

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF PUERTO RICO

FEB 12 2014

- [1] Lina PRESTOL-RODRIGUEZ,
(Counts 1 - 11)
 - [2] Jose SANTANA-APONTE,
(Counts 1, 3-8)
 - [3] Carlos VELEZ-DeJESUS,
(Counts 1, 3, 4, 6-8, and 10)
 - [4] Angel TORRES-MAYMI,
(Counts 1, 2, 4 and 8)
 - [5] Brenda MERCADO-RODRIGUEZ,
(Counts 1 and 3)
 - [6] Marilyn MELENDEZ-PRESTOL,
(Counts 1 and 5)
 - [7] Johanna RIVERA-BENITEZ,
(Counts 1, 6, and 7)
 - [8] Carlos SOLIS-GUZMAN,
(Counts 1 and 8)
 - [9] Jose Luis NEGRON-MOLINA,
(Counts 1 and 9)
 - [10] Alexander CIFUENTES-RAMOS,
(Counts 1 and 10)
 - [11] Carlos ORTIZ-DAVILA,
(Count 2)
 - [12] Eduardo CORA-COLON,
(Count 2)
 - [13] Gabriel BARANDA-COLLAZO,
(Count 3)
 - [14] Ricardo SANTIAGO-VERDECIA,
(Count 4)
 - [15] Marco Antonio AMBERT-TORRES,
(Count 5)
 - [16] Jose Rafael MORA-NAZARIO,
(Count 6)
 - [17] Angelica ALVAREZ-CASTAÑEDA,
(Count 6)
 - [18] Sheila BENABE-GONZALEZ,
(Count 7)
 - [19] Adelinzy GRACE-VAZQUEZ,
(Count 8)
 - [20] Awilda DIAZ-CABRERA,
(Count 9)
- Defendants.

INDICTMENT

CRIMINAL NO. 14-101

Violations:

COUNT ONE

Title 18, United States Code, § 1344, 2

COUNTS TWO THROUGH TEN

Title 18, United States Code, §§ 1014, 2

COUNT ELEVEN

Title 18, United States Code, §§ 1956
(a)(1)(B)(i), 1957, and 2.

Forfeiture Allegation

INDICTMENT

THE GRAND JURY CHARGES:

At all times material to this indictment:

1. A "Mortgage" is a legal instrument which describes and establishes encumbrances on real property to secure the payment of a debt.

2. A "Mortgage Loan" can be generally described as a loan evidenced by a deed that creates a lien over real property wherein the conditions and form of payment are established.

3. A "Mortgage Lending Institution" is generally defined to include an institution whose principal business is to originate, finance, close, sell, and/or service real property mortgage loans.

4. A "Closing" or "Settlement" in a real property transaction is generally defined as the final transaction between the buyer and seller, whereby the conveyancing documents are concluded and the money and property transferred.

5. BANCO BILBAO VIZCAYA ARGENTARIA (BBVA), SANTANDER BANK, DORAL BANK, and RG PREMIER BANK were mortgage lending institutions located in Puerto Rico. As part of the mortgage loan approval process, these mortgage lending institutions required borrowers to submit truthful and accurate documentation, including but not limited to: the buyer's name, income, assets and liabilities, and employment history for the approval and processing of mortgage loans.

6. A "Straw Buyer" is an individual whose personal profile is used to serve as a cover, usually for a fraudulent transaction. They were sometimes also referred to as a "nominee borrower" or "straw borrower." A straw buyer is chosen for his or her ability to qualify for the loan with or without legitimate documentation. However, most of the times the straw buyer did not qualify for the mortgage with his or her actual income and employment history, did not

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intend to occupy the property as a primary residence, and/or was not eligible for a specific loan program.

