

SEALED

MAR 4 2016

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

UNITED STATES OF AMERICA

v.

RAMIRO ASCENCIO NEVAREZ,

Defendant.

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CRIMINAL NO.

UNDER SEAL

M-16-0252

INFORMATION

The United States charges that:

General Allegations

1. "The Foreign Public University" was a public state university of "Foreign State," one of the thirty-one states that comprise Mexico. The Foreign Public University was controlled by Foreign State and performed a public function of Foreign State. Thus, the Foreign Public University was an "agency" and "instrumentality" of a "foreign government," as those terms are used in the Foreign Corrupt Practices Act ("FCPA"), Title 15, United States Code, Section 78dd-2(h)(2).

2. The defendant, **RAMIRO ASCENCIO NEVAREZ ("ASCENCIO")**, was an employee of The Foreign Public University with responsibility for maintaining The Foreign Public University's aircraft from at least in or around 2012 through in or around January 2016. Thus, from at least in or around 2012 through in or around January 2016, **ASCENCIO** was a "foreign official," as that term is used in the FCPA, Title 15, United States Code, Section 78dd-2(h)(2).

3. "Aviation Corporation A" was a United States company, headquartered in the Southern District of Texas, which provided maintenance, repair, overhaul, and related services to

customers in the United States and Mexico, including to The Foreign Public University. Thus, at all relevant times, Aviation Corporation A was a “domestic concern,” as that term is used in the FCPA, Title 15, United States Code, Section 78dd-2(h)(1).

4. “Executive 1” was a citizen of the United States and a resident of Texas. Executive 1 was an employee of Aviation Corporation A from in or around 1975 to at least in or around January 2016. Thus, at all relevant times, Executive 1 was a “domestic concern” and an officer, employee, and agent of a “domestic concern,” as those terms are used in the FCPA, Title 15, United States Code, Section 78dd-2(h)(1).

5. “Executive 2” was a citizen of the United States and a resident of Texas. Executive 2 was the Director of Maintenance of Aviation Corporation A from in or around 1978 through at least in or around January 2016. Thus, at all relevant times, Executive 2 was a “domestic concern” and an officer, employee, and agent of a “domestic concern,” as those terms are used in the FCPA, Title 15, United States Code, Section 78dd-2(h)(1).

COUNT 1
Conspiracy to Commit Money Laundering
(18 U.S.C. § 1956(h))

6. From in or around 2012 through in or around May 2015, the exact dates being unknown, in the Southern District of Texas and elsewhere, the defendant,

RAMIRO ASCENCIO NEVAREZ,

knowingly did combine, conspire, confederate, and agree with others known and unknown, including Executive 1 and others, to engage in monetary transactions by, through, and to a financial institution, in and affecting interstate commerce, in criminally derived property that was of a value greater than \$10,000, that is, the deposit, withdrawal, transfer and exchange of United States currency, funds and monetary instruments, such property having been derived from specified

unlawful activity, namely, violations of the Foreign Corrupt Practices Act, Title 15 United States Code, Section 78dd-2, in violation of Title 18 United States Code, Section 1957.

Manner and Means of the Conspiracy

10. The manner and means by which defendant **ASCENCIO** and his co-conspirators sought to accomplish the purpose and object of the conspiracy included, among other things, the following:

11. Defendant **ASCENCIO**, together with others, including Executive 1 and Executive 2, discussed the payment of bribes to Defendant **ASCENCIO** in exchange for Defendant **ASCENCIO**'s assistance in obtaining and retaining business with The Foreign Public University for Aviation Corporation A.

12. Defendant **ASCENCIO**, together with others, including Executive 1 and Executive 2, agreed that Aviation Corporation A, Executive 1, Executive 2, and others would pay bribes to Defendant **ASCENCIO** in order to obtain and retain business with The Foreign Public University.

13. Defendant **ASCENCIO** assisted Aviation Corporation A, Executive 1, Executive 2, and others in obtaining and retaining business with The Foreign Public University as a result of the bribery scheme.

14. Defendant **ASCENCIO**, together with others, including Executive 1 and Executive 2, caused the Foreign Public University to make payments to the bank accounts of Aviation Corporation A for goods and services procured as a result of the bribery scheme.

15. Defendant **ASCENCIO**, together with others, including Executive 1, agreed to use the proceeds of the bribery scheme, and did use the proceeds of the bribery scheme, to engage in monetary transactions from U.S. bank accounts that were of a value greater than \$10,000,

including by depositing those proceeds into Defendant **ASCENCIO**'s bank account in the Southern District of Texas.

16. Defendant **ASCENCIO**, together with others, including Executive 1 and Executive 2, attempted to conceal the corrupt scheme by creating fake commission agreements between Defendant **ASCENCIO** and Aviation Corporation A to justify the payments.

All in violation of Title 18, United States Code, Section 1956(h).

FORFEITURE ALLEGATION
18 U.S.C. § 982(a)(1)

As a result of committing one or more of the offenses charged in Counts 1 of this Information, the defendant, **RAMIRO ASCENCIO NEVAREZ**, shall forfeit to the United States, pursuant to Title 18, United States Code, 981(a)(1)(C) and Title 28, United States Code, Section 2461, all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of these offenses, and all property traceable to such property.

Property Subject to Forfeiture

Defendant is notified that the property subject to forfeiture includes, but is not limited to, approximately \$138,234.60 in U.S. currency.

Money Judgment

Defendant is notified that in the event of conviction, a money judgment may be imposed equal to the total value of the property subject to forfeiture.

Substitute Assets

Defendant is notified that in the event that property subject to forfeiture, as a result of any act or omission of 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;

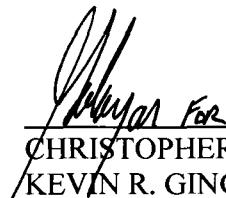
(D) has been substantially diminished in value; or


(E) has been commingled with other property that cannot be divided without difficulty,

the United States will seek to forfeit any other property of the defendant up to the total value of the property subject to forfeiture pursuant to Title 21, United States Code, Section 853(p), as incorporated by reference in Title 18, United States Code, Section 982(b)(1).

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