

MR:TBM
F. #2020R00998

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

BRYAN ABRAHAM, CARLOS
VAZQUEZ, ANGEL CABRERA,
ARMANI MILLER, JOHAN SANTOS,
GIANNI STEWART, ANDRE
RUDDOCK and SETH GOLDING

Defendants.

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EASTERN DISTRICT OF NEW YORK, SS:

MONIQUE WOODS being duly sworn, deposes and states that she is a Postal Inspector with the United States Postal Inspection Service, duly appointed according to law and acting as such.

In or about and between June 2020 and April 2021, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants BRYAN ABRAHAM, CARLOS VAZQUEZ, ANGEL CABRERA, ARMANI MILLER, JOHAN SANTOS, GIANNI STEWART, ANDRE RUDDOCK and SETH GOLDING, together with others, did knowingly and with intent to defraud conspire to use, and effect transactions with, one or more unauthorized access devices issued to one or more other persons, to wit: debit cards and Social Security numbers, in a manner affecting interstate commerce, and by such conduct obtained and received payments and things of value aggregating \$1,000 or more during any one-year period, contrary to Title 18, United States Code, Sections 1029(a)(2) and 1029(a)(5).

TO BE FILED UNDER SEAL

COMPLAINT AND
AFFIDAVIT IN
SUPPORT OF
ARREST WARRANT

(18 U.S.C. §§ 1029(b)(2), 3551 et
seq.)

No. 21-MJ-593

In furtherance of the conspiracy and to effect its objects, within the Eastern District of New York and elsewhere, the defendants BRYAN ABRAHAM, CARLOS VAZQUEZ, ANGEL CABRERA, ARMANI MILLER, JOHAN SANTOS, GIANNI STEWART, ANDRE RUDDOCK and SETH GOLDING, together with others, committed and caused to be committed the overt acts set forth in paragraphs 14 to 32 below.

(Title 18, United States Code, Section, 1029(b)(2) and 3551 et seq.)

The source of your deponent's information and the grounds for her belief are as follows:¹

1. I am a Postal Inspector with the United States Postal Inspection Service ("USPIS"). I have been a Postal Inspector with USPIS for approximately five years. I have been involved in the investigation of numerous cases involving the production, use and trafficking of fraudulent access devices. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the investigative file; and reports from, and conversations with, other law enforcement officers involved in the investigation.

UNEMPLOYMENT INSURANCE BENEFITS AND THE COVID-19 PANDEMIC

2. The United States Social Security Act of 1935 established a federal and state unemployment insurance ("UI") system designed to provide benefits to certain persons who are unemployed. Each state administers a separate UI program with guidelines established by federal law. The United States Department of Labor exercises general oversight over the UI program. In New York, the New York State Department of Labor ("NYDOL") operates the

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

unemployment system, including making determinations as to whether an unemployed worker qualifies for UI benefits under applicable law.

3. On March 13, 2020, the President of the United States declared the ongoing COVID-19 pandemic of sufficient severity and magnitude to warrant an emergency declaration for all states, tribes, territories and the District of Columbia pursuant to Section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (the “Stafford Act”).

4. On March 18, 2020, the President of the United States signed the Families First Coronavirus Response Act (“FFCRA”) into law. The FFCRA provided additional flexibility for state UI agencies and additional administrative funding to respond to the COVID-19 pandemic.

5. On March 27, 2020, the Coronavirus, Relief, and Economic Security (“CARES”) Act was signed into law. It expanded states’ ability to provide UI for many workers impacted by COVID-19, including for workers not ordinarily eligible for UI benefits. The CARES Act created several new programs, including Pandemic Unemployment Assistance (“PUA”) and Federal Pandemic Unemployment Compensation (“FPUC”).

(a) PUA provided for up to 39 weeks of benefits to individuals who were self-employed, seeking part-time employment and others who did not qualify for regular UI under state or federal law. PUA was available under the CARES Act for weeks of unemployment beginning on or about January 27, 2020 through December 31, 2020.

(b) FPUC provided certain individuals, including those collecting regular UI and PUA, with supplemental payments of \$600 per week. In New York, the eligible timeframe to receive FPUC was for the benefit weeks ending on or about April 5, 2020 through July 26, 2020.

