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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

AT 8:30 _____ M
CLERK, U.S. DISTRICT COURT - DNJ

UNITED STATES OF AMERICA	:	Criminal No. 23- 335 (ES)
	:	
v.	:	
	:	
HECTOR CLAVERIA	:	18 U.S.C. § 1956(h)
	:	18 U.S.C. § 1956(a)(2)(B)
	:	18 U.S.C. § 2

INDICTMENT

The Grand Jury in and for the District of New Jersey, sitting in Camden,
charges:

COUNT ONE

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

The Defendant and his Co-Conspirator

1. At all times relevant to this Indictment:

a. Defendant HECTOR CLAVERIA was a resident of the State of
New York.

b. Co-Conspirator 1 (“Conspirator 1”), who was a co-
conspirator but not named as a defendant herein in, was an Indian citizen
living in India.

c. HECTOR CLAVERIA held multiple personal and business
bank accounts at various banks, whose deposits were insured by the Federal
Deposit Insurance Corporation, which were controlled by defendant CLAVERIA,
including the following:

- 1) Account at Financial Institution 1 ending in 7695;

- 2) Account at Financial Institution 1 ending in 5777
- 3) Account at Financial Institution 1 ending in 9255;
- 4) Account at Financial Institution 1 ending in 2943;
- 5) Account at Financial Institution 1 ending in 3089;
- 6) Account at Financial Institution 2 ending in 4377;
- 7) Account at Financial Institution 2 ending in 4539;

Manner and Means of the Conspiracy

2. As part of the conspiracy, individuals operating call centers overseas, typically India, called elderly victims in the United States by way of an automated, previously recorded call, commonly referred to as a “robocall.” The robocalls purported to be from a U.S. Government or law enforcement agency, such as, the Social Security Administration, the Internal Revenue Service, or the Federal Bureau of Investigation, and conveyed alarming messages. Those messages included, that the victim’s Social Security number or other personal information had been compromised, or the victim was otherwise connected to an investigation involving criminal activity. In reality, the consumer was neither under investigation nor in legal jeopardy.

3. It was further part of the conspiracy that, when a victim answered one of these robocalls, the callers would convince the victim they were speaking with a government official or law enforcement agent. The callers then tricked or coerced the victims into sending cash to an address, supposedly belonging to a law enforcement or government agency, that the conspirators controlled.

4. It was further part of the conspiracy for conspirators commonly to employ another technique involving refund fraud and remote computer access. In this scenario, a robocall was made to the victim or a pop-up window appeared on the victim's computer displaying a phone number to call for "internet technical support services." Once the callers had contact with the victim, there were a variety of schemes used by the callers to convince the victim to grant access to their computer.

5. It was further part of the conspiracy that, once a victim granted the callers access to the victim's computer, the callers would access the victims' bank accounts. The caller routinely misled the victims by making it appear as though the caller accidentally added money to the victims' bank account. The caller then convinced the victim that they must send the money back via wire transfer and/or cash in the mail.

6. It was further part of the conspiracy that other members of the conspiracy, commonly referred to as "money mules," would then pick up the cash shipments.

7. It was further part of the conspiracy that money mules would then keep a small portion of the cash for themselves and transfer the bulk of the money to other members of the conspiracy using bank wire transfers, cash withdrawals, or transmitting the funds using the informal money transfer system known as "Hawala."

8. It was further part of the conspiracy that defendant HECTOR CLAVERIA acted as a money mule for the fraud described above, whereby

victims throughout the United States were deceived into withdrawing their money and shipping cash via the United States Postal Service and commercial mail delivery services, such as Federal Express (“FedEx”) and United Parcel Service (“UPS”), to authorized UPS and FedEx access points in New York and New Jersey. The packages ultimately were retrieved by defendant HECTOR CLAVERIA.

9. It was further part of the conspiracy that defendant HECTOR CLAVERIA conspired to retrieve approximately 32 packages of cash mailed, generally using the United Parcel Service, or Federal Express, from victims across the country.

10. From in or about August 2019 through in or about July 2020, in Hudson County, in the District of New Jersey and elsewhere, the defendant,

HECTOR CLAVERIA,

did knowingly and intentionally conspire with others, including Conspirator 1, to conduct, and attempt to conduct, financial transactions affecting interstate and foreign commerce, which transactions involved the proceeds of specified unlawful activity, namely, mail fraud, in violation of Title 18, United States Code, Section 1341: (1) knowing that the transactions were designed in whole or in part to conceal and disguise the nature, the location, the source, the ownership, or the control of the proceeds of the specified unlawful activity, and that while conducting and attempting to conduct such financial transactions, knew that the property involved in the financial

transactions represented the proceeds of some form of unlawful activity, contrary to Title 18, United States Code, Section 1956(a)(1)(B)(i); and (2) to transport, transmit, and transfer, and attempt to transport, transmit, and transfer a monetary instrument and funds from a place in the United States to and through a place outside the United States with the intent to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, in contrary to Title 18, United States Code, Section 1956(a)(2)(B)(i).

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

COUNT TWO

(Money Laundering – 18 U.S.C. § 1956(a)(2)(B)(i)).

1. Paragraphs 1 through 9 of Count One of this Indictment are incorporated by reference and realleged as if fully set forth herein.

2. On or about June 30, 2020, in the District of New Jersey and elsewhere, the defendant,

HECTOR CLAVERIA,

knowingly transported, transmitted, transferred, attempted to transport, transmit, transfer funds and aided and abetted and willfully caused, the transmission and transferring of, a monetary instrument and funds, from a place in the United States to a place outside the United States, that is, Mumbai, India, knowing that the funds involved in the transfer represented the proceeds of some form of unlawful activity, that is, mail fraud, in violation of Title 18, United States Code, Section 1343, and knowing that the transaction was designed in whole or in part to conceal and disguise the nature, the location, the source, the ownership, or the control of the proceeds of the specified unlawful activity.

In violation of Title 18, United States Code, Section 1956(a)(2)(B)(i) and Title 18, United States Code, Section 2.

FORFEITURE ALLEGATION

1. As a result of committing the money laundering, conspiracy, and mail fraud offenses charged in Counts One and Two of this Indictment, defendant HECTOR CLAVERIA shall forfeit to the United States, pursuant to 18 U.S.C. § 982(a)(2)(A) and 28 U.S.C. § 2461(c), all property, real or personal, constituting or derived from proceeds traceable to the offenses charged in Counts One through Two of this Indictment.

SUBSTITUTE ASSETS PROVISION

2. If any of the above-described forfeitable property, 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 person;
- (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 subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 982(b), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

A TRUE BILL

FOREPERSON'

Philip R. Sellinger b7A2

PHILIP R. SELLINGER
United States Attorney

CASE NUMBER: 22-

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

UNITED STATES OF AMERICA

v.

HECTOR CLAVERIA

INDICTMENT FOR

18 U.S.C. § 1956(h)
18 U.S.C. § 1956(a)(2)(B)(i)
18 U.S.C. § 2

A True Bill,

For person,

PHILIP R. SELLINGER

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