COUNT ONE

(Bank Fraud)

Title 18, United States Code, Section 1344 & 2

On or about and between June 1, 2006, and June 30, 2009, in the District of Puerto Rico and within the jurisdiction of this Court,

**[1] Lina PRESTOL-RODRIGUEZ,
[2] Jose SANTANA-APONTE,
[3] Carlos VELEZ-DeJESUS,
[4] Angel TORRES-MAYMI,
[5] Brenda MERCADO-RODRIGUEZ,
[6] Marilyn MELENDEZ-PRESTOL,
[7] Johanna RIVERA-BENITEZ,
[8] Carlos SOLIZ-GUZMAN,
[9] Jose Luis NEGRON-MOLINA, and
[10] Alexander CIFUENTES-RAMOS,**

the defendants herein, aiding and abetting each other and others known and unknown to the Grand Jury, did knowingly execute a scheme and artifice to defraud federally insured financial institutions, that is, BANCO BILBAO VIZCAYA ARGENTARIA (BBVA), SANTANDER BANK, DORAL BANK, and RG PREMIER BANK, as more particularly set forth below, in violation of Title 18, United States Code, Section 1344 and 2.

THE SCHEME AND ARTIFICE TO DEFRAUD

It was part of the scheme and artifice to defraud that the defendants, through the use of straw buyers, would purchase properties by obtaining mortgage loans from federally insured financial institutions in amounts substantially exceeding the selling price of the properties, cause this excess amount of the loans to be "kickbacked" to them, and then default on payment of the monthly mortgage premiums.

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MANNER AND MEANS OF THE SCHEME

It was part of the manner and means of the scheme and artifice to defraud that the defendants would:

- a. recruit straw buyers to apply for and obtain mortgage loans from federally insured financial institutions in order to purchase various properties;
- b. cause these mortgage loan applications to contain material false statements, including, but not limited to: the true identity of the buyer; the purpose for which the property was being purchased; and the purchase price of the property
- c. create, and cause to be created, fictitious documents, including, but not limited to: employment and income verification letters, bank statements, financial statements, and tax returns, to submit to these federally insured financial institutions as part of the mortgage loan application process in order to ensure that the loans would be approved;
- d. cause these mortgage loans to be approved in amounts substantially greater than the selling price of a particular property;
- e. retain the monies distributed in excess of the purchase price of the property; and
- f. cause the mortgage loans to enter default by failing to pay the monthly mortgage premiums.

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ACTS IN EXECUTION OF THE SCHEME

From on or about the dates set forth below, the defendants, among other acts, caused the approval of nine (9) mortgage loans totaling \$5,042,000.00 based on material false information:

Date	Loan Number	Financial Institution	Amount
06/01/2006	946669-0	Santander Bank	\$1,150,000.00
06/30/2007	641573-0	BBVA	\$570,000.00
07/31/2007	647090-9	BBVA	\$670,000.00
09/13/2007	648662-4	BBVA	\$300,000.00
09/29/2007	649135-0	BBVA	\$680,000.00
10/31/2007	3006810889/ 3006804465	Doral Bank	\$560,000.00
01/31/2008	3006985403	Doral Bank	\$850,000.00
06/11/2009	014600014247225	RG Premier Bank	\$115,000.00
06/30/2009	014600014248429	RG Premier Bank	\$147,000.00

All in violation of Title 18, United States Code, Section 1344 and 2.

COUNT TWO

(False Statements in Loan Applications)
Title 18, United States Code, Section 1014 & 2

On or about and between May 5, 2006, and June 1, 2006, in the District of Puerto Rico and within the jurisdiction of this Court,

[1] Lina PRESTOL-RODRIGUEZ,
[4] Angel TORRES-MAYMI,
[11] Carlos ORTIZ-DAVILA, and
[12] Eduardo CORA-COLON,

the defendants herein, and others known and unknown to the Grand Jury, aiding and abetting each other, knowingly made or caused to be made, material false statements to **SANTANDER BANK** for the purpose of obtaining mortgage loan number **946669-0** in the amount of **\$1,150,000.00** for the purchase of a property located at **B-10 Del Recreo Street, El Retiro, Caguas, P.R. 00725**. The false statements include, but are not limited to, the following: (i) in