6. On August 8, 2020, after FPUC expired, the President of the United States signed a Presidential Memorandum authorizing the Federal Emergency Management Agency (“FEMA”) to use disaster relief funds pursuant to Section 408 of the Stafford Act to provide supplemental payments for lost wages, to help ease the financial burden on individuals unemployed as a result of COVID-19. The program, termed the “Lost Wages Assistance Program” (“LWAP”), served as a temporary measure to provide an additional \$300 per week through a total of \$44 billion in FEMA funds. LWAP was available from on or about August 1, 2020 through December 27, 2020.

7. On December 27, 2020, the President of the United States signed the Consolidated Appropriations Act, 2021 into law, which included the Continued Assistance for Unemployed Workers Act of 2020 (the “Continued Assistance Act”). Among other things, the Continued Assistance Act extended PUA benefits to March 14, 2021 and reauthorized and modified FPUC to provide supplemental payments of \$300 per week for the period between December 26, 2020 and March 14, 2021.

FILING FOR UNEMPLOYMENT BENEFITS IN NEW YORK

8. At all times relevant to this Complaint, there were two primary methods for filing for UI in New York State: online through the NYDOL website and by telephone through a NYDOL call center. To make a claim, the claimant was required to provide certain information, including the claimant’s name, date of birth, Social Security number and employment information. If the claim was accepted, the claimant was also required to establish, on a weekly basis, his or her continued eligibility for UI benefits. The claimant would complete this recertification by answering a series of questions, again either online or by telephone.

9. If a claimant was approved for UI benefits, the claimant could be paid through several means. If the claimant provided his or her bank account information, the claimant could receive UI benefits through direct deposit into a personal bank account. Likewise, if the claimant provided the details for a prepaid debit card, such as those issued by Green Dot, UI benefits could be loaded onto that card. Alternatively, the NYDOL, through KeyBank National Association (“KeyBank”), could issue a debit card on which UI benefits could be preloaded and/or credited on an ongoing basis.

10. At all times relevant to this Complaint, the NYDOL bank accounts used to fund UI benefits were housed at KeyBank.

THE OFFENSE CONDUCT

11. Based on the investigation to date, and as detailed further below, there is probable cause to believe that, in or about and between June 2020 to April 2021, the defendants, together with others, fraudulently filed UI claims using the personal identifying information (“PII”) of third party victims, and that they fraudulently received UI benefits funded, in whole or in part, by the pandemic assistance programs described above.

12. During the course of the investigation, USPIS and the NYDOL have identified hundreds of UI claims filed in the names of third parties, with some combination of the following ties to the defendants, among others: KeyBank debit cards in the names of third parties were found on the defendants’ persons; UI benefits in the names of third parties were directly deposited into the defendants’ personal bank accounts; claims for UI benefits were made in third party names listing the home addresses and/or personal phone numbers of the defendants; and security footage and banking records showed the defendants making cash withdrawals using KeyBank debits cards issued in the names of third parties. Some of the offense conduct of each defendant is described further below.

13. In total, the scheme resulted in an actual loss of approximately \$2 million in UI benefits distributed to the defendants and others, and an intended loss of approximately \$5 million in UI benefits.

A. BRYAN ABRAHAM

14. On August 27, 2020, BRYAN ABRAHAM and CARLOS VAZQUEZ were arrested in the vicinity of 2102 Ralph Avenue, Brooklyn, New York, shortly after having exited a Capital One bank. Following a search incident to arrest, BRYAN ABRAHAM was found to be in possession of eight KeyBank debit cards issued in third party names, as well as approximately \$9,470 in U.S. currency.

15. On September 17, 2020, BRYAN ABRAHAM was arrested in the vicinity of 92nd Street and Glenwood Road in Brooklyn, New York. Following a search incident to arrest, BRYAN ABRAHAM was found to be in possession of 14 KeyBank debit cards issued in third party names and more than \$20,000 in U.S. currency.

16. As described further below in paragraphs 22, 25 and 27, BRYAN ABRAHAM has been captured on security footage making cash withdrawals at ATMs with other co-conspirators, and banking records reflect that the cash withdrawals were made using KeyBank debit cards issued in the names of third parties.

