

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

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UNITED STATES OF AMERICA

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2023 NOV 29 P 3:00

v.

)

CR. NO. 2:23-CR-397-LSC-CWB
[18 U.S.C. § 1343; 42 U.S.C. § 408(a)(7)(B);

ANTHONY VILA

)

18 U.S.C. § 1028A;
18 U.S.C. § 1029(a)(3);
18 U.S.C. § 1029(a)(4)])

)

) INDICTMENT

The Grand Jury charges:

INTRODUCTION

1. At all times material to this Indictment:

a. Defendant ANTHONY VILA was a resident of Florida.

b. "Dealership" was an automobile dealership located in Elmore County,

Alabama.

c. An "access device" includes any card, account number, personal identification number, or other means of account access that can be used alone or in conjunction with other access devices to obtain money, goods, services, or any other thing of value, or that could be used to initiate a transfer of funds. A social security number is an access device.

d. A "means of identification" includes any name or number that may be used, alone or in conjunction with other information, to identify a specific individual, including a name, social security number, and date of birth.

2. From on or about August 2, 2022, through on or about August 8, 2022, VILA obtained a 2022 Ram 1500 pick-up truck from Dealership using false and fraudulent identifying

information and identification documents. VILA traveled to Dealership and picked up the truck after fraudulently convincing Dealership to sell it to him.

3. On or about August 9, 2022, in the said 2022 Ram 1500 pick-up truck, VILA possessed a laptop, blank identification cards, an identification card laminator capable of printing false identification cards, and a number of electronic devices. VILA stored more than fifteen social security numbers and other identifying information belonging to other people on the laptop computer.

COUNTS 1-4
(Wire Fraud)

4. The factual allegations contained in paragraphs 1-3 of this Indictment are realleged and incorporated herein as if copied verbatim.

5. On or about the dates set forth below, in Elmore County, within the Middle District of Alabama, and elsewhere, the defendant,

ANTHONY VILA,

knowingly, willfully, and with intent to defraud, devised and intended to devise a scheme or artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and for the purpose of executing this scheme and artifice to defraud, caused to be transmitted by means of wire communication in interstate commerce any writings, signs, signals, pictures, or sounds. The scheme and artifice is set forth below.

MANNER AND MEANS

It was part of the conspiracy that:

6. On or about August 2, 2022, VILA established contact with a salesperson at Dealership to discuss purchasing a 2022 Ram 1500 pick-up truck. VILA and the salesperson

communicated by text message and voice calls in interstate commerce.

7. On or about August 2, 2022, Dealership was unable to approve financing and informed VILA that he would need a co-signor in order to receive approval.

8. On or about August 2, 2022, VILA electronically told the salesperson that his aunt, S.C., was willing to cosign the agreement. As VILA was then aware, S.C. was not VILA's aunt, but was actually a victim of identity theft. Vila unlawfully possessed S.C.'s personal identifying information VILA with an intent to defraud. VILA provided Dealership false information concerning S.C., including a false place of employment, annual salary, email address, and phone number.

9. On or about August 2, 2022, VILA created text messages falsely purporting to be from S.C. VILA provided a screenshot of these text messages to Dealership in furtherance of the fraud.

10. On or about August 3, 2022, VILA electronically transmitted to Dealership a false document purporting to document S.C.'s income from University of Florida Health.

11. On or about August 4, 2022, VILA electronically transmitted to Dealership a picture of a fabricated Nationwide insurance card for the pick-up truck.

12. On or about August 4, 2022, VILA electronically transmitted to Dealership a picture of a fabricated United States Social Security card in VILA's name with a false social security number.

13. On or about August 4, 2022, VILA electronically transmitted to Dealership a picture of a fabricated Florida driver's license containing S.C.'s actual name, street address, and date of birth.

14. On or about August 8, 2022, VILA traveled to Dealership and took possession of

the pick-up truck. VILA's fraudulent representations caused Dealership to allow VILA to take the pick-up truck based on the fraudulently obtained finance agreement.

