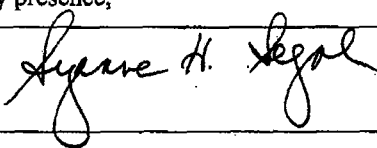


CRIMINAL COMPLAINT

COPY

UNITED STATES DISTRICT COURT		CENTRAL DISTRICT OF CALIFORNIA	
UNITED STATES OF AMERICA v. OLIVER RADUCU MARIAN, aka Tyrone Steven Constant, GHEORGHITA VLASIN, BOGDAN CIUCHI, PETRU OLTEANU-URSACHI, CODRIN MARIAN LUPU, ADRIAN SARAN, MARIUS ROBERT MANCIU, IOAN CLADIU BUCULEI, and UNKNOWN MALE #3		DOCKET NO. MAGISTRATE'S CASE NO. 13-2827M <div style="border: 1px solid black; padding: 5px; text-align: center;"> FILED CLERK, U.S. DISTRICT COURT OCT 22 2013 </div>	
Complaint for violation of Title 18, United States Code, Section 1349 <div style="text-align: right; border: 1px solid black; padding: 2px;"> CENTRAL DISTRICT OF CALIFORNIA DEPUTY </div>			
NAME OF MAGISTRATE JUDGE HONORABLE SUZANNE H. SEGAL		UNITED STATES MAGISTRATE JUDGE	LOCATION Los Angeles, California
DATE OF OFFENSE Beginning on a date unknown and continuing through on or about October 22, 2013	PLACE OF OFFENSE Los Angeles County	ADDRESS OF ACCUSED (IF KNOWN)	
COMPLAINANT'S STATEMENT OF FACTS CONSTITUTING THE OFFENSE OR VIOLATION: <div style="text-align: center; padding: 20px;">SEE ATTACHMENT</div>			
BASIS OF COMPLAINANT'S CHARGE AGAINST THE ACCUSED: (See attached affidavit which is incorporated as part of this Complaint)			
MATERIAL WITNESSES IN RELATION TO THIS CHARGE: N/A			
Being duly sworn, I declare that the foregoing is true and correct to the best of my knowledge.	SIGNATURE OF COMPLAINANT CHARLES ADAM 151		
	OFFICIAL TITLE Special Agent – Federal Bureau of Investigation		
Sworn to before me and subscribed in my presence,			
SIGNATURE OF MAGISTRATE JUDGE ⁽¹⁾ 		DATE October 22, 2013	

⁽¹⁾ See Federal Rules of Criminal Procedure 3 and 54

ATTACHMENT
[18 U.S.C. § 1349]

A. OBJECT OF THE CONSPIRACY

Beginning on a date unknown and continuing through on or about October 22, 2013, in Los Angeles and Orange Counties, within the Central District of California, and elsewhere, defendants Oliver Raducu MARIAN, also known as "Tyrone Steven Constant," Gheorghita VLASIN, Petru OLTEANU-Ursachi, Bogdan CIUCHI, Codrin Marian LUPU, Adrian SARAN, Marius Robert MANCIU, Ioan Claudiu BUCULEI, and Unknown Male #3 ("UM-3"), together with others known and unknown, conspired and agreed to commit the following offense against the United States: knowingly and with intent to defraud, to commit bank fraud in violation Title 18, United States Code, Sections 1344(1) and (2).

B. THE MANNER AND MEANS OF THE CONSPIRACY

The object of the conspiracy was to be accomplished in substance as follows:

1. Coconspirators would obtain or manufacture skimming devices to be placed over ATM card readers in order to record information encoded on customers' debit cards, and would obtain or manufacture video recorders to be placed on ATMs in order to record customers' PIN information for the bank account.

2. Defendants MARIAN, VLASIN, OLTEANU, CIUCHI, LUPU, SARAN, MANCIU, BUCULEI, and UM-3 would install the skimming and

recording devices at ATMs in Los Angeles and Orange counties in California; Las Vegas, Nevada; and the San Francisco area in California, and would, about a day after installation, return to remove the devices.

3. Coconspirators would obtain information from the skimming and recording devices, and manufacture or obtain counterfeit and unauthorized debit cards encoded with that information.

3. Defendants MARIAN, VLASIN, OLTEANU, CIUCHI, LUPU, SARAN, MANCIU, BUCULEI, and UM-3 would use the counterfeit and unauthorized debit cards, as well as the PIN information, to withdraw money from victims' bank accounts.

C. CONDUCT IN FURTHERANCE OF THE CONSPIRACY

In furtherance of the conspiracy and to accomplish its object, defendants MARIAN, VLASIN, OLTEANU, CIUCHI, LUPU, SARAN, MANCIU, BUCULEI, and UM-3, and others known and unknown, committed and aided, abetted, counseled, commanded induced and procured others to commit the following overt acts, among others, in the Central District of California, and elsewhere, on or about the following dates:

1. On January 20, 2013, defendants OLTEANU, VLASIN, and CIUCHI installed skimming and video camera devices at a Citibank ATM located at 8701 West Sahara Avenue, Las Vegas, Nevada.

2. On January 20, 2013, defendant VLASIN removed the skimming and video camera devices from a Citibank ATM located at 8701 West Sahara Avenue, Las Vegas, Nevada.

3. On January 21, 2013, defendants MARIAN, VLASIN, CIUCHI, OLTEANU made unauthorized withdrawals from Citibank accounts at various ATMs in Las Vegas, Nevada.

4. On March 3, 2013, defendants MARIAN and CIUCHI installed skimming and video camera devices at a Citibank ATM located at 7552 Edinger Avenue, Huntington Beach, California.

5. On March 3, 2013, defendant MARIAN removed the skimming and video camera devices from a Citibank ATM located at 7552 Edinger Avenue, Huntington Beach, California.

6. On March 6, 2013, defendants MARIAN and CIUCHI made unauthorized withdrawals from Citibank accounts at various ATMs in the Central District of California.

7. On March 10, 2013, defendant SARAN removed skimming and video camera devices that had previously been installed by an unknown coconspirator at a Citibank ATM located at 2215 North Rampart Boulevard, Las Vegas, Nevada.

8. On March 11, 2013, defendant SARAN made unauthorized withdrawals from Citibank accounts at various ATMs in Las Vegas, Nevada.

9. On March 24, 2013, defendants MARIAN and CIUCHI installed skimming and video camera devices at a Citibank ATM located at 845 Grant Avenue, San Francisco, California.

10. On April 21, 2013, defendants MARIAN and OLTEANU installed skimming and video camera devices at a Citibank ATM located at 6436 Irvine Boulevard, Irvine, California.

11. On April 21, 2013, defendants VLASIN and BUCULEI checked on, and then later removed the skimming and video camera devices from a Citibank ATM located at 6436 Irvine Boulevard, Irvine, California.

12. On April 22, 2013, defendants MARIAN, VLASIN, BUCULEI, and SARAN made unauthorized withdrawals from Citibank accounts at various ATMs in the Central District of California.

13. On June 26, 2013, defendant OLTEANU purchased supplies for the manufacture of unauthorized access devices.

14. On July 7, 2013, defendant UM-3 installed skimming and video camera devices at a Citibank ATM located at 15215 West Sunset Boulevard, Pacific Palisades, California.

15. On July 8, 2013, defendant SARAN made unauthorized withdrawals from Citibank accounts at various ATMs in the Central District of California.

16. On July 7, 2013, defendant MANCIU installed skimming and video camera devices at a Citibank ATM located at 300 South Fairfax Avenue, Los Angeles, California.

17. On July 8, 2013, defendants MARIAN, LUPU, and MANCIU made unauthorized withdrawals from Citibank accounts at various ATMs in the Central District of California.

18. On July 13, 2013, defendant MANCIU installed skimming and video camera devices at a Citibank ATM located at 9401 Wilshire Boulevard, Beverly Hills, California.

19. On July 14, 2013, defendants MANCIU and LUPU removed skimming and video camera devices from a Citibank ATM located at 9401 Wilshire Boulevard, Beverly Hills, California.

20. On July 15, 2013, defendants MARIAN and LUPU made unauthorized withdrawals from Citibank accounts at various ATMs in the Central District of California.

21. On September 10, 2013, defendants OLTEANU and UM-3 installed skimming and video camera devices at a Citibank ATM located at 12800 Seal Beach Boulevard, Seal Beach, California.

22. On September 10, 2013, defendant VLASIN removed skimming and video camera devices from a Citibank ATM located at 12800 Seal Beach Boulevard, Seal Beach, California.

AFFIDAVIT

I, Charles Adam, being duly sworn, declare and state as follows:

INTRODUCTION

1. I am a Special Agent ("SA") of the Federal Bureau of Investigation ("FBI"), and have been so employed since April 2006. I am currently assigned to the Los Angeles Field Office, Eurasian Organized Crime squad, where I investigate violations of Federal law related to device fraud, bank fraud, and credit card skimming.

2. In August 2000, I attended and completed the Los Angeles Police Department ("LAPD") 28-week police academy. Upon completion of the police academy, I served as a LAPD Police Officer for approximately six years. In April 2006, I attended and completed the FBI 18-week academy. My academy training at the LAPD and FBI included courses in the methods and schemes utilized by members of organized crime syndicates to commit financial crimes, fraud, and identify theft, as well as the methods utilized for the purpose of money laundering in furtherance of organizational goals. During my employment as a Special Agent of the FBI, I have been assigned to the FBI Chicago Division, Violent Crimes Fugitive Task Force ("VCFTF"). My primary investigative responsibility while assigned to the VCFTF was the investigation of bank robberies. Additionally, I was assigned to the Los Angeles High Intensity Drug Trafficking Area ("LA HIDTA"). As a Special Agent assigned to LA HIDTA, I

investigated drug trafficking organizations and street gangs in relation to violations of federal laws such as money laundering, money structuring, and wire transferring of illicit proceeds from narcotics sales.

3. As a result of assignments to these various squads, I have participated in numerous search warrants and arrests involving identity theft and bank fraud. I have recovered and seized various quantities of currency and property that were proceeds of fraud and narcotics related crimes. Through these means, I have accumulated knowledge of schemes and designs commonly used to commit financial crime, as well as the practices that people who commit financial crimes employ while attempting to thwart law enforcement's efforts to effectively gather the necessary evidence to lead to conviction.

4. The facts set forth in this affidavit are based upon my personal observations, training, experience, and information obtained from various law enforcement personnel and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrants and does not purport to set forth all of my knowledge of or investigation into this matter. Unless specifically indicated otherwise, all conversations and statements described in this affidavit are related in substance and in part only.

PURPOSE OF AFFIDAVIT

5. I make this affidavit in support of a criminal complaint and the issuance of arrest warrants for the following individuals for violations of 18 U.S.C. § 1349 (conspiracy to commit bank fraud):

- a. Oliver Raducu MARIAN, aka Tyrone Steven Constant
- b. Gheorghita VLASIN
- c. Bogdan CIUCHI
- d. Petru OLTEANU-Ursachi
- e. Codrin Marian LUPU
- f. Adrian SARAN
- g. Marius Robert MANCIU
- h. Ioan Claudiu BUCULEI
- i. Unknown Male #3 ("UM-3")

6. In addition, I make this affidavit in support of search warrants at the following premises, for the items to be seized as set forth in Attachment B, incorporated fully herein, which constitute evidence, fruits and instruments of violations of Title 18, United States Code, Sections 1028A, 1029, 1344 and 1349:

- a. The residence located at Orsini Apartments, 606 North Figueroa Street, apartment number 422, Los Angeles, California 90012, and any designated storage spaces ("Orsini Apartment 422"), as more fully described in attachment A-1.

b. The residence located at Orsini Apartments, 505 North Figueroa Street, apartment number 418, Los Angeles, California 90012 and any designated storage spaces ("Orsini Apartment 418"), as more fully described in attachment A-2.

c. The storage unit located at Public Storage, 300 Avery Street, Unit number 5036, Los Angeles, California 90013 ("Public Storage Unit 5036"), as more fully described in attachment A-3.

d. The storage unit located at Public Storage, 6202 Willoughby Avenue, unit number A163, Los Angeles, California 90038 ("Public Storage Unit A163), as more fully described in attachment A-4.

e. The residence located at 1306 North Citrus Avenue, Los Angeles, California 90038 ("Citrus Residence), as more fully described in Attachment A-5.

f. The residence located at Orsini Apartments, 606 North Figueroa Street, apartment number 324, Los Angeles, California 90012 and any designated storage spaces ("Orsini Apartment 324"), as more fully described in attachment A-6.

