

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA

v.

JASON LALL,
JOHN GRIFFIN,
JOHN PAZ,
AND ALBERT RICHARD

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§

11 477

CRIMINAL NO.

**United States Courts
Southern District of Texas
FILED**

JUN 28 2011

David J. Bradley, Clerk of Court

INDICTMENT

THE GRAND JURY CHARGES:

INTRODUCTION

At all times material herein:

1. The Federal Deposit Insurance Corporation (FDIC) was an agency of the federal government which insured the deposits of member banks against loss with the purpose of preventing their collapse and instilling public confidence in the nation's banking institutions.
2. J.P. Morgan Chase Bank (Chase Bank) and its branches were financial institutions the accounts of which were insured by the FDIC.
3. Unity National Bank and its branches were financial institutions the accounts of which were insured by the FDIC.

COUNT ONE

(Conspiracy – 18 U.S.C. § 1349)

INTRODUCTION

1. The Grand Jury adopts, realleges, and incorporates herein the allegations in paragraphs 1 – 3 of the Introduction of this Indictment as if set out fully herein.

THE CONSPIRACY

2. Beginning on or about August 10, 2009, and continuing thereafter until June 3, 2011, in the Houston Division of the Southern District of Texas and elsewhere,

**JASON MICHAEL LALL
JOHN DASILVA PAZ
JOHN PIERRE GRIFFIN
and
ALBERT RICHARD**

defendants herein, did knowingly combine, conspire, confederate and agree with each other and with others known and unknown to the Grand Jury to commit an offense against the United States, namely bank fraud, that is knowingly execute and attempt to execute a scheme and artifice to defraud a federally insured financial institution, and to obtain, by means of false and fraudulent pretenses, representations and promises, any of the money, funds, assets, or other property owned by, and under the custody and control of a federally insured financial institution, in violation of Title 18, United States Code, Section 1344.

MANNER AND MEANS OF THE CONSPIRACY

3. It was a part of the conspiracy that the defendants and their co-conspirators manufactured overlay devices to be placed on automated teller machines (ATMs) in order to capture the identifying information of bank customers.
4. It was a further part of the conspiracy that the defendants and their co-conspirators rented various automobiles in order to make themselves harder to identify on bank surveillance cameras.
5. It was a further part of the conspiracy that the defendants and their co-conspirators placed pieces of paper and spray paint over bank surveillance cameras and otherwise tampered with bank surveillance cameras in order to make themselves harder to identify.
6. It was a further part of the conspiracy that the defendants and their co-conspirators

placed the overlay devices on various ATMs throughout the Southern District of Texas and elsewhere.

7. It was a further part of the conspiracy that the defendants and their co-conspirators manufactured fraudulent access devices using the information captured on the overlay devices that they had previously placed on various ATMs.

8. It was a further part of the conspiracy that the defendants and their co-conspirators used the fraudulent access devices that they had manufactured in order to withdraw money in excess of \$400,000.00 from various Chase Bank and Unity National Bank ATMs throughout the Southern District of Texas and elsewhere.

All in violation of Title 18, United States Code, Section 1349.

COUNT TWO

(Access Device Fraud – 18 U.S.C. § 1029 (a)(3) and 2)

From, on or about August 10, 2009 and continuing thereafter until June 3, 2011, in the

Houston Division of the Southern District of Texas, and elsewhere

JASON MICHAEL LALL

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defendants herein, aided and abetted by others known and unknown to the Grand Jury, did knowingly and with intent to defraud, possess fifteen or more unauthorized access devices that had been fraudulently obtained, namely debit card numbers and credit card numbers, and the offense affected interstate and foreign commerce.

In violation of Title 18, United States Code, Sections 1029(a)(3) and (2).

COUNT 3

(Access Device Fraud – 18 U.S.C. §§ 1029(a)(2) and 2)

From, on or about August 10, 2009 and continuing thereafter until June 3, 2011, in the

Houston Division of the Southern District of Texas, and elsewhere

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defendants herein, aided and abetted by one another and others known and unknown to the Grand Jury, did knowingly and with intent to defraud, traffic in and use during a one year period, unauthorized access devices, namely Chase Bank credit and debit card numbers, and by such conduct did obtain in excess of \$1,000.00, and the offense affected interstate and foreign commerce.

In violation of Title 18, United States Code, Sections 1029(a)(2) and 2.

**COUNT 4
(Aggravated Identity Theft, Title 18 U.S.C. §§ 1028A and 2)**

On or about April 8, 2011, in the Houston Division of the Southern District of Texas, and elsewhere

**JASON MICHAEL LALL
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defendants herein, aided and abetted by one another and others known and unknown to the Grand Jury, did knowingly transfer, possess and use, without lawful authority, a means of identification of another person, to-wit, the Chase Bank account number and/or credit/debit card number for the account of D.H., during and in relation to a violation of Title 18, United States Code, Sections 1349 and 1344 (Conspiracy to Commit Bank Fraud).

All in violation of Title 18, United States Code, Sections 1028A and 2.

**COUNT 5
(Aggravated Identity Theft, Title 18 U.S.C. §§ 1028A and 2)**

On or about May 6, 2011, in the Houston Division of the Southern District of Texas, and elsewhere

**JASON MICHAEL LALL
JOHN DASILVA PAZ**

and

ALBERT RICHARD

defendants herein, aided and abetted by each other and others known and unknown to the Grand Jury, did knowingly transfer, possess and use, without lawful authority, a means of identification of another person, to-wit, the Chase Bank account number and/or credit/debit card number for the account of R.M., during and in relation to a violation of Title 18, United States Code, Sections 1349. (Conspiracy to Commit Bank Fraud).

All in violation of Title 18, United States Code, Sections 1028A.

COUNT 6

(Aggravated Identity Theft, Title 18 U.S.C. §§ 1028A and 2)

On or about April 5, 2010, in the Houston Division of the Southern District of Texas, and elsewhere

JOHN DASILVA PAZ

and

JOHN PIERRE GRIFFIN

defendants herein, aided and abetted by one another and others known and unknown to the Grand Jury, did knowingly transfer, possess and use, without lawful authority, a means of identification of another person, to-wit, the Chase Bank account number and/or credit/debit card number for the account of K.M., during and in relation to a violation of Title 18, United States Code, Sections 1349 (Conspiracy to Commit Bank Fraud).

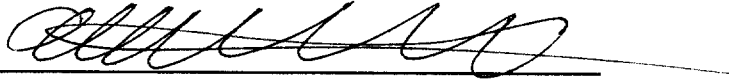
All in violation of Title 18, United States Code, Sections 1028A and 2.

✓ A TRUE BILL

ORIGINAL SIGNATURE ON FILE

FOR PERSON

JOSE ANGEL MORENO
UNITED STATES ATTORNEY

A handwritten signature in black ink, appearing to read 'A. Leuchtmann', written over a horizontal line.

ANDREW LEUCHTMANN
ASSISTANT UNITED STATES ATTORNEY