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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

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UNITED STATES OF AMERICA	:	Hon. Michael A. CLERK U.S. DISTRICT COURT - DNJ
	:	
v.	:	Crim. No. 23-639
	:	
BILLY CASTRO	:	<u>COUNT ONE</u>
	:	21 U.S.C. § 846
	:	(Fentanyl Conspiracy)
	:	
	:	<u>COUNT TWO</u>
	:	21 U.S.C. § 841
	:	(Fentanyl Distribution)
	:	
	:	<u>COUNT THREE</u>
	:	18 U.S.C. § 1349
	:	(Conspiracy to Commit Wire
	:	Fraud)

I N F O R M A T I O N

The defendant having waived in open court prosecution by Indictment, the United States Attorney for the District of New Jersey charges:

COUNT ONE

(Conspiracy to Distribute and Possess with Intent to Distribute Fentanyl)

From in or around May 2021 through in or around June 2021, in Passaic County, in the District of New Jersey and elsewhere, the defendant,

BILLY CASTRO,

did knowingly and intentionally conspire and agree with others to distribute and possess with intent to distribute a quantity of a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, contrary to Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

In violation of Title 21, United States Code, Section 846.

COUNT TWO

(Possession with Intent to Distribute Fentanyl)

On or about June 15, 2021, in Passaic County, in the District of New Jersey and elsewhere, the defendant,

BILLY CASTRO,

did knowingly and intentionally possess with intent to distribute a quantity of a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

COUNT THREE

(Conspiracy to Commit Wire Fraud)

1. At all times relevant to the charge contained in Count Three of this Information, defendant BILLY CASTRO (“CASTRO”) was a resident of Queens, New York.

The Conspiracy

2. From in or around May 2020 through in or around April 2023, in Bergen County, in the District of New Jersey, and elsewhere, the defendant,

BILLY CASTRO,

knowingly and intentionally conspired and agreed with others to devise a scheme and artifice to defraud, and to obtain money and property by means of false and fraudulent pretenses, representations, and promises, and for the purpose of executing such scheme and artifice to defraud, did knowingly transmit and cause to be transmitted by means of wire communications in interstate and foreign commerce, certain writings, signs, signals, pictures, and sounds, contrary to Title 18, United States Code, Section 1343.

Goal of the Conspiracy

3. The goal of the conspiracy was for CASTRO and his co-conspirators to unlawfully enrich themselves by defrauding state government entities of unemployment benefits (“Unemployment Benefits”).

Manner and Means of the Conspiracy

4. It was part of the conspiracy that:

a. CASTRO and others conspired to defraud states of Unemployment Benefits by using the personally identifying information (“Victim PII”) of numerous victims (the “Victims”) to create fictitious user profiles of individuals seeking Unemployment Benefits. The Victim PII included names, dates of birth, social security numbers, and other information. The fictitious user profiles that CASTRO and his co-conspirators created also included email addresses, phone numbers, and mailing addresses (including in New Jersey) that allegedly belonged to the Victims, but in fact were either fictitious or used by CASTRO and his co-conspirators in order to execute the scheme.

b. Once the fraudulent Unemployment Benefits applications were approved, CASTRO and his co-conspirators obtained the funds using debit cards that were either: (a) directly loaded with the benefits through regular installment payments, or (b) linked to bank accounts that received the benefits by direct deposits.

c. CASTRO and his co-conspirators then used the debit cards to withdraw cash from ATMs, including in New Jersey, or to make purchases.

d. For example, personally identifying information for a victim (“Victim-1”) was used to fraudulently obtain approximately \$40,150 in Unemployment Benefits from the Pennsylvania Department of Labor (the “PA DOL”). When CASTRO was arrested on or about June 15, 2021 for the offenses charged in Counts One and Two of this Information, CASTRO possessed records and material containing Victim-1’s PII, including a debit card (“Card-1”) containing PA DOL Unemployment Benefits for Victim-1. CASTRO and his co-conspirators had

used Card-1 to, among other things, withdraw cash from ATMs in or around Hackensack, New Jersey. In addition, the PA DOL identified that two internet protocol (“IP”) addresses associated with multiple of CASTRO’s co-conspirators in or around the Bronx, New York had been used to access Victim-1’s Unemployment Benefits application.

e. In addition, personally identifying information for another victim (“Victim-2”) was used to fraudulently obtain approximately \$18,427 in Unemployment Benefits from the PA DOL. At the time of his arrest, discussed above, CASTRO possessed records and material containing Victim-2’s PII, including a debit card (“Card-2”) used to obtain PA DOL benefits for Victim-2. CASTRO and his co-conspirators had used Card-2 to, among other things, withdraw cash from ATMs in or around Hackensack, New Jersey; Lodi, New Jersey; and Fairfield, New Jersey. Those ATM transactions were processed via interstate wires that passed through New Jersey. In addition, the PA DOL identified that an IP address associated with multiple of CASTRO’s co-conspirators in or around the Bronx, New York had been used to access Victim-2’s Unemployment Benefits application.

In violation of Title 18, United States Code, Section 1349.

FORFEITURE ALLEGATION AS TO COUNTS ONE AND TWO

1. Pursuant to Title 21, United States Code, Section 853, upon conviction of the controlled substance offenses alleged in Counts One and Two of this Information, the defendant,

BILLY CASTRO,

shall forfeit to the United States any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of violating Title 21, United States Code, Sections 846, 841(a)(1), and 841(b)(1)(C), and any property used or intended to be used in any manner or part to commit and to facilitate the commission of the offenses alleged in Counts One and Two of this Information.

FORFEITURE ALLEGATION AS TO COUNT THREE

2. As a result of committing the offense charged in Count Three of this Information, the defendant,

BILLY CASTRO,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any property, real or personal, constituting or derived from proceeds traceable to the violation of Title 18, United States Code, Section 1349 alleged in Count Three of this Information.

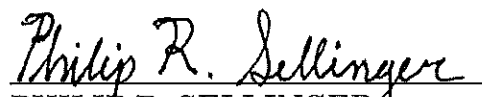
SUBSTITUTE ASSETS PROVISION
(Applicable to All Forfeiture Provisions)

3. 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 shall be entitled, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 982(b), to forfeiture of any other property of the defendant up to the value of the above-described forfeitable property.


PHILIP R. SELLINGER
United States Attorney

CASE NUMBER: 23-639 (MAS)

**United States District Court
District of New Jersey**

UNITED STATES OF AMERICA

v.

BILLY CASTRO

INFORMATION FOR

21 U.S.C. § 846
21 U.S.C. §§ 841(a)(1) and (b)(1)(C)
18 U.S.C. § 1349

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