THE CHARGE

15. On or about the below dates, in Elmore County within the Middle District of Alabama and elsewhere, the defendant,

ANTHONY VILA,

knowingly, willfully, and with intent to defraud, devised and intended to devise a scheme or artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and for the purpose of executing this scheme and artifice to defraud, caused to be transmitted by means of wire communication in interstate commerce the following writings, signs, signals, pictures, or sounds on or about the described dates, with each individual transmission giving rise to a separate count:

Count	Date of Wire (On or About)	False Item Transmitted
1	August 3, 2022	Pay stub in name of S.C.
2	August 4, 2022	Nationwide insurance card
3	August 4, 2022	Social security card in VILA's name
4	August 4, 2022	Florida driver's license in S.C.'s name

All in violation of Title 18, United States Code, Section 1343.

COUNT 5
(False Social Security Number)

16. The factual allegations contained in paragraphs 1, 2, 3 and 12 of this Indictment are realleged and incorporated herein as if copied verbatim.

17. On or about August 4, 2022, in Elmore County, within the Middle District of Alabama, and elsewhere, the defendant,

ANTHONY VILA,

with intent to deceive, falsely represented a number to be the social security account number assigned by the Commissioner of Social Security to him, when in fact such number was not the social security account number assigned by the Commissioner of Social Security to him, for the purpose of obtaining anything of value from any person and for any other purpose, in violation of Title 42, United States Code, Section 408(a)(7)(B).

COUNT 6
(Aggravated Identity Theft)

18. The factual allegations contained in paragraphs 1, 2, 3, 6, 7, 8, 9, 10, 13, 14 and 15 of this Indictment are realleged and incorporated herein as if copied verbatim.

19. On or about August 4, 2022, in Elmore County, within the Middle District of Alabama, and elsewhere, the defendant,

ANTHONY VILA,

knowingly transferred, possessed, and used, without lawful authority, means of identification of another person, to wit: the name and date of birth of S.C., during and in relation to the commission of a felony enumerated in 18 U.S.C. § 1028A(c)(1), to wit: wire fraud in violation of 18 U.S.C. § 1343, knowing that the means of identification belonged to an actual person, in violation of Title 18, United States Code, Section 1028A.

COUNT 7
(Fraud in Connection with Access Devices)

20. The factual allegations contained in paragraphs 1 through 3 of this Indictment are realleged and incorporated herein as if copied verbatim.

21. On or about August 9, 2022, in Montgomery County, within the Middle District of Alabama, and elsewhere, the defendant,

ANTHONY VILA,

knowingly and with intent to defraud, possessed fifteen or more unauthorized access devices, to wit: the names, social security numbers, and dates of birth of other people, with such possession affecting interstate and foreign commerce, in violation of Title 18, United States Code, Section 1029(a)(3).

COUNT 8
(Possession of Device Making Equipment)

22. The factual allegations contained in paragraphs 1 through 3 of this Indictment are realleged and incorporated herein as if copied verbatim.

23. On or about August 9, 2022, in Montgomery County, within the Middle District of Alabama, and elsewhere, the defendant,

ANTHONY VILA,

knowingly and with intent to defraud, possessed device-making equipment, to wit: a laminator capable of printing false identification cards and blank identification cards, with such possession affecting interstate and foreign commerce, in violation of Title 18, United States Code, Section 1029(a)(4).

FORFEITURE ALLEGATION

A. The allegations contained in Counts 7-8 of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Sections 982(a) and 1029(c)(1)(C).

B. Upon conviction of the offenses in violation of Title 18, United States Code, Section 1029(a), set forth in Counts 7-8 of this Indictment, the defendant,

ANTHONY VILA,

shall forfeit to the United States, pursuant to Title 18, United States Code, Sections 982(a) and

1029(c)(1)(C), all proceeds obtained, directly or indirectly, from the offenses, and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the offenses. The property includes but is not limited to a black Brainstorm ID laminator, model number: ID-LAM-45; a white Canon multifunction printer, serial number: KMMN04929; perforated inkjet inserts and hologram paper; a black camera; a HP Elitebook 8570p laptop computer with charging cord, serial number 5CB3032KLR; a transmitter for wireless keyboard/mouse; and a black Samsung smartphone with a cracked screen.

C. If any of the property described in this forfeiture allegation, as a result of any act or omission of the defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third party;
- (3) has been placed beyond the jurisdiction of the court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be divided without difficulty,

the United States shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

All pursuant to Title 18, United States Code, Sections 982(a) and 1029(c)(1)(C).

A TRUE BILL:


Foreperson



JONATHAN S. ROSS
ACTING UNITED STATES ATTORNEY


J. Patrick Lamb

Assistant United States Attorney


Russell T. Duraski

Assistant United States Attorney