

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

UNITED STATES OF AMERICA)
)
 v.)
)
 OLUWASEUN ADEKOYA)

1:13-cr-098-JL

SUPERSEDING INDICTMENT

The Grand Jury charges:

Introduction

At all times material to this Indictment:

1. Defendant OLUWASEUN ADEKOYA (“ADEKOYA”) resided in New Jersey and utilized the e-mail address ifeowo85@yahoo.com.
2. Personally identifiable information (“PII”) can include individuals’ names, addresses, social security numbers, dates of birth, places of work, duration of work, state driver’s license numbers, mothers’ maiden names, bank account numbers, bank routing numbers, e-mail account names, and other account passwords.
3. “Carding” refers to an assortment of illegal activities revolving around the theft and fraudulent use of PII and payment card data, and “carders” refers to individuals who are engaged in illegal carding activity.
4. From approximately 2009 to February of 2013, certain e-mail addresses known to the grand jury (“E-mail Address 1 and E-mail Address #2”) were utilized by a particular vendor of PII (“VENDOR”). VENDOR utilized those e-mail accounts to communicate with prospective and actual buyers of PII and to transfer stolen PII to customers. VENDOR also operated websites through which customers could purchase PII. The PII that VENDOR offered for

sale, sold, and/or transferred to others were stolen or otherwise illegally obtained, and

VENDOR was not authorized to possess, transfer, and/or sell the PII.

5. Between February 2012 and February 2013, ADEKOYA, while utilizing the e-mail address ifeowo85@yahoo.com, communicated with VENDOR regarding the unlawful purchase of PII.
6. On or about January 28, 2013, ADEKOYA, while utilizing the e-mail address ifeowo85@yahoo.com, purchased from VENDOR, without lawful authority, a means of identification of another person, namely sixteen (16) Social Security Numbers (“SSNs”), with the intent to commit, and to aid and abet, and in connection with, an unlawful activity that constitutes a violation of Federal law, namely: wire fraud in violation of 18 U.S.C. § 1343, bank fraud in violation of 18 U.S.C. § 1344, and access device fraud in violation of 18 U.S.C. §1029.
7. Beginning on February 10, 2013, E-mail Address 1 was controlled by an undercover agent located in New Hampshire (“UC agent”), who utilized this e-mail account to correspond with others, including ADEKOYA, while posing as VENDOR.

COUNT ONE
Wire Fraud
(18 U.S.C. § 1343)

8. The allegations set forth in paragraphs 1 through 7 of the Superseding Indictment are re-alleged and incorporated as set forth herein.
9. Beginning at a date uncertain, but at least as early as February 27, 2012, and continuing to a date uncertain, but at least as late as April 3, 2013, the defendant

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devised and intended to devise a scheme and artifice to defraud, and for obtaining money and property by means of materially false and fraudulent pretenses, representations, and promises.

Manner and Means

10. It was part of the scheme that ADEKOYA contacted and corresponded with individuals, including VENDOR and the UC agent, via e-mail, including via the e-mail address ifeowo85@yahoo.com.
11. It was further part of the scheme that, via e-mail, ADEKOYA sought to obtain information from VENDOR about the websites that VENDOR operated for the purpose of selling PII.
12. It was further part of the scheme that ADEKOYA sought to obtain information about prices for various types of PII from the VENDOR, and the UC agent via e-mail.
13. It was further part of the scheme that ADEKOYA asked the UC agent via e-mail when he, ADEKOYA, could regain access to VENDOR's website (from which ADEKOYA had previously purchased PII) and that ADEKOYA could no longer access.
14. It was further part of the scheme that ADEKOYA e-mailed the UC agent to obtain PII, specifically unauthorized access devices, namely Social Security Numbers.
15. It was further part of the scheme that ADEKOYA intended to utilize such PII in order to commit fraud and to obtain money and property by materially false and fraudulent pretenses, representations, and promises.
16. On or about April 2, 2013, in the District of New Hampshire and elsewhere, the defendant

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in furtherance of, and for the purpose of executing, such scheme and artifice to defraud, transmitted and caused to be transmitted in interstate commerce, from New Jersey to New Hampshire, wire communications, including writings, signals, and sounds, specifically e-

mails, for the purpose of executing the scheme to defraud, to the UC agent in New Hampshire asking the UC agent for a means of identification of another person, namely, four (4) Social Security Numbers, which he referred to as “ss,” after he provided to the UC agent with the names and addresses of individuals in the United States whose Social Security Numbers he wanted.

In violation of Title 18, United States Code, Sections 1343.

COUNT TWO

Attempt to Commit Identification Fraud
(18 U.S.C. §§ 1028(f) & 1028(a)(7))

17. The allegations set forth in paragraphs 1 through 7 and 9 through 16 of the Superseding Indictment are re-alleged and incorporated as set forth herein.