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both the initial and final Uniform Residential Loan Applications for this loan that L.R.C. was the purchaser of the property, when in truth and in fact, as the defendants well knew, such statement was false, in that L.R.C.'s identity was stolen and used for the purpose of applying for this loan; (ii) in the final Uniform Residential Loan Applications for this loan that L.R.C. had a bank account at Banco Popular de Puerto Rico ending in 9191 with a balance of \$28,107.26.00, when in truth and in fact, as the defendants well knew, said bank account did not exist; (iii) in the final Uniform Residential Loan Application for this loan that L.R.C. had a bank account at UBS Financial Services, Inc., with a balance of \$128,438.84 when in truth and in fact, as the defendants well knew, this account did not belong to L.R.C.; (iv) in the final Uniform Residential Loan Application for this loan that L.R.C. had a monthly base income of \$20,477.04 when in truth and fact, as the defendants well knew, this statement was false; (v) in the final Uniform Residential Loan Application and the HUD-1 that L.R.C. had provided earnest deposit money in the amount of \$10,000.00, when in truth and in fact, as the defendants well knew, L.R.C. did not pay any earnest money; and (vi) in the HUD-1 that L.R.C. paid the closing costs in the amount of \$10,225.48, when in truth and in fact, as the defendants well knew, this statement was false. The defendants also supplied false and fraudulent bank account statements and financial statements. All in violation of Title 18, United States Code, Sections 1014 and 2.

COUNT THREE

(False Statements in Loan Applications)

Title 18, United States Code, Section 1014 & 2

On or about and between April 26, 2007, and June 30, 2007, in the District of Puerto Rico and within the jurisdiction of this Court,

**[1] Lina PRESTOL-RODRIGUEZ,
[2] Jose SANTANA-APONTE,
[3] Carlos VELEZ-DeJESUS,
[5] Brenda MERCADO-RODRIGUEZ, and
[13] Gabriel BARANDA-COLLAZO,**

the defendants herein, and others known and unknown to the Grand Jury, aiding and abetting each other, knowingly made or cause to be made, material false statements to **BANCO BILBAO VIZCAYA ARGENTARIA (BBVA)** for the purpose of obtaining mortgage loan number **641573-0** in the amount of **\$570,000.00** for the purchase of a property located at 138 Albahaca

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Street, Cuidad Jardin, Gurabo, P.R. 00778. The false statements include, but are not limited to, the following: (i) in the initial and final Uniform Residential Loan Applications for this loan that **[5] Brenda MERCADO-RODRIGUEZ** had a bank account at Doral Bank ending in 2088 with a balance of \$21,370.46, when in truth and in fact, as the defendants well knew, said bank account did not have this balance; (ii) in the final Uniform Residential Loan Application for this loan that **[5] Brenda MERCADO-RODRIGUEZ** had a bank account at Banco Popular de Puerto Rico ending in 0007 with a balance of \$39,442.08 when in truth and in fact, as the defendants well knew, this account did not exist; (iii) in the final Uniform Residential Loan Application for this loan that **[5] Brenda MERCADO-RODRIGUEZ** had a monthly base income of \$10,375.00 from a business she owned called Karicias y Algo Mas, when in truth and fact, as the defendants well knew, these statements were false; and (iv) in the final Uniform Residential Loan Application and the HUD-1 that **[5] Brenda MERCADO-RODRIGUEZ** had provided earnest deposit money in the amount of \$15,000.00, when in truth and in fact, as the defendants well knew, this statement was false. The defendants also supplied false and fraudulent checks, bank account statements, financial statements, and a letter indicating that **[5] Brenda MERCADO-RODRIGUEZ's** then existing primary residence was producing rental income, when in truth and fact, as the defendants well knew, this was false. All in violation of Title 18, United States Code, Sections 1014 and 2.

COUNT FOUR

(False Statements in Loan Applications)

Title 18, United States Code, Section 1014 & 2

On or about and between May 29, 2007, and July 31, 2007, in the District of Puerto Rico and within the jurisdiction of this Court,

[1] Lina PRESTOL-RODRIGUEZ,
[2] Jose SANTANA-APONTE,
[3] Carlos VELEZ-DeJESUS,
[4] Angel TORRES-MAYMI, and
[14] Ricardo SANTIAGO-VERDICIA,

the defendants herein, and others known and unknown to the Grand Jury, aiding and abetting each other, knowingly made or caused to be made material false statements to **BANCO BILBAO VIZCAYA ARGENTARIA (BBVA)** for the purpose of obtaining mortgage loan

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number **647090-9** in the amount of **\$670,000.00** for the purchase of a property located at 8 China Street, 833 Santa Rosa Ward, Bayamon, P.R. 00956. The false statements include, but are not limited to, the following: (i) in the final Uniform Residential Loan Applications for this loan that L.B.Q. had a bank account at Banco Popular de Puerto Rico ending in 2777 with a balance of \$97,826.86, when in truth and in fact, as the defendants well knew, said bank account did not have this balance; (ii) in the final Uniform Residential Loan Application for this loan that L.B.Q. had a total combined monthly income of \$18,767.00 from a business he owned called LB Security Advance, when in truth and fact, as the defendants well knew, these statements were false; and (iii) in the HUD-1 that L.B.Q. paid the closing costs of \$13,991.53, when in truth and in fact, as the defendants well knew, this statement was false. The defendants also supplied false and fraudulent bank account statements, financial statements, service employment contracts, and tax returns. All in violation of Title 18, United States Code, Sections 1014 and 2.

