

FILED

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

18 AUG 21 PM 3:41

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA

§ INDICTMENT

BY _____
DEPUTY CLERK

v.

§ [COUNT 1: 18 U.S.C. § 1956, Conspiracy
§ to Commit Money Laundering;

LUKMAN AMINU

§ COUNT 2: 18 U.S.C. § 1028A, Aggravated
§ Identify Theft]

§
§
§

A 18 CR 0328 RP

THE GRAND JURY CHARGES:

At All Times Material To This Indictment:

INTRODUCTION

1. Beginning in June of 2017 persons unknown to the Grand Jury began creating unauthorized accounts for participants in the Employees Retirement System of Texas (“ERS”) internet portal. The subject accessed the ERS participant internet portal using interstate wires and used ERS participants’ personally identifiable information (“PII”) to create 30 accounts for ERS participants, 29 of whom were over the age of 60, and did not have accounts in the portal. After creating the accounts, the unknown persons changed the bank accounts on file with ERS for 26 of the 30 participants’ retirement payments to bank accounts coconspirators controlled. ERS, based in Austin, Texas, in the Western District of Texas, detected the fraudulent activity, but not before ERS sustained an actual loss of \$10,605.18 with a potential loss estimated at \$131,461.64.

2. Stolen Identity Refund Fraud (SIRF) occurs when a fraudulent claim (or attempted claim) for a tax refund or tax return is filed and the fraudulent claim is in the name of a person whose personal identification information (PII) has been stolen or unlawfully used to

make the claim. The tax return is intended to benefit someone other than the person to whom the PII belongs. The tax return is filed via interstate wires on the internet. Stolen PII can also be used to open credit cards in victim names and make purchases of goods and gift cards. Additionally, fraudsters use victim PII to direct wire transfers from victim bank accounts.

3. These and other fraud schemes by the conspirators utilized interstate wires in violation of the Wire Fraud statute, Title 18, United States Code, Section 1343, and used multiple individuals working together to perpetrate them in violation of the Fraud Conspiracy statute, Title 18, United States Code, Section 1349.

4. Regardless of which wire fraud or fraud conspiracy schemes is perpetrated, conspirators utilized a “catcher” to receive the fraudulently derived funds. The “catcher” must be based in the United States and have the ability to access a U.S. bank account to receive the funds from the victims.

5. The Defendant, LUKMAN AMINU, among other roles, acted as a “catcher” of fraudulent funds from these various schemes, operating a money laundering conspiracy to conceal the nature, location, source, ownership, and control of the fraud proceeds.

6. AMINU’s primary means of “catching” the funds was by utilizing prepaid cards. A reloadable prepaid card may be activated with a victim’s PII, which opens a bank account in that victim’s PII, enabling deposits and wire transfers to that account. The account can be accessed using the same prepaid card. Prepaid card companies utilized by AMINU in this way included those issued by Green Dot and Netspend. AMINU would purchase prepaid cards and then e-mail the card numbers and activation codes to another person who would in turn activate the cards with victim PII.

7. Once the funds derived by wire fraud were sent to the bank account associated with the prepaid cards in AMINU's possession that had been opened using victim PII, AMINU would use the cards at locations near his residence in New Hampshire to quickly withdraw the funds from the accounts. AMINU would conduct financial transactions by purchasing money orders and withdrawing cash.

8. AMINU would then conduct additional financial transactions by depositing money orders into bank accounts or by purchasing automobiles with the money orders.

9. Used car markets in Nigeria and Benin are commonly used to launder funds by criminal organizations, specifically individuals that commit fraud in the United States. There is a large market for used vehicles in Nigeria that are purchased at auto auction sites in the United States every year using criminal proceeds. The vehicles are then shipped to Nigeria. The vehicles are then fixed and resold.

10. AMINU also coordinated financial transactions of fraudulent proceeds with others unknown to the grand jury via electronic communication.