18. On or about April 2, 2013, in the District of New Hampshire and elsewhere, the defendant

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attempted to possess, without lawful authority, a means of identification of another person, namely, four (4) Social Security Numbers with the intent to commit, and to aid and abet, and in connection with, an unlawful activity that constitutes a violation of Federal law, namely: wire fraud, in violation of 18 U.S.C. § 1343, and access device fraud, in violation of 18 U.S.C. § 1029(a)(2).

In violation of Title 18, United States Code, Sections 1028(f) and 1028(a)(7).

COUNT THREE

Attempt to Commit Access Device Fraud
(18 U.S.C. §§ 1029(b)(1) and 1029(a)(2))

19. The allegations set forth in paragraphs 1 through 7, 8 through 16 and 18 of the Superseding Indictment are re-alleged and incorporated as set forth herein.

20. On or about April 2, 2013, in the District of New Hampshire and elsewhere, the defendant

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attempted to knowingly and with intent to defraud, traffic in and use one or unauthorized more access devices, namely Social Security Numbers, and by such conduct obtain anything of value aggregating \$1,000 or more during a one year period between April 2, 2013 and April 1, 2014, by sending an e-mail from New Jersey to the UC agent in New Hampshire providing the names and addresses of four (4) individuals in the United States and asking the UC agent to provide the corresponding Social Security Numbers.

In violation of Title 18, United States Code, Sections 1029(b)(1) and 1029(a)(2).

COUNT FOUR

Bank Fraud
(18 .S.C. §1344)

21. The allegations set forth in paragraphs 1 through 7 of the Superseding Indictment are re-alleged and incorporated as set forth herein.

22. From on or about September 26, 2013 to on or about October 2, 2013, the defendant,

OLUWASEUN ADEKOYA,

with others known to the grand jury, specifically, Adebayo Adegbesan, Aubrey Banks, Darrell Harris, and Kamau Brown, devised a scheme and artifice to defraud several “financial institutions” (as that term is defined in 18 U.S.C. §20) including Peoples United Bank in Manchester, NH and St. Mary’s Bank in Manchester, NH, each of which respectively had its deposits insured by the Federal Deposit Insurance Corporation (known as the FDIC) and the National Credit Union Share Insurance Fund, administered by the National Credit Union Administration (known as the NCUA) and to obtain moneys and funds owned by and under the custody and control of said financial institutions, by means of materially false and fraudulent pretenses and representations.

23. It was part of the scheme and artifice that the defendant, and the others, intended that approximately two hundred (200) white plastic cards, which they believed were encoded with bank account information for accounts held at the financial institutions by innocent individuals, would be used to fraudulently make hundreds of withdrawals of moneys and funds from said accounts at multiple Automated Teller Machines (ATMs).

24. In furtherance of the scheme, between on or about September 26, 2013 and October 2, 2013, the defendant,

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communicated with an individual who, unbeknownst to the defendant, was an undercover agent located in New Hampshire, with respect to planning and carrying out a scheme whereby the defendant would travel to New Hampshire, and would cause others to travel to New Hampshire, for the sole purpose of using approximately two hundred (200) white plastic cards (which the defendant believed were encoded with actual bank account information) to fraudulently obtain money and funds from ATMs in New Hampshire.

25. Between on or about October 1, 2013 and October 2, 2013, in the District of New Hampshire and elsewhere, the defendant,

OLUWASEUN ADEKOYA,

for the purpose of executing, and attempted to execute, the scheme, did cause Adebayo Adegbesan, Aubrey Banks, Darrell Harris, and Kamau Brown to travel from Atlanta, GA to Manchester, NH for the sole purpose of obtaining white plastic cards (which they believed were encoded with bank account information) and using them at ATMs of financial institutions to fraudulently obtain money and funds from accounts of innocent individuals.

26. Between on or about October 1, 2013 and October 2, 2013, in the District of New Hampshire and elsewhere, the defendant,

OLUWASEUN ADEKOYA,

for the purpose of executing, and attempted to execute, the scheme, after causing Adebayo Adegbesan, Aubrey Banks, Darrell Harris, and Kamau Brown to travel to Manchester, NH, did cause Adebayo Adegbesan, Aubrey Banks, Darrell Harris, and Kamau Brown to insert one or

more of said white plastic cards into ATMs in New Hampshire for the purpose of fraudulently obtaining money and funds from financial institutions.

All in violation of Title 18, Section 1344of the United States Code.

March 19, 2014

A TRUE BILL

/s/ Foreperson
Grand Jury Foreperson

JOHN P. KACAVAS
United States Attorney

/s/ Arnold H. Huftalen
Arnold H. Huftalen
Assistant U.S. Attorney