17. Further, more than 50 claims for UI benefits issued in third party names have been made using BRYAN ABRAHAM's home address as the claimant's address.

B. CARLOS VAZQUEZ

18. On July 31, 2020, CARLOS VAZQUEZ was captured on security footage at a Capital One bank at 2102 Ralph Avenue, Brooklyn, New York, simultaneously making cash withdrawals from two different ATMs. Records from Capital One and KeyBank revealed that CARLOS VAZQUEZ had used three different KeyBank debit cards issued in third party names to

withdraw more than \$4,000. As described further below in paragraphs 21, 27–30 and 32, similar incidents occurred on multiple other occasions.

19. As noted above, on August 27, 2020, CARLOS VAZQUEZ was arrested with BRYAN ABRAHAM in the vicinity of 2102 Ralph Avenue, Brooklyn, New York, shortly after having exited a Capital One bank. Following a search incident to arrest, CARLOS VAZQUEZ was found to be in possession of two KeyBank debit cards issued in third party names and approximately \$3,066 in U.S. currency.

20. Further, dozens of UI claims issued in third party names have been made using one of CARLOS VAZQUEZ's cellphone numbers as the claimant's phone number. As described further below in paragraph 26, VAZQUEZ also received direct deposits from JOHAN SANTOS in connection with the scheme.

C. ANGEL CABRERA

21. On July 30, 2020, ANGEL CABRERA and CARLOS VAZQUEZ were captured on security footage at a Capital One bank at 2102 Ralph Avenue, Brooklyn, New York, making cash withdrawals from an ATM. Records from Capital One and KeyBank revealed that CABRERA and VAZQUEZ had used two KeyBank debit cards issued in third party names to withdraw almost \$2,000. A screenshot from the security footage is copied below, depicting VAZQUEZ standing behind CABRERA.

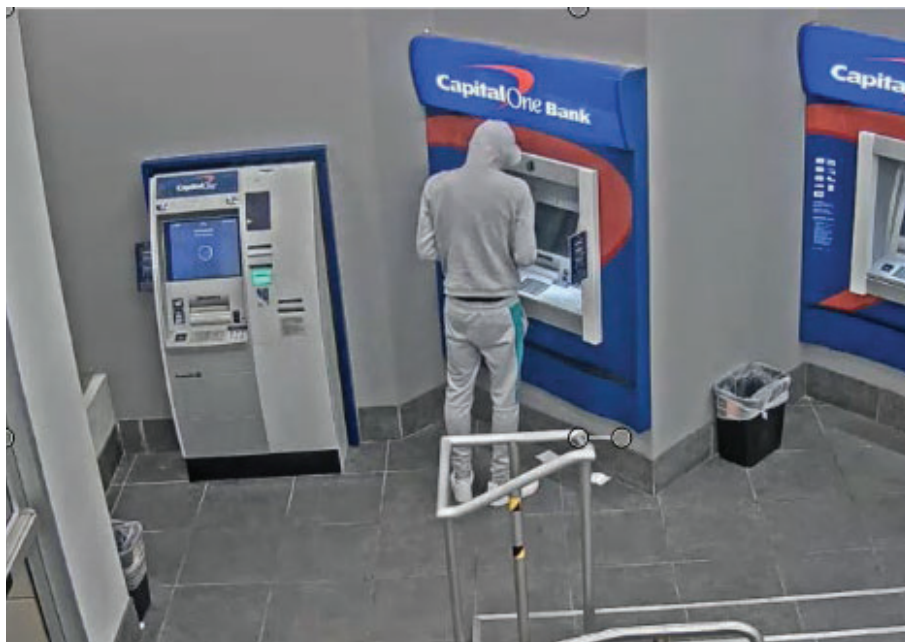


22. On September 5, 2020, ANGEL CABRERA, BRYAN ABRAHAM and ARMANI MILLER were captured on security footage making cash withdrawals from Capital One ATMs at 114-19 Liberty Avenue, Queens, New York. Capital One and KeyBank records reflect that CABRERA, ABRAHAM and MILLER made withdrawals from 12 KeyBank debit cards issued in third party names, totaling approximately \$14,000.

