen Property—18 U.S.C. § 2315)

On or about August 2, 2015, in the Middle District of Florida, and elsewhere, the defendant,

NICHOLAS PELLEGRINO,

did receive, possess, conceal, store, and dispose of monies of a value of \$5,000 or more, knowing the same to have been stolen, unlawfully converted, or taken, and which monies had crossed a State boundary after being stolen, unlawfully converted, or taken, to wit, said monies being stolen

in or around July 2015, in the states of Ohio, New Jersey, and Texas, and subsequently brought into the state of Florida.

In violation of 18 U.S.C. §§ 2315 and 2.

FORFEITURE

1. The allegations contained in Counts One and Two of this Indictment are incorporated by reference for the purpose of alleging forfeitures pursuant to 18 U.S.C. §§ 981(a)(1)(C), 982(a)(1), and 28 U.S.C. § 2461(c).

2. Upon conviction of a violation of 18 U.S.C. § 1956(h) the defendant,

NICHOLAS PELLEGRINO,

shall forfeit to the United States of America, pursuant to 18 U.S.C. § 982(a)(1), any property, real or personal, involved in such offense, or any property traceable to such property.

3. Upon conviction of a violation of 18 U.S.C. § 2315 the defendant,

NICHOLAS PELLEGRINO,

shall forfeit to the United States of America, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, any property, real or personal, which constitutes or is derived from proceeds of the offense.

4. The property subject to forfeiture includes, but is not limited to:

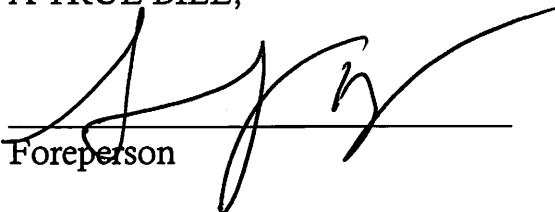
- a. an order of forfeiture in the amount of approximately \$299,633.83 in United States currency, which represents proceeds obtained from the offenses and/or the amount involved in the offenses.

5. If any of the property described above, as a result of any act or omission of the defendant:

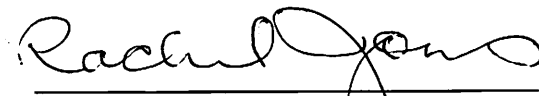
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

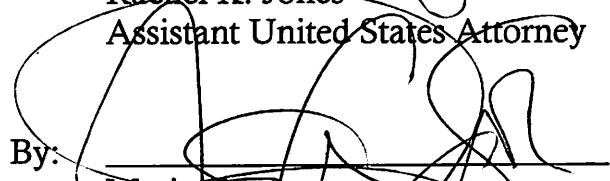
the United States of America shall be entitled to forfeiture of substitute property under the provisions of 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 982(b)(1) and 28 U.S.C. § 2461(c).

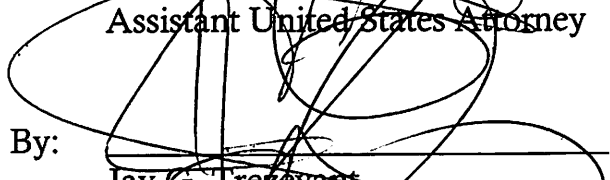
A TRUE BILL,


Foreperson

MARIA CHAPA LOPEZ
United States Attorney

By: 
Rachel K. Jones
Assistant United States Attorney

By: 
Maria Guzman
Assistant United States Attorney

By: 
Jay G. Trezevant
Assistant United States Attorney
Chief, Economic Crimes Section

No.

UNITED STATES DISTRICT COURT
Middle District of Florida
Tampa Division

THE UNITED STATES OF AMERICA

vs.

NICHOLAS PELLEGRINO

INDICTMENT

Violations: 18 U.S.C. §§ 1956(h), 2315

A true bill,



Foreperson

Filed in open court this 7th day
of August 2019.

Clerk

Bail \$ _____