COUNT FIVE

**(False Statements in Loan Applications)
Title 18, United States Code, Section 1014 & 2**

On or about and between August 1, 2007, and September 13, 2007, in the District of Puerto Rico and within the jurisdiction of this Court,

**[1] Lina PRESTOL-RODRIGUEZ,
[2] Jose SANTANA-APONTE,
[6] Marilyn MELENDEZ-PRESTOL, and
[15] Marco Antonio AMBERT-TORRES,**

the defendants herein, and others known and unknown to the Grand Jury, aiding and abetting each other, knowingly made or caused to be made, material false statements to **BANCO BILBAO VIZCAYA ARGENTARIA (BBVA)** for the purpose of obtaining mortgage loan number **648662-4** in the amount of **\$300,000.00** for the purchase of a property located at Urb. El Retiro, C-4A Calle Recreo, Caguas, P.R. 00725. The false statements include, but are not limited to, the following: (i) in the final Uniform Residential Loan Application for this loan that **[6] Marilyn MELENDEZ-PRESTOL** had a bank account at Doral Bank ending in 6904 with a balance of \$30,967.56, when in truth and in fact, as the defendants well knew, said bank account did not have this balance; (ii) in the final Uniform Residential Loan Application for this loan that **[6] Marilyn MELENDEZ-PRESTOL** had a total base monthly income of \$8,077.08 as a

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supervisor at Humana Health Plans of Puerto Rico, when in truth and fact, as the defendants well knew, these statements were false; and (iii) in the HUD-1 that [6] **Marilyn MELENDEZ-PRESTOL** paid the closing costs of \$9,733.70, when in truth and in fact, as the defendants well knew, this statement was false. The defendants also supplied false and fraudulent bank account statements and employment verification letters. All in violation of Title 18, United States Code, Sections 1014 and 2.

COUNT SIX

(False Statements in Loan Applications)
Title 18, United States Code, Section 1014 & 2

On or about and between September 1, 2007, and September 29, 2007, in the District of Puerto Rico and within the jurisdiction of this Court,

[1] **Lina PRESTOL-RODRIGUEZ**,
[2] **Jose SANTANA-APONTE**,
[3] **Carlos VELEZ-DeJESUS**,
[7] **Johanna RIVERA-BENITEZ**,
[16] **Jose Rafael MORA-NAZARIO**, and
[17] **Angelica ALVAREZ-CASTAÑEDA**,

the defendants herein, and others known and unknown to the Grand Jury, aiding and abetting each other, knowingly made or cause to be made, material false statements to **BANCO BILBAO VIZCAYA ARGENTARIA (BBVA)** for the purpose of obtaining mortgage loan number **649135-0** in the amount of **\$680,000.00** for the purchase of a property located at 106 Malageta, Cuidad Jardin de Gurabo, Gurabo, P.R. 00778. The false statements include, but are not limited to, the following: (i) in both the initial and final Uniform Residential Loan Applications for this loan that [7] **Johanna RIVERA-BENITEZ** had a bank account at Santander Bank ending in 8132 with a balance of \$33,892.11, when in truth and in fact, as the defendants well knew, this bank account did not exist; (ii) in both the initial and final Uniform Residential Loan Application for this loan that [7] **Johanna RIVERA-BENITEZ** had a Santander Bank CD worth \$50,000.00, when in truth and fact, as the defendants well knew, no such CD existed; (iii) in the final Uniform Residential Loan Application for this loan that [7] **Johanna RIVERA-BENITEZ** had a monthly base income of \$18,818.20 from a business she owned called K'ricias Boutique, when in truth and fact, as the defendants well knew, these statements were false; and (iv) in the HUD-1 that [7] **Johanna RIVERA-BENITEZ** paid the closing costs of \$15,510.27, when in

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truth and in fact, as the defendants well knew, this statement was false. The defendants also supplied false and fraudulent bank account statements, financial statements, and a letter indicating that [7] **Johanna RIVERA-BENITEZ's** then existing primary residence was producing rental income, when in truth and fact, as the defendants well knew, this was false. All in violation of Title 18, United States Code, Sections 1014 and 2.