23. Further, more than 10 UI claims issued in third party names have been made using ANGEL CABRERA's home address as the claimant's address.

D. ARMANI MILLER

24. On September 3, 2020, ARMANI MILLER was captured on security footage simultaneously making cash withdrawals from two different ATMs at a Capital One bank at 2102 Ralph Avenue, Brooklyn, New York. MILLER first used the ATM closest to the entrance and, while the transaction was pending, moved to the center ATM. Screenshots depicting MILLER in front of the center ATM and in the vestibule are copied below. Capital One and KeyBank records reflect that MILLER made withdrawals from two KeyBank debit cards issued in third party names, totaling almost \$3,000.



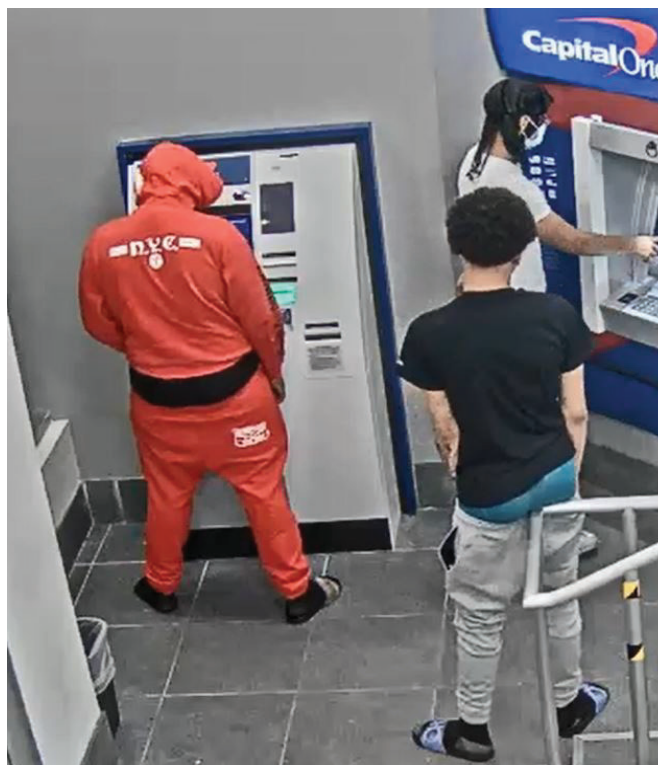
25. As described above in paragraph 22, on September 5, 2020, ARMANI MILLER, BRYAN ABRAHAM and ANGEL CABRERA were captured on security footage making cash withdrawals from Capital One ATMs at 114-19 Liberty Avenue, Queens, New York. Capital One and KeyBank records reflect that MILLER, ABRAHAM and CABRERA made withdrawals from 12 KeyBank debit cards issued in third party names, totaling approximately \$14,000.

E. JOHAN SANTOS

26. In July and August 2020, JOHAN SANTOS received UI benefits for claims issued under the PII of seven individuals, none of whom was SANTOS, and which were directly deposited into SANTOS's Capital One bank account. Each of these claims used one of CARLOS VAZQUEZ's cellphone numbers as the claimant's phone number. As part of the scheme, on July 16, 2020, JOHAN SANTOS received approximately \$10,000 in direct deposits of UI benefits. Later that day, he transferred approximately \$1,510 to CARLOS VAZQUEZ. Further, between July 17, 2020 to July 20, 2020, he made cash withdrawals on his Capital One account of approximately \$7,400.

F. GIANNI STEWART

27. On August 6, 2020, GIANNI STEWART, CARLOS VAZQUEZ and BRYAN ABRAHAM were captured on security footage attempting to make cash withdrawals at a Capital One bank at 2102 Ralph Avenue, Brooklyn, New York. A screenshot is copied below, depicting STEWART in a red sweatsuit, VAZQUEZ in a white t-shirt and ABRAHAM in a black t-shirt. Capital One and KeyBank records reflect that STEWART, VAZQUEZ and ABRAHAM attempted to make withdrawals from three KeyBank debit cards issued in third party names, but were unable to withdraw cash because the debit cards had reached their daily limit.