OVERT ACTS

11. Multiple overt acts in furtherance of the money laundering conspiracy were committed by AMINU and persons known and unknown to the Grand Jury, including, but not limited to, the following:

- a. On July 31, 2017, a person unknown to the Grand Jury created an ERS account for Victim-1, 74 years of age, through the ERS internet portal using Victim-1's PII. Victim-1 did not give permission for this account to be created. The person unknown to the Grand Jury then successfully changed the bank account on file

with ERS for Victim-1 to a MasterCard prepaid debit card (“MasterCard”) issued by Green Dot Bank (“Green Dot”). On August 29, 2017, Victim-1’s monthly retirement payment of \$1,972.97 was deposited onto the Green Dot MasterCard. On September 27, 2017, Victim-1’s monthly retirement payment of \$1,972.97 was again deposited onto the same Green Dot MasterCard.

- b. On June 27, 2017, the Green Dot MasterCard that received Victim-1’s ERS payment had been activated using Victim-2’s PII. Victim-2 is over 80 years old and had no knowledge of the Green Dot card. In fact, Victim-2’s own monthly retirement payment from Prudential Financial was fraudulently redirected from her (Victim-2’s) bank account to the Green Dot MasterCard. On July 31, 2017, a \$1,561.22 payment meant for Victim-2 was sent from Prudential to the Green Dot card—an example of the stolen PII fraud scheme described above.
- c. On August 1, 2017, AMINU utilized the Green Dot card that had been activated in Victim-2’s name at a Walmart in NH to purchase a \$1,000 MoneyGram money order payable to “Lukman Aminu” and a \$550 MoneyGram money order that was made payable to an auto auction business.
- d. On August 30, 2017, the day after Victim-1’s retirement payment was deposited on the Green Dot MasterCard in Victim-2’s name, the card was used at a Hannaford Supermarket (“Hannaford”) in Manchester, NH, to make a purchase of \$1,904. The card was used by AMINU to purchase four Western Union money orders, three for \$500.00 and one for \$200.00. AMINU also received \$200.00 in cash and there was a \$4.00 fee, making the total \$1,904.00. The payee and payee address listed on two of the Western Union money orders was “Wellington

Terrace, 57 Wellington Terrace,” which is the apartment complex name and address where AMINU was living at the time.

- e. On September 28, 2017, the day after the second retirement payment from Victim-1’s account was deposited onto the Green Dot MasterCard account, AMINU utilized the card at a Hannaford store to purchase five Western Union money orders, three for \$500.00, one for \$300.00, and one for \$100.00. There was a \$5.00 fee, making the total \$1,905.00. Two of the Western Union money orders were made out to “Lukman Aminu” while others went to automobile auction businesses.
- f. Between March 16, 2016, and November 29, 2017, AMINU deposited over \$60,000 from 95 money orders derived from various wire fraud schemes, including SIRF, into his Digital Federal Credit Union (DFCU) account and AMINU withdrew approximately \$52,000 in cash—the money was rapidly withdrawn after it was deposited.
- g. One example of AMINU laundering SIRF proceeds involves the fraudulently filed tax return of Victim-3: on July 25, 2017, a Netspend pre-paid card that had been activated using Victim-3’s PII, received a \$10,277 tax refund for Victim-3. Victim-3 in fact had not filed the 2017 tax return; this was part of a SIRF scheme. Later on July 25, 2017, the Netspend card was used to make purchases at Wal-Mart and Hannaford stores in the vicinity of Manchester, New Hampshire—those purchases included money orders deposited into AMINU’s DFCU account as well as money orders made payable to automobile auction businesses that did not have AMINU’s name, but listed AMINU’s home address.

- h. AMINU also purchased numerous money orders with wire fraud proceeds and made the money orders payable to various auto auction businesses to purchase vehicles. AMINU also used his DFCU account on September 14, 2016, January 5, 2017, and August 22, 2017 to transfer funds to a shipping company to pay for the international shipment of automobiles.
- i. Additionally, AMINU sent messages via the WhatsApp Messenger application via his cellular telephone in furtherance of laundering proceeds from fraud. For example, on or about July 8, 2018, AMINU sent photographs of bank transaction records to Person 1 and told Person 1 “that will make her go show prove and ask for them to expedite her check. At least we will be sure that it’s coming.” AMINU’s messages were sent to Person 1 to assist in withdrawing funds from a financial institution. The bank records sent by AMINU detail a \$49,749 automated clearinghouse (ACH) transfer from a Mississippi business’s account. The Mississippi business confirmed that on June 26, 2018, an unknown person fraudulently used stolen PII to conduct an ACH transfer of \$49,749 from its bank account to a bank account in Dallas. All of the funds were withdrawn from the Dallas account before the bank could recover them for the Mississippi business.

COUNT ONE
Conspiracy to Commit Money Laundering
[18 U.S.C. § 1956]

12. Count One incorporates by reference, as if fully set forth herein, paragraphs one through eleven of this Indictment.

13. Beginning sometime in March of 2016, the exact date being unknown, and

continuing until on or about July 12, 2018, in the Western District of Texas, District of New Hampshire, and elsewhere, the Defendant,

LUKMAN AMINU,

did knowingly combine, conspire, and agree with other persons known and unknown to the Grand Jury to commit offenses against the United States in violation of Title 18, United States Code, Section 1956, namely:

- a. To knowingly conduct and attempt to conduct financial transactions affecting interstate commerce and foreign commerce, which transactions involved the proceeds of specified unlawful activity, that is, wire fraud and conspiracy to commit fraud as described in this Indictment, knowing that the transactions were designed in whole or in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of specified unlawful activity, and that while conducting and attempting to conduct such financial transactions, knew that the property involved in the financial transactions represented the proceeds of some form of unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i).

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

COUNT TWO
Aggravated Identity Theft
[18 U.S.C. § 1028A]

14. Count Two incorporates by reference, as if fully set forth herein, paragraphs one through eleven of this Indictment.

15. Between on or about June 27, 2017 and September 28, 2017, in the Western

District of Texas and the District of New Hampshire, the Defendant,

LUKMAN AMINU,

did knowingly use, and aid, abet, induce, and procure the use of, without lawful authority, a means of identification of another person, to wit, a card connected to a bank account in the name of C.A. during and in relation to a felony violation enumerated in 18 U.S.C. § 1028A(c), namely wire fraud and wire fraud conspiracy, as described in this indictment, related to Texas ERS, knowing that the means of identification belonged to another actual person.

All in violation of Title 18, United States Code, Section 1028A(a)(1).

~~ORIGINAL SIGNATURE~~
~~REDACTED PURSUANT TO~~
~~F. GOVERNMENT ACT OF 2002~~
~~FOREPERSON~~

JOHN F. BASH
United States Attorney

By: _____

MICHAEL C. GALDO
Assistant United States Attorney

A18 CR0328 RP

Sealed _____

Unsealed X

Personal Data Sheet USAO# 2017R15485

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS

RELATED CASE YES X NO
CASE NO. _____

County: TRAVIS AUSTIN Division Judge: _____

Date: 08/21/18 Mag Ct.# _____ SSN: _____ FBI#: _____

Case No.: _____ Assistant U. S. Attorney: Michael C. Galdo

Defendant: LUKMAN AMINU Date of Birth: REDACTED

Address: _____

Citizenship: United States Mexican Other

Interpreter Needed: _____ Language _____

Defense Attorney: _____ Employed

Address of Attorney: _____ Appointed _____

Defendant is: In Jail Where: _____

On Bond Amt. of Bond Where: _____

Date of Arrest: _____ Bench Warrant Needed No

Prosecution By: _____ Information Indictment X

Offense (Code & Description): Ct. 1: 18 U.S.C. § 1956, Conspiracy to Commit Money Laundering; Ct. 2: 18 U.S.C. § 1028A, Aggravated Identify Theft]

Offense Is: Felony X Misdemeanor

Maximum Sentence: Ct. 1: Max 20 yrs. BOP; 3 yrs. TSR; \$250,000 fine, \$100 SA fee
 Ct. 2: Max 2 yrs. BOP; 1 yr. TSR; \$250,000 fine, \$100 SA fee

Penalty is Mandatory: As to special assessment Yes X No

Remarks: _____