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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

**19MJ1801**

UNITED STATES OF AMERICA,

Case No.: \_\_\_\_\_

Plaintiff,

COMPLAINT FOR VIOLATION OF

v.

Title 18, USC § 1344, Bank Fraud

LEOPOLDO LARA AGUILERA,

Defendant.

The undersigned complaint being duly sworn states:

**Count 1**

[18 U.S.C. § 1344(1)]

Between no later August 30, 2017, and April 18, 2019, within the Southern District of California, defendant LEOPOLDO LARA AGUILERA, together with others known and unknown, knowingly and with intent to defraud, executed and attempted to execute a scheme to defraud Wells Fargo Bank, N.A., as to material matters, all in violation of Title 18, United States Code, Section 1344(1).

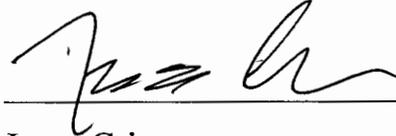
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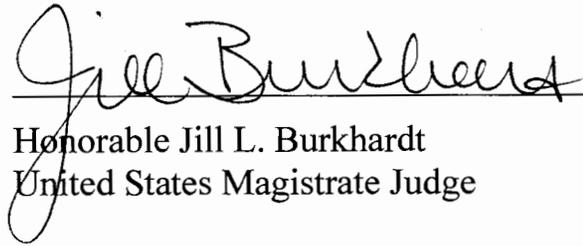
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1           And the complainant states that this complaint is based on the attached statement of  
2 facts, which is incorporated herein by reference.

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5 Jesse Crim  
6 FBI Special Agent

7 Sworn to before me and subscribed in my presence, this 1<sup>st</sup> day of May, 2019.  
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11 Honorable Jill L. Burkhardt  
12 United States Magistrate Judge  
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**PROBABLE CAUSE STATEMENT**

I, Jesse Crim, being duly sworn, state as follows:

1. Since March 2019, the Federal Bureau of Investigation (FBI), Cross Border Violence Task Force has investigated Defendant Leopoldo Lara AGUILERA for his participation in a criminal scheme in which he abused his position of trust within the U.S. financial system to commit repeated acts of fraud. AGUILERA, a Wells Fargo Bank (Wells Fargo) personal banker used (and continues to use) his position at Wells Fargo to create fake bank accounts at Wells Fargo. Those fake bank accounts, as well as other bank accounts opened by AGUILERA through his role as a personal banker with Wells Fargo, were used to receive deposits of funds from a San Diego based money laundering organization (MLO). Once funds were deposited into the Well Fargo bank accounts, AGUILERA then wire transferred the money to Mexico. AGUILERA used, and continues to use, his position as a Wells Fargo personal banker to assist a MLO transfer millions of dollars from the United States to Mexico.

2. AGUILERA directly used his position as a bank employee to assist the MLO in the following ways: AGUILERA worked with several individuals to open eleven (11) fictitious bank accounts with false profile information that belonged to different non-existent fictitious persons. (Fictitious Accounts). Specifically, in order for AGUILERA to open up the new Fictitious Accounts, AGUILERA created false profile information to include names, dates of birth, passport, and visa information for non-existent persons. For instance, AGUILERA created ten (10) of the eleven (11)

Fictitious Accounts by altering the true name or identifying information of real people. In most instances, AGUILERA did this by creating the Fictitious Accounts with a variation of real persons' true name, altering their date of birth, and entering false identifying information such as Border Crossing Card numbers created by swapping the first and last number of the real identification number. As an example, AGUILERA opened a bank account for real person "Edna M. Rojas." The Fictitious Account that AGUILERA opened for Rojas had the account holder as "Edna Rojas Munoz." The Border Crossing Card number for the Fictitious Account is a variation created by AGUILERA by reversing the first and last number of the original Border Crossing Card number belonging to "Edna M. Rojas." This same pattern is seen in other Fictitious Accounts opened by AGUILERA.

3. The persons represented in the account opening documents that AGUILERA completed are fictitious, which is reflected by the fact that:

- a. No records of the Fictitious Account holders exist in the United States;
- b. No records exist of the Fictitious Account holders entering the United States.
- c. No records of the Fictitious Account holders exist in Mexico.
- d. Social media accounts belonging to the persons controlling the Fictitious Accounts have been identified in their true names.

- e. Real persons, whose names and identifying information are different from the fictitious persons represented in the account opening documentation, control the Fictitious Accounts.