STATEMENT OF PROBABLE CAUSE

A. Summary

7. The investigation into defendants' bank fraud conspiracy began in late 2012, when law enforcement discovered that a Citibank ATM reader, called a "door popper," had been stolen from

the entrance of an Automated Teller Machine ("ATM") vestibule in Las Vegas, Nevada. The investigation has revealed that defendants and their co-conspirators used the reader to develop a skimming device that can overlay ATM readers. As detailed herein, a skimming device reads the information encoded on a debit card, and stores it for later retrieval or communicates it wirelessly to another computer. The conspirators began to install these skimming devices on ATMs and ATM vestibule doors in Las Vegas, Nevada, and the Los Angeles, California area. Along with the skimming devices, the conspirators installed video recorders on the ATMs, designed to record the victims as they entered their Personal Identification Numbers ("PINs") into the ATMs after sliding their debit card. After a day or so of stealing information, the conspirators would remove their devices for later use. Then, the conspirators created unauthorized access devices by writing the stolen debit card information onto new cards. Finally, the conspirators would go to various ATMs in Las Vegas, Nevada, and the greater Los Angeles area, and use the cards, and the PIN information, to make multiple unauthorized withdrawals from the victims' accounts.

8. Each of the defendants in this case performed both the installations and/or the removals of the skimming and recording devices, and the withdrawals from the victim bank accounts. On numerous occasions between January 2013 and the present day,

defendants were surveilled during these activities. The evidence against each of them consists primarily of physical surveillance of them going to the banks to install or remove the devices, to make withdrawals, or to engage in other related conspiracy conduct; the video recordings and pictures from the ATM machines, and the bank records of ATM activity on victim accounts during the skimming period and the later unauthorized withdrawals.

9. During the investigation, a number of locations were identified as being used by defendants, including two apartments at the Orsini Apartments in Los Angeles, California, and a single family residence at 1306 North Citrus Avenue, Los Angeles, California, believed to be used by the defendants to live at, to store evidence, and to potentially manufacture skimming devices. Additionally, the investigation has revealed three storage units frequently visited by defendants, which appear to be locations where cards, proceeds, and other evidence are stored.

10. In total, Citibank has identified at least \$288,000, and potentially as much as \$900,000, in loss based on defendants' unauthorized withdrawals from victim bank accounts.

B. Background Training and Experience

Romanian Organized Crime Operation Relating to Bank Fraud
Skimming Devices

11. Based on my education, training, and experience, my conversations with other agents, investigators, detectives and

task force officers ("TFOs") with combined experience and specialization in the investigation of crimes such as identity theft, credit card fraud, and other financial crimes, and my interviews of criminal subjects involved in similar schemes, I have learned and know the following:

a. Agents and police officers have received information concerning a criminal organization consisting of Romanian nationals operating in the United States. The organization is using a complex fraud scheme in order to obtain from victim bank accounts throughout the United States. Those techniques include "skimming," which is the process of fraudulently capturing a true debit account card holder's name and account number encoded on the magnetic strip on the back of a genuine debit card.

b. The victims' bank accounts are accessed through the accounts' debit card numbers, which are unlawfully acquired by means of a bank card scanning device being placed on, in, or over an ATM card accepting slot. This scanning device, commonly referred to as a "skimmer," uses a magnetic strip reader ("MSR") to capture all the programmed information on a magnetic strip, or information track, of a plastic card. The information stored on a bank card magnetic strip, such as a debit or credit card, contains the full name of the card holder, the account number assigned to the card holder, which is generally a sixteen digit number, and

the three digit Card Verification Value ("CVV"). In addition to the skimming device, suspects construct and place on an ATM machine a hidden camera to capture an unwitting victim's PIN as it is entered into the ATM keypad. The suspects utilize the information captured via the MSR to encode blank cards, or access devices.

c. Utilizing the newly manufactured counterfeit access devices, the suspects have the capability to conduct a banking transaction at any ATM to withdraw currency or transfer funds from the unsuspecting bank customers' accounts. This is typically referred to as a "cash out." The suspects typically travel to locations other than where the account numbers were skimmed to make the cash withdrawals. Besides cash withdrawals, other transactions using the counterfeit access devices in conjunction with their corresponding stolen PINs, such as retail purchases, fuel purchases and a variety of other purchases can be made with each counterfeit access device. In most cases, each victim account is used until the transactions are declined by the financial institutions for fraud on the accounts, or because the suspects failed to manufacture the counterfeit access device properly.

d. Stolen credit and debit card account information may also be marketed and sold in a number of ways in the underground economy, including by vendors and organized crime

("OC") groups who sell the digital data online, through "carding" websites, and in criminally-oriented "forums." In this way, stolen account information can easily be passed internationally, from criminals who steal the data in one country, to those who use the data for fraudulent transactions in that or any other country around the world. Criminals purchase these stolen credit card numbers online from the vendors of the same by wiring money orders, or using other underground online payment systems. Criminals often send money transfers via Liberty Reserve, the AurumXchange Company, Western Union, WebMoney Transfers, and Green Dot Money Paks. Upon receipt of the money order/online payment, the vendor of the stolen data will then deliver it electronically, often via e-mail.

e. The stolen account information can be used for fraud in any number of ways, including for "in person" transactions. In order to be used in that way, it is generally necessary to re-encode the stolen digital data onto a new, physical credit card, debit card, gift card, or even just a blank card (known as "white plastic").

f. Sometimes, the genuine account information that was stolen or skimmed is altered before encoding onto a counterfeit card (using a computer) to reflect a name different from that of the true cardholder. A holographic sticker is then affixed to the counterfeit card, and the card is then embossed with someone

else's name (i.e., not the true cardholder's name) and the genuine account number of the stolen or fraudulently obtained credit card. The counterfeit card is heat pressed with tipping foil that gives the raised account number and cardholder name a shiny appearance. The card is placed in a printing device that prints an ultraviolet security feature on the card. This allows the perpetrator(s) or "runners" for the scheme to fraudulently obtain goods, services, money, and other things of value at retailers without paying for them.

g. The runners will then sometimes bring the merchandise, gift cards, money cards, or other items acquired with the counterfeit cards back to the card manufacturer or "provider" of the compromised account information. The provider will then sometimes purchase the items from the runners, paying only a fraction of their true retail cost. The providers will then sell or "fence" the stolen goods via hand-to-hand sales transactions, street level black markets, and or online platforms such as eBay and Craigslist.

h. Criminals involved in manufacturing counterfeit credit and debit cards typically use stolen or fictitious personal identification information and documents, including social security numbers, driver's licenses, and passports, to create false identities. The false identities are then embossed and/or encoded onto the counterfeit credit cards. This allows the

criminals to purchase goods and services such as obtaining rental vehicles without disclosing their true identities.

i. Criminals involved in manufacturing counterfeit credit and debit cards often use and receive cash in exchange for credit card numbers and in exchange for merchandise purchased with such numbers.

j. Individuals involved in these particular criminal organizations, especially organized credit and bank card skimming groups, will often keep evidence of their schemes in their residences, garages, storage spaces, vehicles, safes attached to or included within their residences or businesses, and separate storage structures. In particular, they will often utilize offsite public storage facilities as a central location to store their equipment used to acquire debit and credit card accounts, equipment to manufacture fraudulent access devices, and money to further their illicit activity and enterprise. These storage units which are typically rented for a set number of days by skimming crews who often pay for the rental with cash. This form of payment is often the ill gotten gains referred to as their ATM "cash outs" from the stolen numbers that they previously skimmed. By hiding the tools and fruits of credit card fraud and identity theft in storage units or other external locations, the individual members attempt to avoid being identified and arrested. The

evidence typically stored or accessed in these locations includes but is not limited to:

- 1) Counterfeit credit and debit cards, lists of credit and debit card account numbers, plastic cards bearing magnetic strips, checks, and credit profiles in the names of third parties, including names, dates of birth, social security numbers, addresses, mail matter, financial information, account numbers, and identification documents in the names of third parties;

- 2) Equipment used to fraudulently acquire credit card numbers and make counterfeit credit cards, including computers and other digital devices providing Internet access or electronic data storage, encoders, embossers, skimmers, electronic "filters," in-line skimming devices, transmission devices, storage devices, video recorders, and other devices used in the stealing or storing of account information from victims' account statements;

- 3) Credit applications, receipts showing withdrawals or purchases using credit or debit cards, identity documents, credit card convenience checks (i.e., checks issued by credit card companies used to access lines of credit), and photo identification cards such as driver's licenses;

- 4) U.S. currency and other proceeds of the sale of fraudulent credit card numbers, pre-paid gift cards, and merchandise purchased using counterfeit credit cards; and

5) Keys, contracts, and rental agreements for other places used for concealing contraband.

k. These skimming crews are extremely sophisticated in all planning and operational stages of their crime. These groups often rent multiple storage units at the same time from different companies at different locations. Some storage units are utilized because 24-hour access is allowed to the renter, which allows the crews to access the storage unit when they believe that law enforcement will not be watching, or when they can more easily identify law enforcement surveillance. These same groups also manufacture their fraudulent access devices inside these storage facilities in their attempt to elude their detection by law enforcement.

l. Individuals involved in possessing and distributing stolen credit and debit card numbers often keep information related to their schemes on computers, cellular phones, and other digital data storage devices.

m. Individuals involved in stolen card number and counterfeit credit card schemes sometimes keep items needed to continue their schemes, and proceeds of their schemes, in their vehicles, such as fraudulently issued debit and credit cards, profile information, credit card stock such as "white plastic," gift cards, other credit card instruments containing a magnetic

strip, computers, cellular phones, thumb drives, CDs, and other data storage devices.

n. Individuals who commit financial and technology based crimes often may not discard or destroy paper documents related to their activities. These documents can include logs of fraudulent transactions and monies received and may refer to names of individuals and companies that have been victimized and payments to or from co-schemers.

Digital Devices

12. I also am requesting to search for, and seize, digital devices. As used herein, the term "digital device" includes any electronic system or device capable of storing or processing data in digital form, including central processing units; desktop, laptop, notebook, and tablet computers; personal digital assistants; wireless communication devices, such as telephone paging devices, beepers, mobile telephones, and smart phones; digital cameras; peripheral input/output devices, such as keyboards, printers, scanners, plotters, monitors, and drives intended for removable media; related communications devices, such as modems, routers, cables, and connections; storage media, such as hard disk drives, floppy disks, memory cards, optical disks, and magnetic tapes used to store digital data (excluding analog tapes such as VHS); and security devices. Based on my knowledge, training, and experience, as well as information related to me by

agents and others involved in the forensic examination of digital devices, I know that data in digital form can be stored on a variety of digital devices and that during the search of a premises it is not always possible to search digital devices for digital data for a number of reasons, including the following:

a. Searching digital devices can be a highly technical process that requires specific expertise and specialized equipment. There are so many types of digital devices and software programs in use today that it is impossible to bring to the search site all of the necessary technical manuals and specialized equipment necessary to conduct a thorough search. In addition, it may be necessary to consult with specially trained personnel who have specific expertise in the types of digital devices, operating systems, or software applications that are being searched.

b. Digital data is particularly vulnerable to inadvertent or intentional modification or destruction. Searching digital devices can require the use of precise, scientific procedures that are designed to maintain the integrity of digital data and to recover "hidden," erased, compressed, encrypted, or password-protected data. As a result, a controlled environment, such as a law enforcement laboratory or similar facility, is essential to conducting a complete and accurate analysis of data stored on digital devices.

c. The volume of data stored on many digital devices will typically be so large that it will be highly impractical to search for data during the physical search of the premises. A single megabyte of storage space is the equivalent of 500 double-spaced pages of text. A single gigabyte of storage space, or 1,000 megabytes, is the equivalent of 500,000 double-spaced pages of text. Storage devices capable of storing 500 or more gigabytes are now commonplace. Consequently, just one device might contain the equivalent of 250 million pages of data, which, if printed out, would completely fill three 35' x 35' x 10' rooms to the ceiling. Further, a 500 gigabyte drive could contain as many as approximately 450 full run movies or 450,000 songs.

