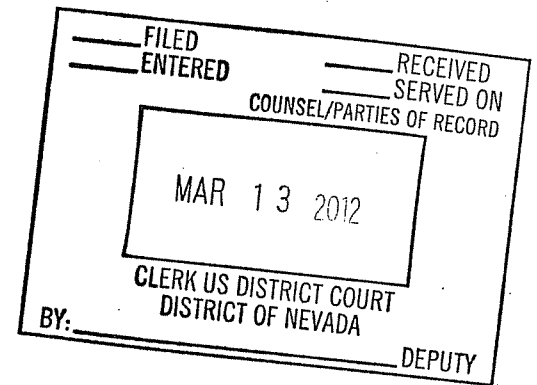


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5
6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 -oOo-

9 UNITED STATES OF AMERICA,

10 PLAINTIFF,

11 vs.

12 JACOB VILLANUEVA, JR.,
JAVIER PANUCO,
13 DEREK SALAZAR,
DANIEL CASTRO,
14 GEORGE MCKENNA,
ROLANDO MARQUEZ,
15 VANESSA RUIZ,
NAVAZ DOWLING,
16 LUIS AVILA,
KATIE ARIAS,
17 RONALD BOWERS,
MICHAEL SABICER, and
18 CORRINE RUELAS,

19 DEFENDANTS.

CRIMINAL INDICTMENT

2:12-CR- 082

VIOLATIONS:

18 U.S.C. § 371 - Conspiracy
18 U.S.C. §1028A(a)(1) and (c)(4) -
Aggravated Identity Theft

20
21 THE GRAND JURY CHARGES THAT:

22 **COUNT ONE**
23 Conspiracy

24 1. Beginning on an unknown date, but not later than November 11, 2009 and
25 continuing thereafter until on or about November 4, 2011, in the State and Federal District
26 of Nevada, and elsewhere,

1 JACOB VILLANUEVA, JR.,
2 JAVIER PANUCO,
3 DEREK SALAZAR,
4 DANIEL CASTRO,
5 GEORGE MCKENNA,
6 ROLANDO MARQUEZ,
7 VANESSA RUIZ,
8 NAVAZ DOWLING,
9 LUIS AVILA,
10 KATIE ARIAS,
11 RONALD BOWERS,
12 MICHAEL SABICER, and
13 CORRINE RUELAS,

8 defendants herein, did conspire and agree with each other and others known and unknown
9 to commit the following offenses against the United States:

- 10 (a) Trafficking In, Production, and Use of Counterfeit Access Device, in violation
11 of Title 18 United States Code, Section 1029(a)(1);
12 (b) Possession of Fifteen or More Counterfeit or Unauthorized Access Devices,
13 in violation of Title 18 United States Code, Section 1029(a)(3);
14 (c) Trafficking In and Possession of Device Making Equipment, in violation of
15 Title 18 United States Code, Section 1029(a)(4); and
16 (c) Aggravated Identity Theft, in violation of Title 18, United States Code,
17 Section 1028A.

18 **MANNER AND MEANS**

19 2. The manner and means which the defendants and others used to achieve
20 the objectives of the conspiracy are as follows:

21 3. At all times relevant to this indictment, JP Morgan Chase bank branches were
22 typically equipped with an exterior door reader. The exterior door reader allows customers
23 after-hours access to the bank's ATM machine inside the vestibule. Bank customers would
24 swipe their debit or credit cards with a magnetic strip to release the electronic lock that
25 maintains the door in a locked position. From a date unknown, but not later than November
26

1 11, 2009, and continuing to on or about November 4, 2011, defendants **JACOB**
2 **VILLANUEVA, JR., JAVIER PANUCO, DEREK SALAZAR, DANIEL CASTRO, GEORGE**
3 **MCKENNA, ROLANDO MARQUEZ, VANESSA RUIZ, NAVAZ DOWLING, LUIS AVILA,**
4 **KATIE ARIAS, RONALD BOWERS, MICHAEL SABICER, and CORRINE RUELAS,**
5 together with and aiding and abetting one another and others known and unknown, did
6 install device-making equipment, that is, a "skimmer," in the internal electronics of the JP
7 Morgan Chase bank branch door readers, which had the capability to capture the full track
8 data, including but not limited to, the victim account holders' full account numbers, names,
9 and the cards' expiration dates, from the magnetic strip of the debit cards that were swiped
10 through the readers. On those same dates, they also installed other device-making
11 equipment, that is, a video recording devices, such as a stationary pin hole camera focused
12 on the JP Morgan Chase bank ATM's pin pad, which were used to capture the bank
13 customers' personal identification numbers (PINs).