4. Wells Fargo Bank surveillance video footage shows that: (1) AGUILERA assisted individuals as he opened bank accounts under both their true and fictitious identities; (2) AGUILERA opened Fictitious Accounts for individuals under their fictitious identities on the same day in which he conducted financial transactions for them under their true identities; and (3) in multiple instances, AGUILERA conducted simultaneous international wire transfers from two separate Fictitious Accounts controlled by one individual whose identity matched neither account.

5. Wells Fargo Bank surveillance video footage also show that while AGUILERA is assisting several of the Fictitious Account holders open up the Fictitious Accounts, he gives them cheek kisses, hugs, and is laughing with them, demonstrating a degree of familiarity with them beyond a new customer-client relationship.

6. Additionally, a review of AGUILERA's social media accounts demonstrate that he was Facebook "friends" with at least one individual for whom AGUILERA created three different Fictitious Accounts.

7. Bank records show that AGUILERA personally executed the majority of the outgoing international wire transfers from twenty-nine (29) total funnel accounts used by the MLO. Twenty-six (26) of the twenty-nine (29) accounts were opened by AGUILERA. Wells Fargo Bank documents show that 290 outgoing wire transfers

conducted by the MLO resulted in the transfer of a total of \$9,570,107 sent from these funnel accounts to Mexico. AGUILERA personally executed 229 of the 290 total wires (a 79% portion) for a total of \$6,134,214. Also, AGUILERA exclusively conducted all of the wire transfers that originated from eight (8) of the Fictitious Accounts.

8. Handwritten ledgers sent by AGUILERA from his Wells Fargo e-mail account to his personal e-mail account show that AGUILERA conducted the international wire transfers for the MLO in exchange for a “commission” of \$150 for each wire transfer. In these handwritten ledgers, AGUILERA associates the name of real persons with their fictitious identities, and records the international wire transfers he conducted from the accounts the individuals conducted.

9. The Fictitious Accounts were funded by check deposits that were primarily conducted at ATMs by an individual who personally opened three fictitious bank accounts with AGUILERA. The checks were issued by five different entities believed to be shell companies. The shell companies maintained virtual offices in the United States and appear to function only as a mailing address and voicemail service. Banking documents and incorporation documents show that the five shell companies were incorporated in the State of California and purport to be wholesalers of seafood, furniture, women’s clothing stores, and import/export companies. However, there are no physical locations beyond the virtual office, and there is no internet or social media presence for any of the companies. Additionally, the FBI has queried the five shell companies into import/export record databases that capture all legal import/export

activity occurring across U.S. borders. The results of these queries were negative. This result stands in contrast of what is expected for businesses or companies representing themselves as legal businesses and that are receiving or sending frequent and high volume transactions of funds from the United States, as reflected in the Fictitious Accounts.

10. Bank records show that once AGUILERA created the Fictitious Accounts, they were used to receive and transfer \$3,821,734 in outgoing international wires to Mexico. The eleven (11) Fictitious Accounts were controlled by members of the MLO, who in most instances controlled additional funnel accounts in their true names/identifiers that AGUILERA likewise opened. Between October 12, 2017, and April 18, 2019, AGUILERA met with the MLO members who controlled the eleven (11) Fictitious Accounts and AGUILERA conducted 82 separate international wire transfers for \$2,549,957.

11. The origin of the funds transacted thru these Fictitious Accounts and the true named operators of at least one of the Fictitious Accounts is directly linked to the sale of multi-kilogram amounts of fentanyl in Dayton, Ohio. Specifically, on July 19, 2018, the Dayton FBI conducted a reverse money laundering operation<sup>1</sup> in which a subject (“UNSUB1”) traveled from San Diego to Dayton, Ohio to pick up \$60,000 in

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<sup>1</sup> In a reverse money laundering operation, law enforcement uses an undercover employee or a confidential human source to play the role of a subject delivering bulk cash narcotics proceeds to a suspected money laundering organization.

bulk cash in Dayton, Ohio. The \$60,000 were represented to the source of supply of the narcotics as being the proceeds from the sale of four kilograms of fentanyl. UNSUB1 was arrested in the operation. Months before his arrest, AGUILERA opened a bank account for UNSUB1 under a false identity. Prior to the UNSUB1's arrest, AGUILERA conducted at least four international wire transfers for UNSUB1 from UNSUB1's fictitious account totaling \$155,172.53. Additionally, immediately following UNSUB1's arrest, UNSUB1 quickly executed an international wire transfer of \$48,962. AGUILERA conducted this international wire transfer on UNSUB1's behalf.

12. Based on the facts of this investigation, I believe there is probable cause to believe that AGUILERA violated 18 U.S.C. § 1344, Bank Fraud.