d. Electronic files or remnants of such files can be recovered months or even years after they have been downloaded onto a hard drive, deleted, or viewed via the Internet. Electronic files saved to a hard drive can be stored for years with little or no cost. Even when such files have been deleted, they can be recovered months or years later using readily-available forensics tools. Normally, when a person deletes a file on a computer, the data contained in the file does not actually disappear; rather, that data remains on the hard drive until it is overwritten by new data. Therefore, deleted files, or remnants of deleted files, may reside in free space or slack space, i.e., space on a hard drive that is not allocated to an active file or

that is unused after a file has been allocated to a set block of storage space, for long periods of time before they are overwritten. In addition, a computer's operating system may also keep a record of deleted data in a swap or recovery file. Similarly, files that have been viewed on the Internet are often automatically downloaded into a temporary directory or cache. The browser typically maintains a fixed amount of hard drive space devoted to these files, and the files are only overwritten as they are replaced with more recently downloaded or viewed content. Thus, the ability to retrieve residue of an electronic file from a hard drive depends less on when the file was downloaded or viewed than on a particular user's operating system, storage capacity, and computer habits. Recovery of residue of electronic files from a hard drive requires specialized tools and a controlled laboratory environment. Recovery also can require substantial time.

e. Although some of the records called for by this warrant might be found in the form of user-generated documents (such as word processing, picture, and movie files), digital devices can contain other forms of electronic evidence as well. In particular, records of how a digital device has been used, what it has been used for, who has used it, and who has been responsible for creating or maintaining records, documents, programs, applications and materials contained on the digital

devices are, as described further in the attachments, called for by this warrant. Those records will not always be found in digital data that is neatly segregable from the hard drive image as a whole. Digital data on the hard drive not currently associated with any file can provide evidence of a file that was once on the hard drive but has since been deleted or edited, or of a deleted portion of a file (such as a paragraph that has been deleted from a word processing file). Virtual memory paging systems can leave digital data on the hard drive that show what tasks and processes on the computer were recently used. Web browsers, e-mail programs, and chat programs often store configuration data on the hard drive that can reveal information such as online nicknames and passwords. Operating systems can record additional data, such as the attachment of peripherals, the attachment of USB flash storage devices, and the times the computer was in use. Computer file systems can record data about the dates files were created and the sequence in which they were created. This data can be evidence of a crime, indicate the identity of the user of the digital device, or point toward the existence of evidence in other locations. Recovery of this data requires specialized tools and a controlled laboratory environment, and also can require substantial time.

f. Further, evidence of how a digital device has been used, what it has been used for, and who has used it, may be the

absence of particular data on a digital device. For example, to rebut a claim that the owner of a digital device was not responsible for a particular use because the device was being controlled remotely by malicious software, it may be necessary to show that malicious software that allows someone else to control the digital device remotely is not present on the digital device. Evidence of the absence of particular data on a digital device is not segregable from the digital device. Analysis of the digital device as a whole to demonstrate the absence of particular data requires specialized tools and a controlled laboratory environment, and can require substantial time.

13. Other than what has been described herein, to my knowledge, the United States has not attempted to obtain this data by other means.

C. Investigation

Initial Theft of Skimming Device

14. On or about December 9, 2012, employees of the Citibank branches located at 8701 West Sahara Avenue, Las Vegas, Nevada, and 398 South Decatur Boulevard, Las Vegas, Nevada, discovered that the card reading devices, commonly referred to as a "door popper," were missing from the entrances of their respective ATM vestibules. The door popper reads an ATM card and subsequently unlocks the door of an ATM vestibule to provide access for bank customers. Las Vegas Metropolitan Police Department ("LVMPD")

Detective Matthew Jogodka initiated investigations into the missing ATM door poppers and determined that on December 9, 2013, at 12:14 a.m., surveillance video revealed two unidentified males removing the ATM door popper from 8701 West Sahara Avenue, Las Vegas, Nevada. Later that same day, at approximately 12:53 a.m., surveillance video revealed two unidentified males removing the ATM door popper from 398 South Decatur Boulevard, Las Vegas, Nevada. Detective Jogodka now believes that the door readers were stolen in order to manufacture a similar looking face plate that could be placed over other door readers at ATM vestibules for the purpose of reading or "skimming," magnetic strips of bank cards.

15. After this initial theft, the coconspirators began to work together to install, and later remove, the skimmers on ATM readers and door readers at ATM vestibules, and the video recording devices on ATMs to record PIN information. Subsequently, and after using the stolen information to create new debit cards, the coconspirators would work together to make unauthorized withdrawals from ATMs. Most times, they would approach the ATM with a number of ATM cards, and make one withdrawal after another. Sometimes, they would transfer money from the savings account to the checking account before making the withdrawal. The following paragraphs detail just a small number of the installations, removals, and cash withdrawals. In addition, as detailed below, defendants used a series of rental

cars to carry out the bank fraud, exchanging the cars every few weeks or so, and also moved very often from rental houses and apartments. In between the visits to the banks, defendants would return to the residences and rented storage units, including the Subject Premises, frequently - in what appears to my training and experience and knowledge of this investigation to be to obtain or return stored skimming and recording devices, unauthorized or counterfeit debit cards, cash, or other items related to this conspiracy.

Installation and Removal of Skimming Devices on January 20, 2013 and Subsequent Withdrawals on January 21 and 22, 2013

16. On January 20, 2013, at approximately 10:45 a.m., surveillance video revealed two males, subsequently identified as Petru Christinel Olteanu-Ursachi ("OLTEANU")¹ and Bogdan Ciuchi ("CIUCHI")², entered the ATM vestibule of the Citibank located at 8701 West Sahara Avenue, Las Vegas, Nevada. OLTEANU removed a rectangular box from the inside left pocket of his sport jacket. OLTEANU provided the rectangular box to CIUCHI. CIUCHI affixed the rectangular box to a surface of the ATM machine. At approximately 10:46 a.m., OLTEANU and CIUCHI exited the ATM

¹ The identification of OLTEANU is explained in further detail in paragraphs 114-116.

² The identification of CIUCHI is explained in further detail in paragraphs 105-108.

vestibule. Neither OLTEANU nor CIUCHI completed an ATM transaction.

17. Later that same day, at approximately 10:50 a.m., surveillance video revealed CIUCHI returned to the ATM vestibule and approached a second ATM machine. CIUCHI affixed a second rectangular box to the ATM machine. He did not appear to insert an ATM card or complete a transaction. CIUCHI returned to the first ATM machine where he affixed a rectangular box moments earlier. CIUCHI raised his right hand to the rectangular box and moved his hand from left-to-right in a manner consistent with ensuring that the object was secure to the ATM machine. CIUCHI did not insert an ATM card or complete a transaction. At approximately 10:51 a.m., CIUCHI exited the ATM vestibule.

18. Approximately six minutes later, surveillance video revealed an unidentified male standing next to the door leading to the ATM vestibule. The unidentified male remained at the location for approximately thirty seconds with his hands extended toward the card reading device that permitted access to the ATM vestibule. The unidentified male departed the area without entering the ATM vestibule.

19. Later that same day, at approximately 7:19 p.m., surveillance video revealed a male, subsequently identified as

Gheorghita Vlasin ("VLASIN")³, entered the ATM vestibule and approached the ATM machines where CIUCHI had earlier affixed rectangular boxes. VLASIN removed the rectangular boxes from both ATM machines and exited the ATM vestibule. VLASIN did not insert an ATM card or complete a transaction.

20. Based upon my training, experience, and knowledge of this investigation, I believe that CIUCHI, OLTEANU, VLASIN and/or other coconspirators manufactured devices composed of miniature clandestine cameras contained within rectangular boxes of similar color to Citibank ATM machines and a card reading device disguised as a door popper providing access to the ATM vestibule. CIUCHI and OLTEANU placed camera devices upon a downward facing surface of the ATM machines. The cameras were positioned in a manner to capture PINs as they were entered into the keypad of the ATM machine by unwitting bank customers. At the approximate time of the installation of the camera devices, OLTEANU, CIUCHI, and VLASIN installed a skimming device over the door popper to capture and record ATM card information as was utilized to gain entry into the ATM vestibule.

21. On January 21, 2013, at approximately 8:37 p.m., video surveillance revealed VLASIN and OLTEANU entered the Citibank ATM vestibule located at 3900 Paradise Road, Las Vegas, Nevada.

³. The identification of VLASIN is explained in further detail in paragraphs 117-22.

VLASIN and OLTEANU each approached ATM machines and began making numerous cash withdrawals. At approximately 8:45 p.m., VLASIN exited the ATM vestibule as OLTEANU completed another withdrawal. OLTEANU exited the ATM vestibule approximately one minute later.

22. Later that same day, at approximately 8:47 p.m., surveillance video revealed OLTEANU reentered the ATM vestibule and approached the machine previously utilized by VLASIN. OLTEANU appeared to complete numerous ATM withdrawals. Approximately one minute later, VLASIN entered the ATM vestibule and approached the ATM machine previously utilized by OLTEANU. VLASIN appeared to complete several ATM withdrawals. Moments later, OLTEANU exited the ATM vestibule. At approximately 8:50 p.m., VLASIN completed his last withdrawal and exited the ATM vestibule.

23. Later that same day, at approximately 8:55 p.m., a male, subsequently identified as Catalin Sion ("Sion")⁴, entered the ATM vestibule and approached an ATM machine. Sion began making ATM withdrawals. At approximately 8:57 p.m., a male, subsequently identified as Oliver Raducu Marian ("MARIAN")⁵, also known as

⁴ Sion was arrested on June 16, 2013, while attempting to install a skimming device on an ATM machine with Mihal Alexandru at a Citibank located at 2118 Cottman Avenue, Philadelphia, Pennsylvania. Sion was subsequently charged in the United States District Court, Eastern District of Pennsylvania, with 18 U.S.C. § 371, 18 U.S.C. § 1029(a)(4), and 18 U.S.C. § 1028A.

⁵ The identification of MARIAN is explained in further detail in paragraphs 109-15.

Tyrone Constant, entered the ATM vestibule. MARIAN approached an ATM machine and appeared to complete several withdrawals. At approximately 9:06 p.m., Sion exited the ATM vestibule. MARIAN continued making withdrawals from two different ATMs within the vestibule. At approximately 9:08 p.m., MARIAN completed his last withdrawal and exited the ATM vestibule.

24. Later that same day, at approximately 9:58 p.m., surveillance video revealed CIUCHI and MARIAN reentered the ATM vestibule and appeared to complete cash withdrawals simultaneously from two ATM machines. Approximately one minute later, an unidentified male entered the ATM vestibule. MARIAN turned his head in the direction of the unidentified male, completed his withdrawal, and exited the ATM vestibule. The unidentified male completed one withdrawal and exited the ATM vestibule. CIUCHI completed several more withdrawals and answered an incoming call on a cellular telephone. At approximately 10:02 p.m., MARIAN returned to the vestibule and appeared to complete several more cash withdrawals. At approximately 10:13 p.m., CIUCHI completed his last withdrawal and exited the vestibule. At approximately 10:14 p.m., MARIAN completed his last withdrawal and exited the vestibule.

25. Later that same day, at approximately 10:17 p.m., surveillance video revealed Sion and CIUCHI reentered the ATM vestibule. Sion and CIUCHI appeared to simultaneously complete

several withdrawals. Sion and CIUCHI spoke with one another as they made multiple withdrawals. At approximately 10:20 p.m., CIUCHI exited the ATM vestibule and Sion began making withdrawals from the ATM machine previously utilized by CIUCHI. Video surveillance revealed no additional individuals utilized the ATM machines between 10:01 p.m. and 10:25 p.m.

26. On January 22, 2013, at approximately 10:36 p.m., surveillance video revealed VLASIN entered the Citibank ATM vestibule located at 4065 South Jones Boulevard, Las Vegas, Nevada. VLASIN approached one of two ATM machines and began making withdrawals. At approximately 10:38 p.m., OLTEANU entered the ATM vestibule and approached the second ATM machine located in the vestibule. OLTEANU began making several withdrawals. At approximately 10:40 p.m., OLTEANU exited the ATM vestibule. VLASIN completed several more withdrawals and briefly spoke on a cellular telephone. At approximately 10:41 p.m., an unidentified female entered the ATM vestibule and completed a bank withdrawal utilizing the ATM machine next to VLASIN. At approximately 10:42 p.m., VLASIN exited the ATM vestibule. At approximately 10:43 p.m., the unidentified female exited the ATM vestibule. At approximately 10:45 p.m., OLTEANU and VLASIN reentered the ATM vestibule and began making withdrawals.