COUNT SEVEN

(False Statements in Loan Applications)

Title 18, United States Code, Section 1014 & 2

On or about and between September 21, 2007, and October 31, 2007, in the District of Puerto Rico and within the jurisdiction of this Court,

[1] Lina PRESTOL-RODRIGUEZ,
[2] Jose SANTANA-APONTE,
[3] Carlos VELEZ-DeJESUS,
[7] Johanna RIVERA-BENITEZ, and
[18] Sheila BENABE-GONZALEZ,

the defendants herein, and others known and unknown to the Grand Jury, aiding and abetting each other, knowingly made or caused to be made, material false statements to **DORAL BANK** for the purpose of obtaining mortgage loan number **3006810889 & 3006804465** for a total amount of **\$560,000.00** for the purchase of a property located at 131 Fairway Street, Palmas Plantation Development, Humacao, P.R. 00791. The false statements include, but are not limited to, the following: (i) in the final Uniform Residential Loan Applications for both loans that [7] **Johanna RIVERA-BENITEZ** had a bank account at Santander Bank ending in 8132 with a balance of \$33,892.11, when in truth and in fact, as the defendants well knew, this bank account did not exist; (ii) in the final Uniform Residential Loan Application for both loans that [7] **Johanna RIVERA-BENITEZ** had a monthly base income of \$18,818.00 from a business she owned called K'ricias Boutique, when in truth and fact, as the defendants well knew, these statements were false; (iii) in the HUD-1 for loan #3006810889 that [7] **Johanna RIVERA-BENITEZ** paid the closing costs of \$4,114.57 when in truth and in fact, as the defendants well knew, this statement was false; and (vi) in the HUD-1 for loan #3006804465 that [7] **Johanna RIVERA-BENITEZ** paid the closing costs of \$22,166.48, when in truth and in fact, as the defendants well knew, this statement was false. The defendants also supplied false and

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fraudulent bank account statements, financial statements, and a letter indicating that [7] **Johanna RIVERA-BENITEZ's** then existing primary residence was producing rental income, when in truth and fact, as the defendants well knew, this was false. All in violation of Title 18, United States Code, Sections 1014 and 2.

COUNT EIGHT

**(False Statements in Loan Applications)
Title 18, United States Code, Section 1014 & 2**

On or about and between January 14, 2008, and January 31, 2008, in the District of Puerto Rico and within the jurisdiction of this Court,

**[1] Lina PRESTOL-RODRIGUEZ,
[2] Jose SANTANA-APONTE,
[3] Carlos VELEZ-DeJESUS,
[4] Angel TORRES-MAYMI,
[8] Carlos SOLIS-GUZMAN, and
[19] Adelinzy GRACE-VAZQUEZ,**

the defendants herein, and others known and unknown to the Grand Jury, aiding and abetting each other, knowingly made or cause to be made, material false statements to **DORAL BANK** for the purpose of obtaining mortgage loan number **3006985403** in the amount of **\$850,000.00** for the purchase of a property located at B20 Recreo Street, Urb. El Retiro, Caguas, P.R. 00725. The false statements include, but are not limited to, the following: (i) in the final Uniform Residential Loan Applications for this loan that [8] **Carlos SOLIS-GUZMAN** had a bank account at Eurobank ending in 3401 with a balance of \$38,535.94, when in truth and in fact, as the defendants well knew, that these statements were false; (ii) in the final Uniform Residential Loan Application for this loan that [8] **Carlos SOLIS-GUZMAN** had a base monthly income of \$18,268.88 from a business he owned called Restaurant Rosa's Seafood when in truth and fact, as the defendants well knew, that these statements were false; and (iii) in the HUD-1 that [8] **Carlos SOLIS-GUZMAN** paid the closing costs of \$29,293.77, when in truth and in fact, as the defendants well knew, this statement was false. The defendants also supplied false and fraudulent bank account statements, financial statements, tax returns, and a divorce decree related to his then existing primary residence. All in violation of Title 18, United States Code, Sections 1014 and 2.

