

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

- - - - -X  
:  
UNITED STATES OF AMERICA :  
:  
- v - :  
:  
SUSANA RIVERA, :  
:  
Defendant. :  
:  
- - - - -X

**SEALED**  
**INDICTMENT**

22 Cr. \_\_\_\_\_ ( )

**COUNT ONE**

**(Wire Fraud)**

The Grand Jury charges:

**BACKGROUND**

1. At all times relevant to this Indictment:

a. The victim ("Victim") was a family-owned kitchen design and remodeling business that consisted of three entities located in Mamaroneck, New York; Bedford, New York; and Greenwich, Connecticut.

b. In or about October 2019, the Victim hired SUSANA RIVERA, the defendant, as the Director of Accounting and Human Resources with an annual salary of approximately \$80,000.

**THE SCHEME TO DEFRAUD**

2. From in or about November 2019 to in or about July 2021, SUSANA RIVERA, the defendant, embezzled more than \$550,000 from the Victim. RIVERA made hundreds of unauthorized charges

for personal expenses in a total amount exceeding \$175,000 to the Victim's credit cards. RIVERA also caused the Victim's payroll company to make unauthorized payments in a total amount exceeding \$370,000 to a fake vendor that RIVERA created to receive the payments. RIVERA also caused unauthorized transfers from the Victim's bank account in an amount exceeding \$2,900 to pay her personal utility bills.

3. SUSANA RIVERA, the defendant, spent the money she embezzled on jewelry, beauty treatments, laser treatments, travel, pets, cosmetic surgery, clothing, and cars, including a partial payment on a \$100,000 Corvette.

4. From in or about November 2019 to in or about July 2021, in the Southern District of New York and elsewhere, SUSANA RIVERA, the defendant, knowingly and willfully, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of materially false and fraudulent pretenses, representations and promises, for the purpose of executing such scheme and artifice, transmitted and caused to be transmitted by means of wire communication in interstate commerce, writings, signs, signals, pictures, and sounds, to wit, RIVERA embezzled money from the Victim in the manners described above and caused interstate wire

communications when she made unauthorized charges to the Victim's credit cards.

(Title 18, United States Code, Sections 1343 and 2.)

**COUNT TWO**

**(Aggravated Identity Theft)**

The Grand Jury further charges:

5. The allegations contained in paragraphs 1 through 3 of this Indictment are repeated and realleged as if set forth fully herein.

6. In or about June 2021, SUSANA RIVERA, the defendant, posed as an owner of the Victim (the "Owner") in telephone calls with the Victim's credit card company to have restrictions placed on the use of the credit cards removed. RIVERA gave the Victim's credit card company the Owner's date of birth and sent the credit card company photographs of the Owner's driver's license to cause credit card company personnel to believe she was the Owner.

7. In or about June 2021, in the Southern District of New York and elsewhere, SUSANA RIVERA, the defendant, knowingly did transfer, possess, and use, without lawful authority, a means of identification of another person, during and in relation to a felony violation enumerated in Title 18, United

States Code, Section 1028A(c), to wit, the defendant unlawfully possessed, used, and transferred the personal identification information of the Owner, including the Owner's name, date of birth, and driver's license, without the Owner's knowledge or permission, in connection with the commission of wire fraud, as charged in Count One of this Indictment.

(Title 18, United States Code, Sections 1028A and 2.)

**FORFEITURE ALLEGATION**

8. As the result of committing the wire fraud offense in violation of Title 18, United States Code, Section 1343 as charged in Count One of this Indictment, SUSANA RIVERA, the defendant, 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, all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offense.

**Substitute Asset Provision**

9. 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 comingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981(a)(1)(C);  
Title 21, United States Code, Section 853(p);  
Title 28, United States Code, Section 2461.)

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FOREPERSON

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DAMIAN WILLIAMS  
United States Attorney