27. I have reviewed Citibank records and discovered that numerous unauthorized cash withdrawals occurred on January 21,

2013, at 3900 Paradise Road, Las Vegas, Nevada, and January 22, 2013, at 4065 South Jones Boulevard, Las Vegas, Nevada, as well as other Citibank locations in the Las Vegas area. The cash withdrawals utilized bank accounts accessed by the victims between the installation and removal of skimming devices on January 20, 2013, at 8701 West Sarah Avenue, Las Vegas. The 49 identified unauthorized cash withdrawals resulted in the loss of \$51,622.

28. Based upon my training, experience, and knowledge of this investigation, I believe that the cash withdrawals completed by OLTEANU, VLASIN, MARIAN, CIUCHI, and Sion were accomplished as a result of bank account information and PINs illicitly obtained from skimming devices deployed by OLTEANU and CIUCHI and recovered by VLASIN on January 20, 2013.

Installation and Removal of Skimming Devices on March 3, 2013
and Subsequent Withdrawals on March 6, 2013

29. On March 3, 2013, at approximately 9:32 a.m., video surveillance revealed Sion entered the Citibank ATM vestibule located at 7552 Edinger Avenue, Huntington Beach, California. Sion approached an ATM machine and began making a withdrawal. Moments later a male, later identified as Mihal Alexandru ("Alexandru")⁶, entered the ATM vestibule. At approximately 9:33

⁶ Alexandru was arrested on June 16, 2013, while attempting to install a skimming device with Sion on an ATM machine at a Citibank located at 2118 Cottman Avenue, Philadelphia,

a.m., Sion exited the vestibule. Moments later, Alexandru exited the vestibule. Alexandru did not complete any ATM withdrawals while inside the vestibule.

30. Later that same day, at approximately 9:38 a.m., video surveillance revealed MARIAN and CIUCHI entered the ATM vestibule. MARIAN was wearing a black baseball cap with the letters "AJ" on the bill. CIUCHI affixed a device to one of the two ATM machines and wiped down the object with a piece of cloth. MARIAN affixed a second device to the second ATM machine in the vestibule.

31. Later that same day, at approximately 6:17 p.m., video surveillance revealed MARIAN entered the Citibank ATM vestibule located at 7552 Edinger Avenue, Huntington Beach, California. MARIAN approached one of the two ATM machines and removed a device from the ATM machine. Moments later, MARIAN approached the second ATM machine in the vestibule. MARIAN removed a second device from the ATM machine and exited the vestibule. MARIAN did not complete any ATM transactions.

32. Based upon my training, experience, and knowledge of this investigation, I believe that Sion and Alexandru entered the ATM vestibule at the above Citibank branch to scout and otherwise assess the presence of employees and bank customers within the

Pennsylvania. Alexandru was subsequently charged in the United States District Court, Eastern District of Pennsylvania, with 18 U.S.C. § 371, 18 U.S.C. § 1029(a)(4), and 18 U.S.C. § 1028A.

vestibule. Moments later, CIUCHI and MARIAN entered the vestibule to install previously constructed clandestine camera boxes to record PINs of unwitting bank customers. At approximately the same time as the installation of the clandestine cameras, Sion, Alexandru, CIUCHI, MARIAN, and/or other coconspirators installed a card reading device over the door popper. Later that same day, MARIAN returned to the vestibule and recovered the clandestine camera boxes.

33. During the period of time between when surveillance video revealed the installation and removal of the skimming devices, numerous accounts were accessed by bank customers as they utilized the two ATM machines at that location, including Citibank accounts ending in 8174 and 4320.

34. On March 6, 2013, at approximately 11:13 a.m., video surveillance revealed MARIAN and CIUCHI approached the Citibank ATM machines located at 161 West California Boulevard, Pasadena, California, and began making multiple cash withdrawals. MARIAN was wearing a red jacket, blue shirt, dark jeans, and red shoes. CIUCHI was wearing a grey jacket, white shirt, light colored jeans. At approximately 11:16 a.m., CIUCHI departed the area and unidentified female approached the ATM machine and made a withdrawal. Moments later, a second unidentified female arrived and waited for an available ATM machine. MARIAN completed a withdrawal and departed the area. The first unidentified female

completed her withdrawal and departed the area. The second unidentified female completed her withdrawal and departed the area. At approximately 11:18 a.m., MARIAN returned to the ATM machines and made several more cash withdrawals. At approximately 11:21 a.m., MARIAN departed the area.

35. Later that same day, at approximately 12:00 p.m., MARIAN approached the Citibank ATM machine located at 4000 West Alameda Avenue, Burbank, California. MARIAN appeared to complete several cash withdrawals and then depart the area approximately 12:03 p.m. Approximately one minute later, CIUCHI approached the ATM machine and appear to complete several cash withdrawals. CIUCHI departed the area at approximately 12:07 p.m.

36. Citibank records revealed that Citibank account ending in 8174 was accessed at the above location at approximately 12:00 p.m., the time at which MARIAN was utilizing the ATM machine. The individual accessing this account withdrew \$860. The Citibank records further revealed the Citibank account ending in 4320 was accessed at the above location at approximately 12:06 p.m., the time at which CIUCHI was utilizing the ATM machine. The individual accessing this account withdrew \$2,000. Citibank has confirmed that the owners of this account did not make or authorize the withdrawal.

37. Later that same day, at approximately 12:40 p.m., video surveillance revealed a white Mercedes Benz arrived in the area

and parked in a parking lot across the street from a Citibank located at 1201 North Central Avenue, Glendale, California. CIUCHI exited the passenger side front door of the Mercedes Benz and walked to the ATM machine located at the bank. CIUCHI was wearing a grey jacket, a white button down shirt, and light color blue jeans. Simultaneously, MARIAN exited the vehicle and walked to the adjacent ATM machine. MARIAN was wearing dark sunglasses, a light color button down shirt, a red jacket, dark colored pants, and red shoes. CIUCHI inserted several bank cards and withdrew money several times. CIUCHI departed the area and walked back to the Mercedes Benz. MARIAN approached the ATM utilized by CIUCHI. MARIAN inserted several bank cards and withdrew money several times. MARIAN departed the area and walked back to the Mercedes Benz.

38. Later that same day, at approximately 9:00 p.m., video surveillance revealed CIUCHI approached the Citibank ATM machine located 320 North Harbor, Fullerton, California. CIUCHI was wearing the same clothing as observed earlier in the day. CIUCHI inserted several bank cards and withdrew money several times. CIUCHI placed the money withdrawn from the ATM machine into his wallet and departed the area.

39. Later that same day, at 9:15 p.m., video surveillance revealed a white sedan, possibly a Mercedes Benz, arrived in the Citibank parking lot located at 610 North Euclid Street, Anaheim,

California. Moments later, a male wearing a red jacket, light colored shirt, dark pants, and red shoes, believed to be MARIAN, exited the driver's side door and approached one of the two ATM machines at that location. MARIAN inserted several bank cards and withdrew money several times. At approximately 9:18 p.m., MARIAN returned to the driver's side door of the white sedan and entered the vehicle. Approximately one minute later, CIUCHI exited the passenger's side door and approached the second ATM machine. CIUCHI inserted several bank cards and withdrew money several times. At approximately 9:24 p.m., CIUCHI returned to the white sedan. Moments later, the vehicle departed that area.

40. Later that same day, at approximately 9:30 p.m., video surveillance revealed MARIAN approached one of the two Citibank ATM machines located at 198 West Lincoln Avenue, Anaheim, California. MARIAN was wearing the same red jacket and red shoes as observed earlier in the day. MARIAN inserted several bank cards and possibly withdrew money several times. At approximately 9:32 p.m., MARIAN departed the area. Moments later, CIUCHI approached the second ATM machine. CIUCHI was wearing the same dark colored jacket and white shirt as observed earlier in the day. CIUCHI inserted several bank cards and possibly withdrew money several times. At approximately 9:34 p.m., CIUCHI departed the area.

41. Based upon my training, experience, and knowledge of this investigation, I believe that the cash withdrawals completed by MARIAN and CIUCHI were accomplished as a result of bank account information and PINs illicitly obtained from skimming devices deployed and recovered by coconspirators on March 3, 2013, at the Citibank located at 7552 Edinger Avenue, Huntington Beach, California.

42. I have reviewed Citibank records and discovered that numerous unauthorized cash withdrawals occurred on March 6, 2013, at 161 West California Boulevard, Pasadena, California; 4000 West Alameda Avenue, Burbank, California; 1201 North Central Avenue, Glendale, California; 320 North Harbor, Fullerton, California; 610 North Euclid Street, Anaheim, California; and 198 West Lincoln Avenue, Anaheim, California, as well as other Citibank locations in the southern California area. Citibank has confirmed that the owners of these accounts did not make or authorize the withdrawals. The unauthorized cash withdrawals were from bank accounts that had been legitimately accessed by victims between the installation and removal of skimming devices on March 3, 2013, at 7552 Edinger Avenue, Huntington Beach, California. The identified unauthorized cash withdrawals resulted in the loss of \$34,800.

Installation and Removal of Skimming Device on March 10, 2013
and Subsequent Withdrawals on March 11, 2013

43. On March 10, 2013, at approximately 7:05 a.m., surveillance video revealed an unknown male (UM-1) entered the ATM vestibule located at Citibank, 2215 North Rampart Boulevard, Las Vegas, Nevada. UM-1 was wearing a baseball cap, light colored jacket, light colored scarf covering the face, light colored pants and white gloves. A picture of a kangaroo was displayed on the baseball cap. UM-1 was carrying a satchel which was slung over his shoulder. UM-1 removed a device from the satchel. The device was affixed to one of the two ATM machines. UM-1 approached the second ATM machine. UM-1 removed a second device from his satchel and affixed it to the second ATM machine. The devices were affixed to the overhanging ledge of the ATM machine facing down. UM-1 exited the vestibule.

44. Later that same day, at approximately 6:32 p.m., surveillance revealed a male, subsequently identified as Adrian Saran ("SARAN")⁷, entered the ATM vestibule at the above Citibank bank branch and removed the devices from the ATM machines. SARAN placed the devices in a satchel and departed the area.

45. During the period of time between when surveillance video revealed the installation and removal of the skimming

⁷ The identification of SARAN is explained in further detail in paragraphs 121-22.

devices, numerous accounts were accessed by bank customers as they utilized the two ATM machines at that location, including an authorized withdrawal from an account ending in 4179.

46. On March 11, 2013, at approximately 8:55 p.m., video surveillance revealed a silver Ford Escape arrived at the drive-thru Citibank ATM machine located 3990 Maryland Parkway, Las Vegas, Nevada. SARAN, the driver of the vehicle, made numerous cash withdrawals from the ATM machine. At approximately 8:58 p.m., the vehicle departed the area.

47. Later that same day, at approximately 10:12 p.m., video surveillance revealed a silver Ford Escape arrived at the drive-thru Citibank ATM machine located at 103 South Rainbow Way, Las Vegas, Nevada. SARAN, the driver of the vehicle, completed several cash withdrawals from the ATM machine. At approximately 10:17 p.m., the silver Ford Escape departed the area.

48. Citibank investigators interviewed bank customers and ascertained that on March 11 and 12, 2013, numerous bank accounts were fraudulently accessed. For example, on March 11, 2013, at approximately 10:14 p.m., at the ATM machine located at 103 South Rainbow Boulevard, Las Vegas, Nevada, Citibank records indicate \$900 was withdrawn from the account ending at 4179. Video surveillance revealed SARAN was using this particular ATM machine at this time. This is the same account referenced above as being skimmed during the time the skimmer equipment was installed.

Citibank has confirmed that the owners of these accounts did not make or authorize the withdrawals. I have reviewed Citibank records and discovered that the bank account information obtained from the skimming devices installed on March 10, 2013, at Citibank, 2215 North Rampart Boulevard, Las Vegas, Nevada, was utilized to make numerous unauthorized withdrawals resulting in the loss of \$38,100.

49. Based upon my training, experience, and knowledge of this investigation, I believe SARAN completed cash withdrawals accomplished as a result of bank account information and PINs illicitly obtained from skimming devices deployed and recovered by coconspirators and SARAN on March 10, 2013, at the Citibank located 2215 North Rampart Boulevard, Las Vegas, Nevada.

Installation of Skimming Device on March 24, 2013, and
Subsequent Cash Withdrawals on April 1, 2013

50. On March 24, 2013, at approximately 8:08 a.m., video surveillance revealed CIUCHI and MARIAN entered the Citibank ATM vestibule located at 845 Grant Avenue, San Francisco, California. CIUCHI and MARIAN simultaneously approached the two ATM machines located within the vestibule and installed devices upon the machines. At approximately 8:10 a.m., CIUCHI exited the vestibule. MARIAN moved to the ATM machine where CIUCHI installed a device and appeared to inspect the installation. Moments later, MARIAN exited the vestibule.

51. I do not possess any surveillance video capturing the removal of the devices installed by CIUCHI or MARIAN.

52. Shortly after surveillance video revealed the installation of the skimming devices, numerous accounts were accessed by bank customers as they utilized the two ATM machines at that location, including an authorized withdrawal from an account ending in 4030.

53. On April 1, 2013, at approximately 10:31 a.m., video surveillance revealed Sion entered the Citibank ATM vestibule located at 590 Market Street, San Francisco, California. Sion appeared to complete multiple cash withdrawals. At approximately 10:33 a.m., Sion departed the ATM. At approximately 10:36 a.m., CIUCHI entered the ATM vestibule and appeared to complete withdrawals from one of the ATM machines. At approximately 10:37 a.m., CIUCHI departed the ATM vestibule.

54. Citibank records revealed that the Citibank account ending in 4030 was accessed at the above location at approximately 10:32 a.m., the time at which Sion was utilizing the ATM machine. The individual accessing the account withdrew \$1,000.

55. Citibank records further revealed that an additional 10 unauthorized cash withdrawals were completed utilizing bank accounts accessed shortly after the skimming device installation on March 24, 2013, at 845 Grant Avenue, San Francisco, California. The unauthorized cash withdrawals, including the withdrawal

completed by Sion, occurred at five Citibank locations in the San Francisco area on April 1 and 2, 2013 and resulted in the loss of \$12,860.

Installation of Skimming Devices on April 21, 2013 and

Subsequent Cash Withdrawals on April 22, 2013

56. On April 21, 2013, at approximately 7:29 a.m., video surveillance revealed MARIAN and OLTEANU standing next to the door popper of the Citibank vestibule located at 6436 Irvine Boulevard, Irvine, California. Moments later MARIAN and OLTEANU entered the ATM vestibule and installed devices on both ATM machines. MARIAN and OLTEANU then exited the vestibule. MARIAN appeared to place his hands in the area of the door popper. Moments later, both departed the area.

57. Later that same day, at approximately 8:04 a.m., video surveillance revealed VLASIN and a second male, subsequently identified Ioan Claudiu Buculei ("BUCULEI")⁸, entered the above ATM vestibule. VLASIN and BUCULEI briefly approached the two ATM machines and slid cards into the ATM machines. However, neither VLASIN nor BUCULEI completed a withdrawal. Both departed the vestibule.

58. Later that same day, at approximately 1:39 p.m., video surveillance revealed BUCULEI reentered the above ATM vestibule

⁸ The identification of BUCULEI is explained in further detail in paragraphs 98-104.

and manipulated one of the two devices installed on an ATM machine. BUCULEI departed the vestibule without attempting to complete a withdrawal.

59. Later that same day, at approximately 2:45 p.m., video surveillance revealed BUCULEI reentered the above ATM vestibule and removed the devices previously affixed to the ATM machines. BUCULEI placed the devices in a brown satchel and departed the vestibule.

60. Based upon my training, experience, and knowledge of this investigation, I believe that MARIAN, OLTEANU, VLASIN, and BUCULEI and/or other coconspirators manufactured devices composed of miniature clandestine cameras contained within rectangular boxes of similar color to the Citibank ATM machines and a card reading device disguised as an ATM door popper. On April 21, 2013, MARIAN and OLTEANU installed these camera devices upon downward facing surfaces of two ATM machines and skimming devices overlaying the door popper at the above Citibank. BUCULEI and VLASIN entered the vestibule to test or otherwise ensure that these devices were positioned in a manner to capture PINs as they were entered into the keypad of the ATM machine by unwitting bank customers. The coconspirators captured this information for the purpose of creating bank cards to be utilized in attempts to unlawfully obtain during later ATM withdrawals.

61. During the period of time between when surveillance video revealed the installation and removal of the skimming devices, numerous accounts were accessed by bank customers as they utilized the two ATM machines at that location, including authorized withdrawals from accounts ending in 0074 and 8964.

62. On April 22, 2013, at approximately 11:48 p.m., video surveillance from the Citibank ATM machine located at 1275 West Redondo Beach Boulevard, Gardena, California, revealed VLASIN appear to complete multiple cash withdrawals. At approximately 11:52 p.m., VLASIN departed the area. At approximately 11:54 p.m., SARAN approached the same ATM machine and appeared to make several withdrawals. At approximately 12:01 p.m., SARAN departed the area.

63. Citibank records revealed that Citibank account ending in 8964 was accessed at the above location at approximately 11:52 a.m., the time at which VLASIN was utilizing the ATM machine. The individual accessing the account withdrew \$900 .

64. Additionally, and unrelated to the skimming identified at 6436 Irvine Boulevard, Irvine, California on April 21, 2013, Citibank records indicated other unauthorized withdrawals, including from the account ending in 6975 in the amount of \$200 at approximately 1:55 p.m., the time at which SARAN was utilizing the ATM machine. These other unauthorized withdrawals completed by SARAN (and by MARIAN, discussed in paragraph 65, below) were

linked to the compromise of 10 accounts that had been accessed by the bank account holder on April 20, 2013, at 1 World Trade Center, Long Beach, California. I do not possess surveillance video documenting an installation and/or removal of skimming devices during this event.

65. Later that same day, at approximately 12:11 p.m., video surveillance from the Citibank ATM machine located at 8764 Firestone Boulevard, Downey, California, revealed MARIAN appear to complete multiple cash withdrawals. At approximately 12:25 p.m., MARIAN departed the area. At approximately 12:28 p.m., BUCULEI approached the same ATM machine utilized by MARIAN minutes earlier. BUCULEI appeared to complete multiple cash withdrawals and departed the area at approximately 12:40 p.m.

66. Citibank records revealed that Citibank accounts ending in 0074 was accessed at the above location at approximately 12:29 p.m., the time at which BUCULEI was utilizing the ATM machine. The individual accessing the account withdrew \$2,000 . Additionally, and unrelated to the skimming identified at 6436 Irvine Boulevard, Irvine, California, on April 21, 2013, Citibank records indicated an unauthorized withdrawal from the accounts ending in 4661 and 4596 in the amounts of \$2,300 and \$800, respectively, at approximately 1:22 p.m. and 1:23 p.m., the times at which MARIAN was utilizing the ATM machine. Citibank has

confirmed that the owners of these accounts did not make or authorize the withdrawals.

Materials to Construct Skimming and Clandestine Camera
Devices

67. On June 26, 2013, the LAPD established surveillance in the area of 15154 Weddington Street, Los Angeles, California ("Weddington Residence"). At approximately 11:40 a.m., a Ford Explorer, California license plate number 6ZFW580 ("Ford Explorer 6ZFW580"), departed the residence. At approximately 1:25 p.m., the vehicle arrived at 14791 Franklin Avenue, Tustin, California. The driver, who I identified as OLTEANU from surveillance photographs taken that day, and the passenger, an unidentified male ("UM-2"), exited the vehicle and entered the business. BJB Enterprises was the business at the above address. The sign associated with the business stated, "Quality Casting and Mold making Materials." At approximately 2:10, OLTEANU and UM-2 returned to the vehicle and departed that area.

68. Later that same day, at approximately 2:45 p.m., Ford Explorer 6ZFW580 arrived at the Home Depot located at 1750 East Edinger Avenue, Santa Ana, California. UM-2 exited the vehicle and entered the Home Depot. UM-2 purchased two packages of "Locite" brand epoxy and sand paper.

69. Later that same day, at approximately 3:20 p.m., Ford Explorer 6ZFW580 returned to BJB Enterprises. BJB Enterprises, as

per their own website, advertises itself as a leading manufacturer and supplier of thermosetting polyurethane epoxy and silicone system worldwide. It provides services to assist in the processing of materials and the manufacturing of meter-mix-dispense equipment and casting machines.

70. Later that same day, at approximately 5:15 p.m., Ford Explorer 6ZFW580 arrived at the Orsini Apartments located at 505 North Figueroa Street, Los Angeles, California. OLTEANU and UM-2 exited the vehicle and met with MARIAN and a male, identified earlier as Codrin Marian Lupu ("LUPU")⁹, in front of the Orsini Apartments, where law enforcement has repeatedly established based on surveillance that several of the coconspirators are residing (discussed in more detail below).

71. Based upon my training, experience, and knowledge of this investigation, I believe OLTEANU, MARIAN, LUPU and other coconspirators were attempting to identify and, possibly employ, a third party entity with the technology and manufacturing tools to assist in their production of clandestine components to be utilized in the skimming of bank cards. I further believe that the epoxy and sandpaper were utilized to assist in the production of devices to conceal miniature cameras and card reading devices

⁹ The identification of LUPU is explained in further detail in paragraphs 119-20.

that appeared to be components of ATM machines or door poppers to ATM vestibules.

Installation of a Skimming Device on July 7, 2013 and Cash Withdrawals on July 8, 2013

72. On July 7, 2013, at approximately 10:15 a.m., video surveillance revealed an unidentified male ("UM-3") installed a device on the card reader of the Citibank ATM machine located at 15215 West Sunset Boulevard, Pacific Palisades, California. UM-3 departed the area, and VLASIN approached and placed a box on the ATM machine on a downward facing surface. I do not possess any surveillance video documenting the removal of this device.

73. Based upon my training, experience, and knowledge of this investigation, I believe that UM-3 installed a skimming device on the ATM machine to capture the magnetic information contained on debit cards as they are slide into the ATM machine. VLASIN then installed a box containing a hidden camera to capture PINs as they are entered by unwitting bank customers. Sometime after the installation of this device, UM-3, VLASIN, and another coconspirator removed the device.

74. A short period of time after the surveillance video revealed the installation of the skimming devices, numerous bank accounts were accessed by bank customers as they utilized the ATM machines at that location, including withdrawals from accounts ending in 6897 and 6782.

75. On July 8, 2013, at approximately 11:51 a.m., surveillance video revealed SARAN approach and appear to utilize the Citibank ATM located at 315 East Colorado, Pasadena, California. At approximately 11:57 a.m., SARAN departed the area.

76. I have reviewed Citibank records that revealed Citibank accounts ending in 6897 and 6782 were accessed at the above location between approximately 11:51 a.m. and 11:55 a.m., the time at which SARAN was utilizing the ATM machine. The individual accessing the accounts withdrew \$1,500 and \$100, respectively. Citibank has confirmed that the owners of these accounts did not make or authorize the withdrawals.

Second Installation of Skimming Device on July 7, 2013 and
Subsequent Cash Withdrawals on July 8, 2013

77. On July 7, 2013, at approximately 5:36 p.m., surveillance video revealed a male, subsequently identified as Marius Robert Manciu ("MANCIU")¹⁰ approached the Citibank ATM machines located at 300 South Fairfax Avenue, Los Angeles, California. MANCIU appeared to install a device, or devices, on an ATM machine at that location. After the installation, MANCIU departed the area. I do not possess any surveillance video documenting the removal of the device installed by MANCIU.

¹⁰ The identification of MANCIU is explained in further detail in paragraphs 123-24.

78. A short period of time after the surveillance video revealed the installation of the skimming device, numerous bank accounts were accessed by bank customers as they utilized the ATM machines at that location, including withdrawals from accounts ending in 8625, 8622, 7555, 7574, 4365, and 5529.

79. On July 8, 2013, at approximately 10:40 a.m., surveillance video revealed MARIAN approach and utilize a Citibank ATM machine (identified in surveillance video as "ATM70") located at 1180 South Beverly Drive, Los Angeles, California. At approximately 10:41 a.m., LUPU approached a second ATM machine (identified in surveillance video as "ATM71") at the same location and appeared to complete several withdrawals. At approximately 10:51 a.m., MARIAN departed the area. At approximately 10:54 a.m., MANCIU approached the ATM machine (ATM70) previously utilized by MARIAN and appeared to complete multiple withdrawals. At approximately 10:58 a.m., MANCIU departed the area. LUPU appeared to be utilizing ATM71 until the surveillance video ended at approximately 10:59 a.m.