COUNT NINE

**(False Statements in Loan Applications)
Title 18, United States Code, Section 1014 & 2**

On or about and between March 2, 2009, and June 11, 2009, in the District of Puerto Rico and within the jurisdiction of this Court,

**[1] Lina PRESTOL-RODRIGUEZ,
[9] Jose Luis NEGRON-MOLINA, and
[20] Awilda DIAZ-CABRERA,**

the defendants herein, and others known and unknown to the Grand Jury, aiding and abetting each other, knowingly made or cause to be made, material false statements to **RG PREMIER BANK** for the purpose of obtaining mortgage loan number **014600014247225** in the amount of **\$115,000.00** for the purchase of a property located at Q20 12th Street, Urb. Santa Monica, Bayamon, P.R. 00957. The false statements include, but are not limited to, the following: (i) in the final Uniform Residential Loan Application for this loan that **[9] Jose Luis NEGRON-MOLINA** had a base monthly income of \$11,004.75 from a business he owned called Chico Racing, when in truth and fact, as the defendants well knew, these statements were false; (ii) in the final Uniform Residential Loan Application for this loan that **[9] Jose Luis NEGRON-MOLINA** had a bank account at BBVA ending in 4054 with a balance of \$37,849.48, when in truth and fact, as the defendants well knew, these statements were false; and (iii) in the HUD-1 that **[9] Jose Luis NEGRON-MOLINA** paid the closing costs of \$7,554.04, when in truth and in fact, as the defendants well knew, this statement was false. The defendants also supplied false and fraudulent bank account statements and tax returns. All in violation of Title 18, United States Code, Sections 1014 and 2.

COUNT TEN
(False Statements in Loan Applications)
Title 18, United States Code, Section 1014 & 2

On or about and between March 5, 2009, and June 30, 2009, in the District of Puerto Rico and within the jurisdiction of this Court,

[1] Lina PRESTOL-RODRIGUEZ,
[3] Carlos VELEZ-DeJESUS, and
[10] Alexander CIFUENTES-RAMOS,

the defendants herein, and others known and unknown to the Grand Jury, aiding and abetting each other, knowingly made or cause to be made, material false statements to **RG PREMIER BANK** for the purpose of obtaining mortgage loan number **01460001428429** in the amount of **\$147,000.00** for the purchase of a property located at Cond. Parque San Anonio, Apt. 501, Caguas, P.R. 00725. The false statements include, but are not limited to, the following: (i) in the initial Uniform Residential Loan Applications for this loan that **[10] Alexander CIFUENTES-RAMOS** had a bank account at First Bank ending in 01 with a balance of \$5000.00, when in truth and in fact, as the defendants well knew, that this statement was false; (ii) in the final Uniform Residential Loan Applications for this loan that **[10] Alexander CIFUENTES-RAMOS** had a bank account at First Bank ending in 8512 with a balance of \$55,423.59, when in truth and in fact, as the defendants well knew, that this statement was false; (iii) in the final Uniform Residential Loan Application for this loan that **[10] Alexander CIFUENTES-RAMOS** had a base monthly income of \$7,307.71 from a business he owned called Biker's Club, when in truth and fact, as the defendants well knew, these statements were false; and (vi) in the HUD-1 that **[10] Alexander CIFUENTES-RAMOS** paid the closing costs of \$11,876.54, when in truth and in fact, as the defendants well knew, this statement was false. The defendants also supplied false and fraudulent bank account statements and financial statements. All in violation of Title 18, United States Code, Sections 1014 and 2.

COUNT ELEVEN
(Conspiracy; Money Laundering)
Title 18, United States Code, Sections 1956(h), and 1957

On or about and between June 1, 2006, and June 30, 2009, in the District of Puerto Rico and within the jurisdiction of this Court,

[1] Lina PRESTOL-RODRIGUEZ,

the defendant herein, did knowingly combine, conspire, and agree with others known and unknown to the grand jury, to commit offenses against the United States in violation of Title 18, United States Code, Sections 1956 and 1957, to wit: conduct and attempt to conduct financial transactions affecting interstate commerce which transactions involved the proceeds of specified unlawful activity, that is, Bank Fraud as charged in Count One and False Statements in Loan Applications as charged in Counts Two through Ten, all of this Indictment:

(a) knowing that the transactions were designed in whole or in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of 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, all in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i); and

(b) knowing that the transactions of a value greater than \$10,000.00 made by, through, or to a financial institution originated from criminally derived property and that while conducting and attempting to conduct such monetary transactions, knew that the property involved in the monetary transactions represented the proceeds of some form of unlawful activity, all in violation of Title 18, United States Code, Section 1957(a).

Object of the Conspiracy

It was the object of the conspiracy that Defendant, her named co-defendants, and others, would engage in a series of financial and monetary transactions, some in excess of \$10,000.00 in criminally derived property, in order to conceal and disguise the conduct charged in Counts One through Ten in order to unjustly enrich themselves and eliminate existing debt obligations.

Manner and Means in Execution of the Conspiracy

It was part of the manner and means of this conspiracy that the defendants would:

- a. pay straw buyers to apply for mortgage loans with fictitious information;
- b. pay the closing costs of each loan on behalf of the buyer;
- c. make payments on each loan for the first few months of the loan before ceasing and causing said loan to enter default;
- d. pay "kickbacks" to those individuals involved;
- e. pay property and capital gains taxes on the property on behalf of the seller; and,
- f. pay off existing mortgages of the sellers.

All in violation of Title 18, United States Code, Sections 1956(a)(1)(A)(i), (a)(1)(B)(i), (h), and 1957(a).

Forfeiture Allegation
Title 18, United States Code, Section 982

The allegations contained in Counts One through Eleven of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to the provisions of Title 18, United States Code, Section 982(a)(1) and (a)(2)(A).

Pursuant to Title 18, United States Code, Section 982(a)(1) and (a)(2)(A), should defendants [1] Lina PRESTOL-RODRIGUEZ, [2] Jose SANTANA-APONTE, [3] Carlos VELEZ-DeJESUS, [4] Angel TORRES-MAYMI, [5] Brenda MERCADO-RODRIGUEZ, [6] Marilyn MELENDEZ-PRESTOL, [7] Johanna RIVERA-BENITEZ, [8] Carlos SOLIS-GUZMAN, [9] Jose Luis NEGRON-MOLINA, [10] Alexander CIFUENTES-RAMOS, [11] Carlos ORTIZ-DAVILA, [12] Eduardo CORA-COLON, [13] Gabriel BARANDA-COLLAZO, [14] Ricardo SANTIAGO-VERDECIA, [15] Marco Antonio AMBERT-TORRES, [16] Jose Rafael MORA-NAZARIO, [17] Angelica ALVAREZ-CASTAÑEDA, [18] Sheila BENABE-GONZALEZ, [19] Adelinzy GRACE-VAZQUEZ, and [20] Awilda DIAZ-CABRERA, be convicted of one or more of the offenses set forth in Counts One through

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Eleven of this Indictment, the defendants shall forfeit to the United States of America pursuant to Title 18, United States Code, Section 982(a)(1) and (a)(2)(A), any property, real or personal, involved in such offense; any property traceable to such property; and any property constituting or derived from proceeds the person obtained directly or indirectly, as applicable. The property to be forfeited includes, but is not limited to, the following:

A money judgment of \$3,177,650.00 in U.S. Currency.

If any of the property described above, as a result of any act or omission of the defendants:

- 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 pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1) and Title 28, United States Code, Section 2461(c).

All in accordance with Title 18, United States Code, Section 982(a)(1), (a)(2)(A), and Rule 32.2(a) of the Federal Rules of Criminal Procedure.

TRUE BILL

PERSON

Date:

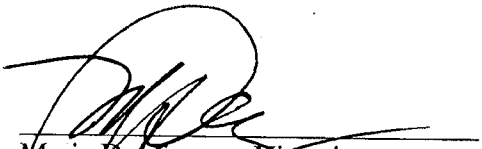
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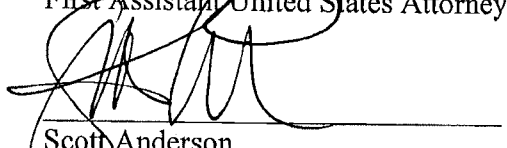
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