14 4. Beginning on a date unknown, but not later than November 11, 2009, and
15 continuing to on or about November 4, 2011, defendants **JACOB VILLANUEVA, JR. and**
16 **RONALD BOWERS,** together with and aiding and abetting one another and others known
17 and unknown, with the intent to defraud, did manufacture counterfeit access devices, that
18 is, various types of plastic cards with magnetic strips on the back, containing unauthorized
19 magnetic bank debit card account information, for JP Morgan Chase bank accounts issued
20 to persons other than the defendants, and did possess the corresponding PINs for those
21 same JP Morgan Chase bank victim bank accounts.

22 5. Beginning on a date unknown, but not later than November 11, 2009, and
23 continuing to on or about November 4, 2011, defendants **JACOB VILLANUEVA, JR.,**
24 **JAVIER PANUCO, DEREK SALAZAR, DANIEL CASTRO, GEORGE MCKENNA,**
25 **ROLANDO MARQUEZ, VANESSA RUIZ, NAVAZ DOWLING, LUIS AVILA, KATIE ARIAS,**
26

1 **RONALD BOWERS, MICHAEL SABICER, and CORRINE RUELAS**, together with and
2 aiding and abetting one another and others known and unknown, did traffic in, possess, and
3 use counterfeit access devices, that is, plastic cards containing unauthorized magnetic bank
4 debit card account information and their corresponding PINs for JP Morgan Chase bank
5 victim bank accounts to fraudulently obtain money for their own personal gain, the benefit
6 of others, and in furtherance of the criminal conspiracy.

7 **OVERT ACTS**

8 6. On or about November 11, 2009, defendant **NAVAZ DOWLING** and
9 **VANESSA RUIZ**, at the JP Morgan Chase bank on Sky Pointe Drive, in Las Vegas,
10 Nevada, possessed and used device-making equipment to capture magnetic bank debit
11 card account information, for JP Morgan JP Morgan Chase bank accounts issued to
12 persons other than the defendants, and the corresponding PINs for those same JP Morgan
13 Chase bank victim bank accounts.

14 7. On or about January 3, 2010, defendants **NAVAZ DOWLING** and **VANESSA**
15 **RUIZ**, at the JP Morgan Chase bank on Sky Pointe Drive, in Las Vegas, Nevada, and at the
16 JP Morgan Chase bank on West Flamingo Road, Las Vegas, Nevada, possessed and used
17 device-making equipment to capture magnetic bank debit card account information, for JP
18 Morgan Chase bank accounts issued to persons other than the defendants, and the
19 corresponding PINs for those same JP Morgan Chase bank victim bank accounts.

20 8. On or about March 3, 2011, defendants **JACOB VILLANUEVA, JR.** and
21 **VANESSA RUIZ**, at the JP Morgan Chase bank on West Craig Road, in Las Vegas,
22 Nevada, possessed and used device-making equipment to capture magnetic bank debit
23 card account information, for JP Morgan Chase bank accounts issued to persons other than
24 the defendants, and the corresponding PINs for those same JP Morgan Chase bank victim
25 bank accounts.
26

1 9. On or about April 14, 2011, defendants **JACOB VILLANUEVA, JR.** and
2 **VANESSA RUIZ**, at the JP Morgan Chase bank on Sky Pointe Drive, in Las Vegas,
3 Nevada, possessed and used device-making equipment to capture magnetic bank debit
4 card account information, for JP Morgan Chase bank accounts issued to persons other than
5 the defendants, and the corresponding PINs for those same JP Morgan Chase bank victim
6 bank accounts.

7 10. On or about May 5, 2011, defendant **JACOB VILLANUEVA, JR.**, at the JP
8 Morgan Chase bank on West Sahara Avenue, in Las Vegas, Nevada, possessed and used
9 device-making equipment to capture magnetic bank debit card account information, for JP
10 Morgan Chase bank accounts issued to persons other than the defendants, and the
11 corresponding PINs for those same JP Morgan Chase bank victim bank accounts.

12 11. On or about May 8, 2011, defendants **LUIS AVILA, KATIE ARIAS**, and
13 **RONALD BOWERS**, at the JP Morgan Chase bank on West Flamingo, Las Vegas, Nevada,
14 possessed and used device-making equipment to capture magnetic bank debit card
15 account information, for JP Morgan Chase bank accounts issued to persons other than the
16 defendants, and the corresponding PINs for those same JP Morgan Chase bank victim
17 bank accounts.

18 12. On or about May 29, 2011, defendants **JACOB VILLANUEVA, JR.**, and
19 **JAVIER PANUCO**, at the JP Morgan Chase bank on South Fort Apache, Las Vegas,
20 Nevada, possessed and used device-making equipment to capture magnetic bank debit
21 card account information, for JP Morgan Chase bank accounts issued to persons other than
22 the defendants, and the corresponding PINs for those same JP Morgan Chase bank victim
23 bank accounts.

24 13. On or about July 24, 2011, defendants **JACOB VILLANUEVA, JR.**, and
25 **JAVIER PANUCO**, at the JP Morgan Chase bank on Camino Al Norte, North Las Vegas,
26

1 Nevada, possessed and used device-making equipment to capture magnetic bank debit
2 card account information, for JP Morgan Chase bank accounts issued to persons other than
3 the defendants, and the corresponding PINs for those same JP Morgan Chase bank victim
4 bank accounts.

5 14. On or about July 25, 2011, defendant **JACOB VILLANUEVA, JR.** at the JP
6 Morgan Chase bank on West Craig Road, Las Vegas, Nevada, possessed and used
7 device-making equipment to capture magnetic bank debit card account information, for JP
8 Morgan Chase bank accounts issued to persons other than the defendants, and the
9 corresponding PINs for those same JP Morgan Chase bank victim bank accounts.

10 15. On or about July 29, 2011, defendants **JACOB VILLANUEVA, JR.** and
11 **DEREK SALAZAR**, at the JP Morgan Chase bank on West Craig Road, Las Vegas,
12 Nevada, possessed and use device-making equipment to capture magnetic bank debit card
13 account information, for JP Morgan Chase bank accounts issued to persons other than the
14 defendants, and the corresponding PINs for those same JP Morgan Chase bank victim
15 bank accounts.

16 16. On or about July 29, 2011, defendants **JACOB VILLANUEVA, JR.** and
17 **DEREK SALAZAR**, at the JP Morgan Chase bank ATM in Target on South Rainbow Blvd.,
18 Las Vegas, Nevada, possessed and used a counterfeit access device containing
19 unauthorized account information, account number ending in X-8763 issued to persons
20 other than the defendants, and the corresponding PINs, to fraudulently obtain money, that
21 is an aggregate amount of approximately four hundred forty dollars (\$440) for their own
22 personal gain, and the benefit of others.

23 17. On or about July 30, 2011, defendants **JACOB VILLANUEVA, JR.** and
24 **JAVIER PANUCO**, at the JP Morgan Chase bank on West Craig Road, Las Vegas,
25 Nevada, possessed and used device-making equipment to capture magnetic bank debit
26

1 card account information, for JP Morgan Chase bank accounts issued to persons other than
2 the defendants, and the corresponding PINs for those same JP Morgan Chase bank victim
3 bank accounts.

4 18. On or about August 12, 2011, defendants **JACOB VILLANUEVA, JR.**,
5 **DANIEL CASTRO**, and **GEORGE MCKENNA**, at the Hooters Hotel and Casino on East
6 Tropicana Avenue, Las Vegas, Nevada, possessed and used device-making equipment,
7 to wit: a card reader, card skimming devices, tools and parts used to manufacture card
8 skimming devices, miniature video recording devices, ATM light lens with miniature digital
9 camera recording devices, and electronic card re-encoding devices; and possessed
10 approximately thirty five (35) or more counterfeit access devices.

11 19. On or about August 12, 2011, defendants **JACOB VILLANUEVA, JR.**,
12 **DANIEL CASTRO**, and **GEORGE MCKENNA**, at the Wal-mart on South Eastern Avenue,
13 Las Vegas, possessed and used counterfeit access devices containing unauthorized
14 account information, including but not limited to, a re-encoded plastic card containing JP
15 Morgan Chase bank debit card account information for account number ending in X-5416,
16 issued to a person other than the defendants, to fraudulently obtain a money order in the
17 amount of seven hundred dollars (\$700) for their own personal gain, and the benefit of
18 others.

19 20. On or about August 27, 2011, defendant **ROLANDO MARQUEZ**, at the JP
20 Morgan Chase bank on East Charleston Blvd., Las Vegas, Nevada, possessed and used
21 device-making equipment to capture magnetic bank debit card account information, for JP
22 Morgan Chase bank accounts issued to persons other than the defendants, and the
23 corresponding PINs for those same JP Morgan Chase bank victim bank accounts.

24 21. On or about August 28, 2011, defendants **JACOB VILLANUEVA, JR.** and
25 **ROLANDO MARQUEZ**, at the JP Morgan Chase bank in Boulder Highway, Las Vegas,
26

1 Nevada, possessed and used counterfeit access devices containing unauthorized account
2 information, account numbers ending in X-5059; X-9878; X-3974; and 9543; issued to
3 persons other than the defendants, and the corresponding PINs, to attempt to fraudulently
4 obtain money for their own personal gain, and the benefit of others.

5 22. On or about September 11, 2011, defendant **JACOB VILLANUEVA, JR.**, at
6 the JP Morgan Chase bank on Camino Al Norte, Las Vegas, Nevada, possessed and used
7 device-making equipment to capture magnetic bank debit card account information, for JP
8 Morgan Chase bank accounts issued to persons other than the defendants, and the
9 corresponding PINs for those same JP Morgan Chase bank victim bank accounts.

10 23. On or about September 13, 2011, defendant **RONALD BOWERS**, at the JP
11 Morgan Chase bank on East Charleston Blvd., Las Vegas, Nevada, possessed and used
12 device-making equipment to capture magnetic bank debit card account information, for JP
13 Morgan Chase bank accounts issued to persons other than the defendants, and the
14 corresponding PINs for those same JP Morgan Chase bank victim bank accounts.

15 24. On or about September 18, 2011, defendant **RONALD BOWERS** at the JP
16 Morgan Chase bank on East Charleston Blvd., Las Vegas, Nevada, possess and use
17 device-making equipment to capture magnetic bank debit card account information, for JP
18 Morgan Chase bank accounts issued to persons other than the defendants, and the
19 corresponding PINs for those same JP Morgan Chase bank victim bank accounts.

20 25. On or about September 18, 2011, defendant **RONALD BOWERS**, possessed
21 approximately eight (8) counterfeit access devices, that is gift cards re-encoded with JP
22 Morgan Chase bank victim account numbers.

23 26. On or about October 23, 2011, defendants **JACOB VILLANUEVA, Jr.**, and
24 **CORRINE RUELAS**, at the JP Morgan Chase bank on South Rainbow Blvd., Las Vegas,
25 Nevada, possessed and used device-making equipment to capture magnetic bank debit
26

1 card account information, for JP Morgan Chase bank accounts issued to persons other than
2 the defendants, and the corresponding PINs for those same JP Morgan Chase bank victim
3 bank accounts.

4 27. On or about November 4, 2011, defendants **JACOB VILLANUEVA, Jr.**, and
5 **MICHAEL SABICER**, at the JP Morgan Chase bank on South Rainbow Blvd., Las Vegas,
6 Nevada, possessed and used device-making equipment to capture magnetic bank debit
7 card account information, for JP Morgan Chase bank accounts issued to persons other than
8 the defendants, and the corresponding PINs for those same JP Morgan Chase bank victim
9 bank accounts.

10 All in violation of Title 18, United States Code, Section 371.

11 **COUNTS TWO AND THREE**
12 Aggravated Identity Theft and
Aiding and Abetting

13 1. The factual allegations of Count One of this Indictment are incorporated by
14 reference.

15 2. On or about on the dates set forth below, in the State and Federal District of
16 Nevada and elsewhere,

17 **JACOB VILLANUEVA, JR.,**
18 **JAVIER PANUCO,**
19 **DEREK SALAZAR,**
20 **DANIEL CASTRO,**
21 **GEORGE MCKENNA,**
22 **ROLANDO MARQUEZ,**
23 **VANESSA RUIZ,**
NAVAZ DOWLING,
LUIS AVILA,
KATIE ARIAS,
RONALD BOWERS,
MICHAEL SABICER, and
CORRINE RUELAS,

24 defendants herein, aiding and abetting one another and others, did knowingly transfer,
25 possess, and use, without lawful authority, means of identification of other persons, to wit:
26

1 other persons' JP Morgan Chase bank debit account numbers and the corresponding
2 Personal Identification Numbers (PINs) as set forth below, during and in relation to a
3 specified felony enumerated in Title 18 United States Code, Section 1028A(c), to wit:
4 Trafficking In, Production, and Use of Counterfeit Access Devices, a violation of Title 18,
5 United States Code, Section 1029(a)(1), with each instance set forth below constituting a
6 separate violation of Title 18 United States Code, Section 1028A.

<u>Count</u>	<u>Date</u>	<u>Account Number</u>	<u>Amount</u>
8 TWO	7/29/2011	X-8763	\$440
9 THREE	8/12/2011	X-5416	\$700


10 All in violation of Title 18, United States Code, Sections 1028A(a)(1) and (c)(4),
11 and Title 18, United States Code, 2.

12 **DATED:** this 13 day of March 2012.

13 **A TRUE BILL:**

14
15 /S/
FOREPERSON OF THE GRAND JURY

16 DANIEL G. BOGDEN
United States Attorney

17
18 
19 KIMBERLY M. FRAYN
Assistant United States Attorney