80. I have reviewed Citibank records for withdrawals at the above location for ATM70 and ATM71 during the period of time when surveillance video revealed MARIAN, LUPU, and MANCIU were utilizing the ATM machines. At 10:48 a.m., \$1,800 was withdrawn from the Citibank account ending in 8622 at ATM70. MARIAN was utilizing ATM70 at this time. From 10:42 a.m. to 10:52 a.m.,

\$1,000, \$600, \$600, \$1,200, \$200 were respectively drawn from Citibank accounts ending in 8625, 7555, 4365, 7574, and 6888 from ATM71. LUPU was utilizing ATM71 during this period of time. At 10:57 a.m., \$600 was withdrawn from the Citibank account ending in 5529 from ATM70. MANCIU was utilizing ATM70 at this time.

Installation and Removal of Skimming Device on July 13 and 14, 2013 and Cash Withdrawals on July 15, 2013

81. On July 13, 2013, at approximately 4:10 p.m., video surveillance revealed MANCIU entered the Citibank ATM vestibule at 9401 Wilshire Boulevard, Beverly Hills, California. MANCIU installed a device on the ATM machine and exited the vestibule.

82. On July 14, 2013, at approximately 9:11 p.m., video surveillance revealed LUPU entered the Citibank ATM vestibule at 9401 Wilshire Boulevard, Beverly Hills, California. LUPU appeared to pry or otherwise manipulate a component of the ATM machine with an unknown type of hand tool. Moments later, LUPU stepped away from the ATM machine and MANCIU entered the vestibule and removed a device from where LUPU had been prying with a tool. MANCIU placed the device into his bag and exited the vestibule. MANCIU was wearing the same watch and bracelet he was observed wearing on July 13, 2013.

83. During the period of time between when surveillance video revealed the installation and removal of the skimming device, numerous accounts were accessed by bank customers as they

utilized the two ATM machines at that location, including authorized withdrawals from the accounts ending in 1599, 4074, 3130, 3155, and 0340.

84. On July 15, 2013, at approximately 9:43 a.m., surveillance video revealed MARIAN approached and utilized the Citibank ATM machine located at 324 East 1st Street, Los Angeles, California. At approximately 9:51 a.m., LUPU approached and utilized the ATM machine adjacent to the ATM machine being utilized by MARIAN. At approximately 9:55 a.m., MARIAN departed the area. LUPU utilized the ATM machine previously used by MARIAN. LUPU continued to utilize the ATM machine until the surveillance video ended at 9:59 a.m.

85. Citibank records revealed that the Citibank account ending in 1599 and 4074 were accessed at the above location at approximately 9:44 a.m. and 9:49 a.m., respectively, the times at which MARIAN was utilizing the ATM machine. The individual accessing the accounts withdrew \$900 and \$1,000, respectively. Additionally, Citibank accounts ending in 3130 and 3155 were accessed at the above location at approximately 9:57 a.m. and 9:59 a.m., respectively, the time at which LUPU was utilizing the ATM machine. The individual accessing the accounts withdrew \$700 and \$100, respectively.

86. On July 15, 2013, at approximately 10:26 a.m., video surveillance revealed MARIAN completing cash withdrawals from the

Citibank ATM machine located at 110 E. 9th Street, Los Angeles, California. At approximately 10:33 a.m., MARIAN departed the area.

87. Citibank records revealed that the Citibank account ending in 4573 was accessed at the above location at approximately 10:33 a.m., the time at which MARIAN was utilizing the ATM machine. The individual accessing the account withdrew \$1,280,

Installation and Removal of Device on September 10, 2013

88. On September 10, 2013, at approximately 6:29 p.m., video surveillance revealed OLTEANU and UM-3 approached the Citibank ATM machine located at 12800 Seal Beach Boulevard, Seal Beach, California. UM-3 slid a bank card through the ATM machine card reader several times. OLTEANU removed a camera device contained within the sleeve of his shirt and provided the item to UM-3. UM-3 installed the device on ATM machine. OLTEANU and UM-3 departed the area. Moments later, a bank customer approached the ATM machine and discovered a skimming device placed over the ATM machine card reader.

89. Later that same day, at approximately 7:50 p.m., an unidentified male ("UM-4") and VLASIN approached the above ATM machine. UM-4 placed his hands in the area of the camera box and attempted to remove the camera device installed earlier that same day by UM-3. UM-4 failed to remove the device and stepped away

from the ATM machine. VLASIN approached the ATM machine, removed the camera device, and departed the area.

Removal of Device on October 20, 2013

90. On September 23, 2013, the Honorable Andrew J. Wistrich, United States Magistrate Judge, United States District Court for the Central District of California authorized GPS tracking of cellular telephone number (323) 571-7330, a telephone believed to be utilized by LUPU. Pursuant to the court order, the FBI initiated tracking of the cellular telephone via information forwarded from T-Mobile, the service provider for cellular telephone number (323) 571-7330. As a result of the court order, T-Mobile was providing email messages containing latitude and longitude of location information for the cellular telephone in 15 minute intervals.

91. On October 20, 2013, at approximately 12:35 p.m., I received an email indicating the cellular telephone was located in the area of the Citibank located at 1 West Bay State Street, Alhambra, California. The cellular telephone continuously reported in the area of the above location.

92. Later that same day, at approximately 4:55 p.m., I arrived in the area of the above Citibank bank branch. I walked past the ATM located on the south side of the building and observed a clandestine camera box affixed to a downward facing surface of the ATM. At approximately 5:15 p.m., I observed a

light color brown BMW X5 parked in the parking lot to the north of the Citibank bank branch. At approximately 5:40 p.m., I observed LUPU approach an ATM located on the west side of the bank branch. A black BMW X5 had parked next to the light brown BMW X5. A male, of similar appearance to Vasile Gabriel Bransteanu, was standing next to the light brown BMW X5 and looking in the direction of LUPU. Moments later, LUPU approached the ATM on south side of bank branch, the ATM where I earlier observed the camera box. Moments later, LUPU returned to the area where both BMWs were parked. Prior to 5:55 p.m., both BMWs had departed the area.

93. According to location information provided by T-Mobile pursuant to the court order, cellular telephone (323) 571-7330 continued to report in the area of above Citibank bank branch until 5:50 p.m.. At approximately 6:05 p.m., the cellular telephone reported in the area of the 10 freeway west of the 710 freeway. At 6:20 p.m., the cellular telephone reported in the area of Orsini Apartments. According to Google Maps, an online mapping software, the drive between the reporting point and 6:05 p.m., and Orsini Apartments is approximately five minutes.

94. On October 21, 2013, at approximately 9:15 a.m., Detective Carlisle observed a light brown BMW X5, California license plate number 6UUZ316, and a black BMW X5, Illinois license plate G684723, parked in parking spaces 540 and 541 of Orsini Apartments, respectively. Based upon information obtained from

Orsini Apartments, I know that the parking spaces are assigned to Orsini Apartment 418.

95. Based upon my training, experience, and knowledge of this investigation, I believe that on October 20, 2013, LUPU removed skimming devices from the ATMs located at Citibank, 1 West Bay State Street, Alhambra, California, sometime after he, or a fellow conspirator, installed the devices. Based upon the time intervals of location information for the cellular telephone I believe LUPU was currently utilizing, I do not have cause to believe that he made any stops between the removal of the devices and his arrival at Orsini Apartments. I was unable to maintain a continuous line of sight with LUPU after the removal of the devices. It was possible for him to hand the devices to another coconspirator or otherwise conceal the devices in a vehicle not containing the cellular telephone for which I was receiving location information. Regardless, I do believe that it was likely that the devices were retained by LUPU and transported to Orsini Apartment 418 for storage until their next use.

Identification of Defendants

96. As the examples of the conspiracy between defendants discussed above show, defendants engaged in all parts of the conspiracy with varying codefendants and coconspirators. For example, the January, 2013 installation, removal, and withdrawals involved MARIAN, VLASIN, OLTEANU, and CIUCHI. The April, 2013

installation, removal, and withdrawals involved MARIAN, VLASIN, SARAN, and BUCULEI. The July 7-8, 2013 installation, removal, and withdrawals involved MARIAN, LUPU, SARAN, MANCUI, and UM-3. The September, 2013 installation and removal involves VLASIN, OLTEANU, and UM-3.

97. Through various investigative techniques, a review of Citibank surveillance video, and photocopies of identification cards utilized to rent vehicles, I was able to identify all but one of the charged defendants involved in the installations and removals of skimming devices and subsequent cash withdrawals, examples of which are described in this affidavit.

BUCULEI

98. After the detection of the unauthorized cash withdrawals, Detective Jogodka reviewed the surveillance video captured on May 25, 2013, from the Citibank ATM vestibule located at 3900 Paradise Road, Las Vegas, Nevada. A Citibank Security Officer involved in the investigation advised Detective Jogodka that an unknown male, believed to be BUCULEI, wearing a dark shirt with a yellow stripe removed the skimming devices from the ATM machines. After removing the devices, the unknown male entered a black Mercedes Benz C250 with California license plate 6ZFR659 (the "Mercedes Benz 6ZFR659"). Detective Jogodka conducted a query of the California Department of Motor Vehicles ("DMV") and

discovered the vehicle was registered to Midway HFC Company, 4751 Wilshire Blvd Ste 120, Los Angeles, CA 90010.

99. A review of video surveillance from May 27, 2013, revealed a white Range Rover, California license plate 6WJG191 (the "Range Rover 6WJG191") was also being utilized by multiple unknown coconspirators to conduct cash withdrawals utilizing account information obtained on May 25 or 26, 2013. Detective Jogodka's investigation revealed that this vehicle was registered to Midway HFC Company, and rented from Midway Car Rental, 2950 Wilshire Blvd, Los Angeles, CA 90010.

100. On May 29, 2013, a LAPD surveillance team established surveillance at Midway Car Rental located at 2950 Wilshire Boulevard, Los Angeles, California. They observed both the Mercedes Benz 6ZRF659 and Range Rover 6WJG191 at the rental facility.

101. LAPD Detectives Anna Carlisle and Scott Padin observed an individual that presented a United Kingdom driver's license with name "Ioan Claudiu Buculei" pay cash for the previous rental of Mercedes Benz 6ZFR659.

102. On May 30, 2013, Detective Carlisle obtained a copy of the rental agreement from Midway Car Rental that showed BUCULEI rented Mercedes Benz 6ZRF659 starting on May 17, 2013. Detective Carlisle informed me that her investigation at Midway Car Rental

revealed that the coconspirators had been renting a series of vehicles from their facility since November 2012.

103. Detectives Carlisle and Padin believe that BUCULEI is the male with dark colored shirt with a yellow stripe that is captured on the video surveillance removing the skimming devices on May 26, 2013, from the Citibank located at 3900 Paradise Road, Las Vegas, Nevada.

104. According to travel records, BUCULEI departed the United States on August 14, 2013. His whereabouts are unknown to me, but I believe that he is in Romania.

CIUCHI

105. On July 6, 2013, California Highway Patrol ("CHP") Officer Amezcua conducted a traffic stop on a vehicle as it approached the United States/Mexico border. Officer Amezcua interviewed one of the passengers and requested identification. The passenger provided a Romanian identification card in the name of Bogdan Ciuchi. Officer Amezcua took a photograph of the identification card and concluded the traffic stop.

106. Customs and Border Patrol ("CBP") database inquiry of the information obtained from Bogdan Ciuchi's Romanian identification card returned with a match in the name of Bogdan Ciuchi, born in 1984, Romanian passport number XXXXX4382.

107. I have reviewed the picture of the Romanian identification card in the name of Bogdan Ciuchi taken by CHP

Officer Amezcua and believe the picture on the identification card is the individual identified in this investigation as CIUCHI.

108. CIUCHI's whereabouts are unknown to me, but I believe that he is in Romania.

MARIAN

109. On May 29, 2013, at approximately 9:10 p.m., the LAPD conducted a traffic stop of Range Rover 6WJG191 referenced in paragraphs 99-100. The driver provided a United Kingdom identification card with name "Tyrone Steven Constant."

110. On May 30, 2013, Caroline Kim, Director of Loss Control and Recovery Group at Midway Automotive Group provided a rental agreement that showed that "Tyrone Steven Constant" presented a United Kingdom driver's license to rent Range Rover 6WJG191 from May 21, 2013 and that the vehicle was due back on June 4, 2013. "Constant" had also rented a Mercedes Benz C250, California License plate 6UUC428, in February, 2013.

111. In July 2013, I received information from a Source of Information (SOI)¹¹ regarding the true identity of the individual who identified himself as "Constant Tyrone" (MARIAN) to law enforcement and rental car agencies in the past. MARIAN advised the SOI that his true name was Oliver Raducu Marian and that he

¹¹ I am not aware of any previous convictions sustained by the SOI. The SOI has been arrested and is providing information in the hopes of receiving a lower sentence.

purchased the identity from the true Tyrone Constant, a resident of the United Kingdom.

112. On August 19, 2013, FBI Los Angeles Division sent a lead to the FBI London Legal Attaché requesting law enforcement in the United Kingdom to ascertain the true identity of the subject identified as Tyrone Constant. On August 30, 2013, the London Metropolitan Police Service (LMPS) provided information identifying Constant Tyrone and Oliver Raducu Marian as two different individuals. I reviewed government photographs provided by LMPS of Tyrone Constant, born in 1985, and Oliver Raducu Marian, born in 1979. I believe the individual identified by LMP as Oliver Raducu Marian is the individual identified in this investigation as MARIAN.

113. According to travel records, MARIAN departed the United States on July 25, 2013. His whereabouts are unknown to me, but I believe that he is in the United Kingdom.

OLTEANU

114. On May 30, 2013, Detective Carlisle learned from Ms. Kim that she and other employees of Midway have identified a group of people who appear to be associated together, renting vehicles and turning them in together, paying in cash or credit or debit cards in Constant's name, and exchanging vehicles with each other. One of the persons, who provided Romanian identification in the name of Petru Olteanu-Ursachi, was renting a Cadillac from Midway. On

May 31, 2013, OLTEANU returned the Cadillac and subsequently rented a 2013 Audi Q7 ("Audi Q7").

115. On June 12, 2013, OLTEANU returned to Midway HFC to return the Audi Q7. OLTEANU attempted to pay the final rent balance with his bank debit card but it was denied and Midway requested it in the form of cash payment of approximately \$1500. OLTEANU was observed leaving the Midway rental car business and travelling to a storage unit facility located at 1712 Glendale Boulevard, Los Angeles, California. OLTEANU entered the storage facility and then left a few minutes later and returned to Midway HFC with the cash payment for the vehicle rental.

116. A database inquiry revealed Petru Cristinel Olteanu-Ursachi attempted to enter the United States through Mexico on June 28, 2012. I have reviewed a photograph taken by Customs and Border Patrol officials of OLTEANU as he attempted to enter the country. Petru Cristinel Olteanu-Ursachi is the same individual identified as OLTEANU in this investigation. OLTEANU is in the Central District of California as of this writing.

VLASIN

117. I have reviewed rental agreements provided by Midway Car Rental pertaining to vehicles rented by the coconspirators. The rental agreements contained pages with photocopied images of passports for the individuals authorized to operate the rental vehicles. One of the passports was a Romanian passport in the

name of Gheorghita Vlasin. The photograph contained on the Romanian passport is of the individual identified in this investigation as VLASIN.

118. An inquiry of law enforcement databases revealed Gheorghita Vlasin was arrested as he attempted to enter the United States at the Douglas, Arizona Port of Entry on November 9, 2012. Images taken at the time of Gheorghita Vlasin's arrest are of the individual identified in this investigation as VLASIN. OLTEANU is in the Central District of California as of this writing.

LUPU

119. On September 16, 2013, I observed a black BMW X5, California license plate 6WPW312, parked in parking space number 540 of Orsini Apartments, located at 505 North Figueroa Street, Los Angeles, California. From law enforcement speaking with Orsini Apartment employees, I know that parking space number 540 is assigned to Orsini Apartment 418. A DMV inquiry revealed the vehicle was registered to PV Holding Corporation, or Avis Car Rental. On September 30, 2013, SA William Cone received information from Avis Car Rental indicating the above vehicle was rented on or about September 16, 2013, to Codrin Lupu, date of birth of September 4, 1974, Romanian driver license 1740904040088.

120. CBP database inquiry of the information obtained from Avis Car Rental returned with a match in the name of Cordin Marian Lupu, born in 1974. I have reviewed photographs taken by CBP

officials of Lupu as he entered the country on May 9, 2013.

Cordin Marian Lupu is the same individual identified as LUPU in this investigation.

SARAN

121. On May 30, 2013, Caroline Kim, Director of Loss Control and Recovery Group at Midway Automotive Group provided a rental agreement, in addition to the rental agreement for "Tyrone Steven Constant", for a black Audi A4, California license plate number 6YNR364, rented on May 24, 2013, by Adrian Saran, born in 1976.

122. A CBP database inquiry of the information obtained from Midway Automotive Group returned with a match in the name of Adrian Saran, born in 1976. I have reviewed photographs taken by CBP officials of Adrian Saran as he entered the country on January 18, 2013 and again on February 21, 2013. Adrian Saran is the same individual identified as SARAN in this investigation.

MANCIU

123. On or about August 27, 2013, Detective Carlisle observed a black Ford Explorer, California license plate number 6ZGL112 ("Ford Explorer 6ZGL112"), parked in parking space number 47 of Orsini Apartments. Parking space number 47 was assigned to Orsini Apartment number 324. At this time Orsini Apartment was leased to SARAN. Ford Explorer 6ZGL112 was rented from Avis and registered to PV Holding Corporation. According to Avis, the vehicle was rented on August 23, 2013, by Robert Manciu, 1672 Gregory Avenue,

Fullerton, California. The vehicle was scheduled to be returned on September 22, 2013.

124. A database inquiry revealed Marius Robert MANCIU entered the United States through the Los Angeles International Airport on June 24, 2013. I have reviewed photographs taken by CBP officials of MANCIU as he entered the country. Marius Robert MANCIU is the same individual identified as MANCIU in this investigation.

UM-3

125. UM-3 has not yet been identified. UM-3 is a white male, approximately 36 years old, 5'6" tall, 200 pounds, with a multi-colored cross tattooed on his right forearm.

Identification of Subject Premises

126. Throughout this investigation, the defendants and their coconspirators have changed residences, vehicles, and storage units extremely frequently. For example, in the last five or six months, surveillance has established defendants living together in groups at at least three houses and six apartments in the Orsini apartments. They have used approximately 5 or 6 different storage units. They have, as a group, rented more than 20 different vehicles. In addition, they frequently visit both the storage units and the residences both before and after installing/removing the skimming and recording devices, and after making unauthorized withdrawals of cash. For these reasons, and for the

reasons stated above, and based on my training and experience as more fully set forth at the beginning of this affidavit, I believe that the items to be seized will be located at the Subject Premises. I believe that defendants and their coconspirators move the evidence and proceeds frequently to avoid law enforcement detection.

Orsini Apartment 422

127. During the investigation, law enforcement agents have observed the coconspirators at various apartments and parking spaces in the Orsini Apartment complex in downtown Los Angeles. On June 12, 2013, at approximately 6:00 p.m., Detective Carlisle observed a black Ford Explorer, California license plate number 6ZFW580, parked in parking space number 49 of the Orsini Apartments located at 606 North Figueroa Street, Los Angeles, California. A DMV inquiry revealed the vehicle was registered to Hertz Vehicles LLC. According to Hertz Rent-a-Car, the vehicle was rented on June 12, 2013, by Adrian Saran, born in 1976.

128. On September 24, 2013, at approximately 11:20 a.m., Detective Carlisle observed a silver Mercedes Benz C-Class, California license plate 7AKV475 ("Mercedes Benz 7AKV475") parked in parking space 49 located at 606 North Figueroa Street, Los Angeles, California. A DMV inquiry revealed the vehicle was registered to Hertz Vehicles LLC. According to Hertz Rent-a-Car, the vehicle was leased on August 26, 2013, by Gheorghita Vlasin.

129. I have reviewed leasing documents from Orsini Apartments for apartment number 422 located at 606 North Figueroa Street, Los Angeles, California. According to the lease, "Petru-Christenel Olteanu", date of birth of 06/30/1977, rented the apartment starting May 10, 2013. The lease was scheduled to conclude on February 9, 2014.

130. Detective Carlisle has learned from Orsini Apartments that apartment number 422 has two assigned parking spaces, 49 and 50.

131. Law enforcement has observed defendants, including SARAN and VLASIN, returning to the residence after conducting acts in furtherance of the conspiracy. Based on my training and experience and knowledge of the investigation, including that specified in detail above, I believe that defendants are residing at the apartment and using it to store the items used to commit the bank fraud, as well as the proceeds thereof.

Orsini Apartment 418

132. In late August, early September, 2013, Detective Carlisle observed a white BMW, California license plate number 6AFL142, parked in parking space 47 of Orsini Apartments, a space assigned to Orsini Apartment number 324. The vehicle was registered to Anita Hernandez.

133. On September 11, 2013, Detective Carlisle and I observed Ford Explorer 6ZGL122 parked in parking space 540 of Orsini

Apartments. The vehicle has been previously observed on numerous occasions being operated by, and involved in the transportation of, the coconspirators. However, parking space 540 was assigned to a specific apartment within Orsini Apartments not previously known to be an apartment associated with the coconspirators. At approximately 12:20 p.m., Detective Carlisle and SA Adam observed Ford Explorer 6ZGL112 depart the apartment complex. The vehicle was driven by MANCIU and carrying two passengers. Moments later, Ford Explorer 6ZGL112 parked in front of the water fountains located at 606 North Figueroa. MANCIU, LUPU, and Vasile Gabriel Branisteanu, an associate of the coconspirators, were standing next to the water fountains located in front of the Orsini Apartments.

134. Later that same day, Orsini Apartments management advised Detective Carlisle that 606 North Figueroa apartment 324, an apartment rented by SARAN, was behind on rent payments. Orsini Apartments management advised they would enter the apartment on September 12, 2013, and take possession of the property.

135. Orsini Apartments management advised Detective Carlisle that parking space 540 and 541 were assigned to apartment number 418. Orsini Apartment 418 was rented to Anita Hernandez, born in 1983, at an address in Lynwood, California. I believe based on my training and experience and knowledge of this investigation that because the coconspirators have been evicted for non-payment

and move around from apartment to apartment, they have arranged with Ms. Hernandez (whom we believe, but cannot confirm, to exist) to have her rent apartments for them to use.

136. On October 16, 2013, LAPD established surveillance in the area of the Orsini Apartments. At approximately 4:30 p.m., a red Chrysler 300, California license plate number 6YYY645, and a BMW, California license plate number 6UUZ316, were observed in tandem parking spaces 49 and 50 located at 606 North Figueroa Street, Los Angeles, California. At approximately 4:40 p.m., a black BMW, Illinois license plate number G684723 ("BMW G684723"), was observed in parking space number 540 located at 505 North Figueroa Street, Los Angeles, California. LUPU and MANCIU were observed inside BMW G684723. LUPU and MANCIU utilized the elevator to access the fourth floor of the apartment complex. LUPU utilized a card key to access the door to apartment number 418. LUPU and MANCIU entered apartment 418 and out of view of surveillance.

137. Based upon my training, experience, and knowledge of this investigation, I believe the coconspirators obtained a new apartment at the Orsini Apartments in the name of Anita Hernandez. This investigation has identified four apartments at Orsini Apartments utilized by the coconspirators. Two previous apartments in the names of SARAN and MARIAN have defaulted on

rental payments and have been reclaimed by Orsini Apartments management.

Orsini Apartment 324

138. On October 17, 2013, the LAPD established surveillance in the area of Orsini Apartments located at 606 North Figueroa Street, Los Angeles, California. At approximately 12:00 p.m., a black Mercedes Benz, California license plate number 7BIL695 (hereinafter "Mercedes Benz 7BIL695"), exited the parking structure of Orsini Apartments. LAPD surveillance believed Vasile Gabriel Branisteanu (hereinafter "Branisteanu"), an associate of defendants', was driving the vehicle and VLASIN was the front passenger. At approximately 4:30 p.m., Mercedes Benz 7BIL695 returned to the parking structure at 606 North Figueroa Street, Los Angeles, California. VLASIN and Branisteanu exited the elevator to the third floor of the apartment complex. VLASIN and Branisteanu were observed entering Orsini Apartment 324. VLASIN was pulling a roller bag and Branisteanu was carrying a shopping bag. Upon entering, a surveilling officer heard the lock and deadbolt being actuated. Surveillance observed Mercedes Benz 7BIL695 parked in parking space number 49.

139. A DMV inquiry revealed Mercedes Benz 7BIL695 was registered to Hertz Vehicle LLC, 177 South Airport Boulevard, San Francisco, California. According to Hertz Rental Car, Mercedes Benz 7BIL695 was rented on October 10, 2013, by "Olteanu Petru,"

born in 1977. The vehicle is scheduled to be returned on November 11, 2013.

140. On October 18, 2013, LAPD established surveillance in the area of Orsini Apartments located at 606 North Figueroa Street, Los Angeles, California. At approximately 4:00 a.m., Mercedes Benz 7BIL695 was observed parked in parking space number 49. At approximately 8:30 a.m., a white male, approximately 30-35 years of age wearing a white t-shirt was observed on the balcony of Orsini Apartment 324. At approximately 9:40 a.m., a white male wearing blue long sleeved dress shirt, subsequently identified as UM-3, and the white male observed on the balcony earlier that day departed Orsini Apartments in Mercedes Benz 7BIL695.

141. On October 18, 2013, I spoke with Shane Robinson, Area Portfolio Manager, Orsini Apartments, regarding Orsini Apartment 324. Mr. Robinson advised apartment 324 was rented on October 12, 2013, to Susan Polanco, born in 1976. Additionally, I confirmed that parking space number 49 was currently assigned to Orsini Apartment 422. Orsini Apartment 324 was currently assigned parking spaces 47 and 48.

142. Based upon my training, experience, and knowledge of this investigation, I believe Orsini Apartment 324 was rented by an associate of the coconspirators for the purpose of insulating themselves from their criminal activity. Just as in the case of Orsini Apartment 418, coconspirators are utilizing an apartment

rented by an individual with whom they have no apparent association. I believe, just as in the case of the storage units, coconspirators are utilizing Apartments 422, 418, and 324 for the purpose of storing skimming devices, those tools utilized to manufacture skimming devices, blank magnetic cards, and hardware used to magnetically transfer data. Additionally, Apartment 422, 418, and 324 may be utilized by coconspirators to store proceeds from unauthorized bank account withdrawals. I believe that these actions are a deliberate attempt to thwart law enforcement in an effort to conceal their criminal activity and otherwise insulate themselves from arrest. Furthermore, I believe based upon the observations by LAPD surveillance, that Orsini Apartment 422, 418, and 324 are utilized as a residence by some of the coconspirators for varying lengths of time.

143. On October 21, 2013, at approximately 9:00 a.m., Detective Carlisle observed a Mercedes Benz, California license plate number 4YUB864, parked in parking space 49 of Orsini Apartments located at 606 North Figueroa Street, Los Angeles, California. The vehicle is registered to Susan Polanco, 1131 League Avenue, La Puente, California. Parking space 49 is assigned to Orsini Apartment 422, a unit rented to OLTEANU. Additionally, Detective Carlisle observed Mercedes Benz 7BIL695 parked in parking space 47. Parking space 47 is currently assigned to Orsini Apartment 324, a unit rented by Susan Polanco.

Public Storage Unit 5036

144. On June 3, 2013, LAPD detectives were conducting surveillance on Range Rover 6WJG191, which was occupied by three males; two were identified as MARIAN and BUCULEI. They were observed driving to a Public Storage facility located at 300 Avery Street, Los Angeles, California. BUCULEI exited the vehicle with nothing in his hands. BUCULEI entered the storage facility and walked out of view of surveillance. Approximately 20 minutes later, BUCULEI returned carrying a large green and brown duffle bag that appeared full and heavy.

145. On June 17, 2013, LAPD Detectives Carlisle and Padin spoke with employees of the Public Storage unit located at 300 Avery Street in Los Angeles, California. An employee identified MARIAN as an individual who had rented storage unit number 5036 on April 24, 2013, under the name "Tyrone Constant". "Ioan Buculei" was listed on the account. While Detective Carlisle and Padin were inside the office, Range Rover 6WJG191 arrived at the storage location. Detective Carlisle observed MARIAN exit the vehicle and ride the elevator to the 5th floor. Detective Padin followed. MARIAN was observed carrying a small white paper shopping bag with a double string handle. MARIAN also had with him a long tightly rolled up white paper, approximately two feet long and two inches wide. MARIAN went to storage space number 5036 and shut the door

behind him. Approximately 10 minutes later, MARIAN exited the storage unit empty handed.

146. On August 8, 2013, Detectives Padin and Carlisle met with management of the Public Storage facility at the above location. Detectives Padin and Carlisle reviewed security video from Public Storage. The security video revealed that on July 23, 2013, at approximately 11:10 a.m., MARIAN and LUPU arrived at the location. MARIAN, known to Public Storage as "Constant", told management that he wanted to add "Codrin M. Lupu" as an authorized person to access unit 5036.

147. On September 13, 2013, at approximately 10:35 p.m., a court authorized GPS tracking device¹² attached to Ford Explorer 6ZGL112 revealed the vehicle was in the vicinity of 300 Avery Street, Los Angeles, California, the location of the Public Storage Unit.

148. On October 8, 2013, Detective Carlisle met with a Public Storage representative at the above location. The Public Storage representative advised that unit 5036 was behind in payments, but that it was currently leased to Tyrone Constant. According to the

¹² On August 29, 2013, the Honorable Ralph Zarefsky, Magistrate Judge, United States District Court, Central District of California, signed a court order (Magistrate's Case No. 13-02408M) authorizing the installation and monitoring of a GPS device for the purpose of tracking a black Ford Explorer, California license plate number 6ZGL112. In total, nine tracking warrants on 16 cars were obtained.

Public Storage representative, the individual identified on the lease as "Codrin M. Lupu" paid for the previous month's rent.

149. Based upon my training, experience, and knowledge of this investigation, I believe that the coconspirators have utilized multiple storage units, for short durations, in furtherance of their criminal activity. Specifically, the storage units rented by the coconspirators have been used for the purpose of storing skimming devices, those tools utilized to manufacture skimming devices, blank magnetic cards, and hardware used to magnetically transfer data. Additionally, these storage units have been utilized by coconspirators to store proceeds from unauthorized bank account withdrawals. This belief is based upon, in part, physical surveillance revealing OLTEANU had retrieved one thousand five hundred dollars from the Public Storage Unit on June 17, 2013, to pay for the rental of a vehicle.

Public Storage Unit A163 and the Citrus Residence

150. On September 24, 2013, at approximately 5:05 p.m., LAPD surveillance observed Mercedes Benz 7AKV475 arrive at the Public Storage facility located at 6202 Willoughby Street, Hollywood, California. VLASIN and a Cotovanu Claudiu-Dumitru ("Dumitru"), an associate of the coconspirators, exited the vehicle and entered the Public Storage facility. Moments later the vehicle departed the area. The Mercedes Benz 7AKV475 arrived at 1306 Citrus

Avenue, Hollywood, California, and parked in the garage port located behind a secure gate to the rear of the residence.

151. On September 25, 2013, Detectives Padin and Carlisle interviewed employees of Public Storage, 6202 Willoughby Street, Hollywood, California, and received information that on September 18, 2013, an individual by the name of "Adrian Saran" rented storage unit A163.

152. On October 2, 2013, at approximately 7:20 a.m., the FBI and LAPD initiated surveillance in the area of the Citrus Residence. At approximately 9:00 a.m., Mercedes Benz 7AKV475 exited the rear gate of Citrus Residence and departed the area. The vehicle was driven by VLASIN.. At approximately 11:05 a.m., VLASIN returned to Citrus Residence in Mercedes Benz 7AKV475 and parked in the rear of the residence. At approximately 11:15 a.m., Mercedes Benz 7AKV475 exited the rear gate of Citrus Residence. The vehicle was driven by SARAN. At approximately 11:20 a.m., Mercedes Benz 7AKV475 arrived at Public Storage facility located at 6202 Willoughby Street, Hollywood, California. At approximately 11:33 a.m., SARAN exited the Public Storage facility carrying a bag. SARAN returned to Mercedes Benz 7AKV475 and departed the area.

Additional Surveillance Regarding Residences

153. Surveillance throughout this investigation has shown that defendants use their current residences (for however short a

time they are using them) and storage units as storage locations relating to their bank fraud and as a card manufacturing location. Based on this repeated behavior, I believe that defendants are continuing this trend at their current residences and storage units.

154. On July 13, 2013, LAPD surveillance followed VLASIN and SARAN to the residence at 7025 La Presa Drive, Los Angeles, California ("La Presa Residence"). LAPD conducted surveillance of the coconspirators at the La Presa Residence on several occasions between their initial observation on July 13, 2013 and August 8, 2013. Based upon observations by the LAPD, I believe that during this period of time VLASIN, OLTEANU, SARAN, and UM-3 were residing at this location as well as various apartments at Orsini Apartments.

155. On July 18, 2013, the LAPD initiated surveillance in the area of Orsini Apartments. At approximately 11:00 a.m., a black Nissan Pathfinder, California license plate number 6ZTM601 ("Pathfinder"), arrived in the area. OLTEANU and LUPU exited the vehicle. At approximately 11:45 a.m., OLTEANU returned to the vehicle and drove into the subterranean parking garage of 606 North Figueroa Street, Los Angeles, California. At approximately 12:05 p.m., the Pathfinder exited the garage. The vehicle was driven by OLTEANU and VLASIN was seated in the passenger seat. At approximately 12:15 p.m., the Pathfinder arrived at the Citibank

located at 1900 West Sunset Boulevard, Los Angeles, California. OLTEANU completed a withdrawal while VLASIN remained in the vehicle. OLTEANU returned to the vehicle and departed the area with VLASIN. At approximately 12:30 p.m., the Pathfinder arrived at the Bank of America located at 1572 West Sunset Boulevard, Los Angeles, California. OLTEANU and VLASIN exited the vehicle. OLTEANU completed a transaction at an ATM. VLASIN entered the bank. OLTEANU entered the bank after completing the transaction. Moments later, OLTEANU and VLASIN exited the bank and separately completed transactions at an ATM. OLTEANU and VLASIN returned to the Pathfinder and departed the area. OLTEANU dropped off VLASIN at the Orsini Apartments located at 606 North Figueroa Street, Los Angeles, California. OLTEANU proceeded to the La Presa Residence.

156. Based upon the observations made by the LAPD and my knowledge of this investigation, I believe that VLASIN, OLTEANU, and other coconspirators frequently completed unauthorized withdrawals utilizing bank cards created at their residences. Additionally, I believe that for periods of time the proceeds from these unauthorized withdrawals are stored at the residences' of the coconspirators. Given that defendants continue to make unauthorized withdrawals similar to that described herein up to today, I believe that such evidence will be found at their current locations.

157. On August 2, 2013, at approximately 5:00 a.m., a LAPD surveillance team conducted a trash search at the La Presa Residence. LAPD detectives various glues, tapes, container of plaster of Paris, sand paper, and a small wooden box containing white residue. I have reviewed pictures of the items recovered from the trash search. The small wooden box recovered from the trash search is of similar size and dimensions to a box placed by, and shortly thereafter removed by, VLASIN on the card reading device of the ATM at 2450 Glendale Boulevard, on July 24, 2013. Based upon my training, experience, and knowledge of this investigation I believe that VLASIN utilized the plaster of Paris and small wooden box to create a mold for the construction of future skimming devices. Furthermore, I believe VLASIN and coconspirators are utilizing their residences as a laboratory to construct these devices.

CONCLUSION

158. For all the reasons described above, there is probable cause to believe that the defendants have committed a violation of 18 U.S.C. § 1349. In addition, there is probable cause to believe

that evidence of violations of 18 U.S.C. §§1028A, 1029, 1344 and 1349, as described in Attachment B of this affidavit, will be found in a search of the SUBJECT PREMISES, as further in Attachment A-1 through A-6 of this affidavit.

15/

Charles Adam, Special Agent
Federal Bureau of Investigation

Subscribed to and sworn before me
this 22 day of October, 2013.



HONORABLE SUZANNE H. SEGAL
UNITED STATES MAGISTRATE JUDGE