28. On September 5, 2020, GIANNI STEWART, CARLOS VAZQUEZ and a co-conspirator were captured on security footage making cash withdrawals at three different Capital One bank locations—on 75-21 Main Street, 115-20 Jamaica Avenue and 146-21 Jamaica Avenue, all in Queens, New York. Capital One and KeyBank records reflect that STEWART, VAZQUEZ and a co-conspirator used a total of 37 KeyBank debit cards issued in third party names, making withdrawals totaling more than \$26,000. As described further below in paragraph 31, a similar incident occurred two days later.

G. ANDRE RUDDOCK

29. On August 1, 2020, ANDRE RUDDOCK and CARLOS VAZQUEZ were captured on security footage making cash withdrawals at Capital One ATMs located at 2102 Ralph Avenue, Brooklyn, New York. CARLOS VAZQUEZ used two ATMs—starting with the ATM closest to the entrance and moving to the center ATM while his first transaction was pending. VAZQUEZ also appeared to open the door to the banking vestibule for ANDRE

RUDDOCK, who then proceeded to use the ATM located furthest from the entrance. Capital One and KeyBank records reflect that VAZQUEZ and RUDDOCK made withdrawals from four KeyBank debit cards issued in third party names, totaling approximately \$4,692.

30. On August 2, 2020, ANDRE RUDDOCK and CARLOS VAZQUEZ were again captured on security footage making cash withdrawals at Capital One ATMs located at 2102 Ralph Avenue, Brooklyn, New York. Capital One and KeyBank records reflect that RUDDOCK and VAZQUEZ made withdrawals from six KeyBank debit cards issued in third party names, totaling approximately \$4,398.

H. SETH GOLDING

31. On September 7, 2020, SETH GOLDING, GIANNI STEWART and a co-conspirator were captured on security footage making cash withdrawals at Capital One ATMs located at 927 Flatbush Avenue, Brooklyn, New York. Capital One and KeyBank records reflect that GOLDING, STEWART and a co-conspirator made withdrawals from five KeyBank debit cards issued in third party names, totaling more than \$5,500.

32. On September 11, 2020, SETH GOLDING, CARLOS VAZQUEZ and two co-conspirators were captured on security footage making cash withdrawals from Capital One ATMs located at 1223 Avenue J, Brooklyn, New York. Capital One and KeyBank records reflect that GOLDING, VAZQUEZ and the two co-conspirators made withdrawals from nine KeyBank debit cards issued in third party names, totaling more than \$10,000.

I. SOCIAL MEDIA

33. Additionally, photographs of some of the defendants posted on public social media pages depict them holding and fanning out what appears to be large stacks of U.S. currency. For example, the photographs below, in order of appearance from top to bottom, depict: CARLOS VAZQUEZ; ANGEL CABRERA; GIANNI STEWART and another individual; and SETH GOLDING, all holding what appears to be large sums of U.S. currency.



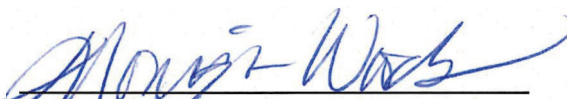




CONCLUSION & REQUEST FOR SEALING

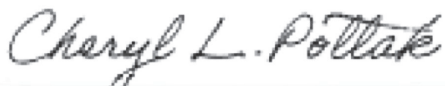
34. It is respectfully requested that this Court issue an order sealing, until further order of the Court, all papers submitted in support of this application, including the affidavit and arrest warrants. I believe that sealing these documents is necessary to preserve the integrity of this ongoing criminal investigation. Based upon my training and experience, I have learned that criminals actively search for criminal affidavits and arrest warrants via the Internet. Therefore, premature disclosure of this affidavit and related documents may seriously jeopardize the investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence and change patterns of behavior.

WHEREFORE, your deponent respectfully requests that arrest warrants be issued for BRYAN ABRAHAM, CARLOS VAZQUEZ, ANGEL CABRERA, ARMANI MILLER, JOHAN SANTOS, GIANNI STEWART, ANDRE RUDDOCK and SETH GOLDING so that they may be dealt with according to law.



MONIQUE WOODS
Postal Inspector
United States Postal Inspection Service

Sworn to before me this
17 day of May, 2021



THE HONORABLE CHERYL L. POLLAK
CHIEF UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK