

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
CEDAR RAPIDS DIVISION

UNITED STATES OF AMERICA,	)	No. 18-CR-30
)	
Plaintiff,	)	INDICTMENT
)	
vs.	)	Counts 1-17
	)	18 U.S.C. § 1344(2): Bank Fraud
ROBIN ANN BERTELLI, also known as)	
“Robin Ann Fatka,”	)	Counts 18-34
	)	18 U.S.C. § 1028A(a)(1): Aggravated
Defendant.	)	Identity Theft
)	
	)	Count 35
	)	18 U.S.C. § 1708: Possession of
	)	Stolen Mail
)	
	)	Count 36
	)	18 U.S.C. § 1957: Money
	)	Laundering
)	
)	

The Grand Jury charges:

Counts 1-17

Bank Fraud

Introduction

1. In about 2013, defendant ROBIN ANN BERTELLI began a romantic relationship with K.M. K.M. was a former Navy Seal and resided with his elderly and widowed mother, B.M., in rural Central City, Iowa. BERTELLI soon moved into B.M.’s home, living with K.M. in a room in the basement.

2. In December 2015, K.M. received an inheritance of approximately \$18,000 from a relative. Also in December 2015, K.M. deposited this inheritance into his checking account at Collins Community Credit Union.

3. In February 2016, BERTELLI and K.M. travelled together to Puerto Rico for a vacation. On February 13, 2016, K.M. unexpectedly died in Puerto Rico. BERTELLI reported to others that K.M. went swimming, hit his head on a rock, and accidentally drowned. BERTELLI later moved out of B.M.'s home.

4. At all times relevant to this Indictment, Collins Community Credit Union ("CCCU") was a financial institution whose deposits were insured by the National Credit Union Administration. K.M. had a checking account at CCCU. K.M.'s checking account number ended with 6009. B.M. had a checking account at CCCU. B.M.'s checking account number ended with 9003. B.M. also had a number of certificates of deposit at CCCU. BERTELLI was not an owner of, or otherwise named as a signatory on, K.M.'s or B.M.'s CCCU checking accounts or B.M.'s certificates of deposit.

The Scheme to Defraud

5. Beginning no later than July 2013, and continuing through at least September 2016, in the Northern District of Iowa, and elsewhere, defendant ROBIN ANN BERTELLI did knowingly execute and attempt to execute a scheme and artifice to obtain the moneys, funds, assets, and other property under the custody or control of CCCU by means of false and fraudulent pretenses, representations, and promises ("the scheme to defraud").

Manner and Means of the Scheme to Defraud

6. After moving in with K.M., BERTELLI stole blank CCCU checks from K.M. and B.M. BERTELLI then fraudulently made these checks payable to herself, inserted a dollar amount, and forged the signatures of B.M. and K.M. BERTELLI deposited these forged checks into her own account at NXT Bank, thereby fraudulently causing transfers of funds from the CCCU accounts of B.M. and K.M. into defendant's account at NXT Bank. Three of these transfers from K.M.'s CCCU account occurred after the date of K.M.'s death. Many of the transfers from B.M.'s account occurred after BERTELLI fraudulently caused one of B.M.'s CCCU certificates of deposit to be surrendered, with the proceeds to be deposited into B.M.'s CCCU checking account. In this manner, BERTELLI fraudulently obtained approximately \$175,000 from the CCCU accounts. BERTELLI would then use those funds for her own purposes, including but not limited to purchasing a luxury car, a black 2004 BMW 3 Series 330ci.

Execution of the Scheme to Defraud

7. Beginning no later than July 2013, and continuing through at least September 2016, in the Northern District of Iowa, and elsewhere, defendant ROBIN ANN BERTELLI knowingly executed and attempted to execute a scheme and artifice to obtain the moneys, funds, assets, and other property under the custody or control of CCCU by means of false and fraudulent pretenses, representations, and promises. BERTELLI knowingly executed and attempted to execute the scheme by

depositing the following stolen and forged checks, drawn on K.M.'s and B.M.'s CCCU accounts, into her own account at NXT Bank as follows:

Count	Account Holder	Date on Check	Check No.	Amount
1	B.M.	10/15/2014	6073	\$1,500
2	B.M.	11/13/2014	6079	\$1,500
3	B.M.	11/29/2014	6080	\$2,500
4	B.M.	12/21/2014	6083	\$2,500
5	B.M.	04/23/2015	6137	\$11,500
6	B.M.	9/1/2015	6158	\$13,000
7	K.M.	02/9/2016	1112	\$4,000
8	K.M.	02/12/2016	1113	\$8,000
9	K.M.	02/13/2016	1114	\$6,000
10	B.M.	07/01/2016	6242	\$5,500
11	B.M.	07/12/2016	6200	\$2,500
12	B.M.	07/19/2016	6201	\$5,000
13	B.M.	07/25/2016	6202	\$3,500
14	B.M.	08/01/2016	6203	\$4,500
15	B.M.	08/11/2016	6204	\$5,000
16	B.M.	08/15/2016	6205	\$2,500
17	B.M.	9/9/2016	6256	\$2,500

This was in violation of Title 18, United States Code, Section 1344(2).

Counts 18-34

Aggravated Identity Theft

8. On or about the dates set forth below, in the Northern District of Iowa, and elsewhere, defendant ROBIN ANN BERTELLI did knowingly transfer, possess, and use, without lawful authority, one or more means of identification of another person, specifically, the names and signatures of B.M. and K.M., and the bank account number of B.M. ending in 9003 and the bank account number of K.M. ending in 6009, during and in relation to a felony violation enumerated in 18 U.S.C. § 1028A(c), that is, Bank Fraud, 18 U.S.C. § 1344, as alleged in Counts 1 through 17 above, and knowing that the means of identification belonged to another actual person.

<u>Count</u>	<u>Victim</u>	<u>Date on Check</u>	<u>Check No.</u>	<u>Amount</u>
18	B.M.	10/15/2014	6073	\$1,500
19	B.M.	11/13/2014	6079	\$1,500
20	B.M.	11/29/2014	6080	\$2,500
21	B.M.	12/21/2014	6083	\$2,500
22	B.M.	04/23/2015	6137	\$11,500
23	B.M.	9/1/2015	6158	\$13,000
24	K.M.	02/9/2016	1112	\$4,000
25	K.M.	02/12/2016	1113	\$8,000
26	K.M.	02/13/2016	1114	\$6,000
27	B.M.	07/01/2016	6242	\$5,500
28	B.M.	07/12/2016	6200	\$2,500

29	B.M.	07/19/2016	6201	\$5,000
30	B.M.	07/25/2016	6202	\$3,500
31	B.M.	08/01/2016	6203	\$4,500
32	B.M.	08/11/2016	6204	\$5,000
33	B.M.	08/15/2016	6205	\$2,500
34	B.M.	9/9/2016	6256	\$2,500

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

Count 35

Possession of Stolen Mail

9. From about November 2014, through about September 2016, in the Northern District of Iowa, defendant ROBIN ANN BERTELLI did conceal and unlawfully have in her possession mail addressed to B.M. at Central City, Iowa, which had been stolen, taken, embezzled and abstracted from a letter box, which was an authorized depository for mail matter, knowing the said mail to have been stolen, taken, embezzled and abstracted from an authorized depository for mail matter.

This was in violation of Title 18, United States Code, Section 1708.

Count 36

Money Laundering

10. On or about September 11, 2015, in the Northern District of Iowa, defendant ROBIN ANN BERTELLI, did knowingly engage and attempt to engage in a monetary transaction by through or to NXT Bank, a financial institution whose

deposits are insured by the Federal Deposit Insurance Corporation, affecting interstate or foreign commerce, in criminally derived property of a value greater than \$10,000, that is the withdrawal of \$12,500 in U.S. currency, such property having been derived from a specified unlawful activity, that is, Bank Fraud in violation of 18 U.S.C. § 1344(2).

This was in violation of 18 U.S.C. § 1957.

A TRUE BILL

s/Foreperson

4.4.18

Grand Jury Foreperson

Date

PETER E. DEEGAN, JR.
United States Attorney

By: 
TIMOTHY L. VAVRICEK
Assistant United States Attorney

