

SEALED

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
 v.)
)
 1. GEORGI KANEV, and)
 2. ANATOLI MITREV,)
)
 Defendants.)

CRIMINAL NO. 18CR10240

- VIOLATIONS:
- 18 U.S.C. § 1029(b)(2)
(Conspiracy to Commit Access Device Fraud)
- 18 U.S.C. § 1029(a)(4)
(Possession of Device-Making Equipment)
- 18 U.S.C. §§ 1029(a)(1), (b)(1)
(Production/Use of a Counterfeit Access Device)
- 18 U.S.C. § 1028A(a)(1)
(Aggravated Identity Theft)
- 18 U.S.C. § 2
(Aiding and Abetting)
- Forfeiture Allegations

INDICTMENT

COUNT ONE

(Conspiracy to Commit Access Device Fraud: 18 U.S.C. § 1029(b)(2))

The Grand Jury charges that:

1. From a date unknown to the Grand Jury but no later than July 7, 2013, and continuing thereafter until on or about September 29, 2013, in the District of Massachusetts and elsewhere, the defendants,

- 1. GEORGI KANEV, and
- 2. ANATOLI MITREV,

conspired with each other, and with other persons known and unknown to the Grand Jury, to:

- a. knowingly, and with intent to defraud, have control and custody of, and possess, device-making equipment as defined in 18 U.S.C. § 1029(e)(6), to wit, skimming devices

and keystroke recording devices, in a manner affecting interstate and foreign commerce, in violation of 18 U.S.C. § 1029(a)(4); and

b. knowingly, and with intent to defraud, produce and use and attempt to produce and use, one and more counterfeit access devices, as defined in 18 U.S.C. §§ 1029(e)(1) and (2), that is, counterfeit ATM cards, in a manner affecting interstate and foreign commerce, in violation of 18 U.S.C. §§ 1029(a)(1), 1029(b)(1) and 2.

2. In furtherance of this conspiracy, the defendants GEORGI KANEV and ANATOLI MITREV, and other persons known and unknown to the Grand Jury committed, among others, the following acts:

a. On multiple occasions between on or about July 7 and July 19, 2013, GEORGI KANEV or ANATOLI MITREV placed a skimming device on an ATM at the Martha's Vineyard Savings Bank ("MVSBS") main office, located at 78 Main Street, in Edgartown, Massachusetts ("Edgartown ATM"), in order to secretly procure the magnetic strip information, including card numbers, from the ATM cards of legitimate account-holders.

b. On or about those same dates, shortly before or after KANEV or MITREV placed the skimming device on the Edgartown ATM, the other defendant (KANEV or MITREV) placed a keystroke recording device on the Edgartown ATM to capture the corresponding Personal Identification Numbers (PINs) of the legitimate accountholders.

c. On multiple occasions between July 20 and August 4, 2013, GEORGI KANEV or ANATOLI MITREV placed a skimming device on an ATM at the MVSBS Oak Bluffs branch, located at 14 Oak Bluffs Avenue, Oak Bluffs, Massachusetts ("Oak Bluffs ATM").

d. On or about those same dates, shortly before or after KANEV or MITREV placed the skimming device on the Oak Bluffs ATM, the other defendant (KANEV or ANATOLI) placed a keystroke recording device on the Oak Bluffs ATM.

e. On multiple occasions between on or about August 31, 2013 and on or about September 29, 2013, in New York, Chicago, and elsewhere, GEORGI KANEV used and attempted to use counterfeit access devices, that is, ATM cards encoded with the stolen magnetic strip information, including card numbers, along with the corresponding stolen PINs, to withdraw funds from the compromised MVSB accounts.

f. On multiple occasions between on or about August 31, 2013 and on or about September 29, 2013, in New York, Chicago, and elsewhere, ANATOLI MITREV used and attempted to use counterfeit access devices, that is, ATM cards encoded with the stolen magnetic strip information, including card numbers, along with the stolen PINs, to withdraw funds from compromised MVSB accounts.

All in violation of Title 18, United States Code, Section 1029(b)(2).

COUNTS TWO THROUGH FIVE

(Possession of Device-Making Equipment: 18 U.S.C. § 1029(a)(4); Aiding and Abetting:
18 U.S.C. § 2)

The Grand Jury further charges that:

3. On or about the following dates and at the following places, in the District of
Massachusetts, the defendants,

1. GEORGI KANEV, and
2. ANATOLI MITREV,

knowingly, and with intent to defraud, had control and custody of, and possessed, device-making
equipment as defined in 18 U.S.C. § 1029(e)(6), to wit, skimming devices and keystroke
recording devices, and did so in a manner affecting interstate and foreign commerce:

Count	Date	Location
Two	8/1/2013	ATM MA000296 at 14 Oak Bluffs Avenue, Oak Bluffs, MA
Three	8/2/2013	ATM MA000296 at 14 Oak Bluffs Avenue, Oak Bluffs, MA
Four	8/3/2013	ATM MA000296 at 14 Oak Bluffs Avenue, Oak Bluffs, MA
Five	8/4/2013	ATM MA000296 at 14 Oak Bluffs Avenue, Oak Bluffs, MA

All in violation of Title 18, United States Code, Sections 1029(a)(4) and 2.

COUNT SIX

(Producing/Using Counterfeit Access Devices: 18 U.S.C. § § 1029(a)(1) & (b)(1); Aiding and Abetting: 18 U.S.C. § 2)

The Grand Jury further charges that:

4. Between on or about July 7, 2013, and continuing through on or about September 29, 2013, in the District of Massachusetts and elsewhere, the defendants,

1. GEORGI KANEV, and
2. ANATOLI MITREV,

did knowingly, and with intent to defraud, produce, use and attempt to produce and use, one and more counterfeit access devices, that is, counterfeit ATM cards, as defined in 18 U.S.C. §§ 1029(e)(1) and (2), and did so in a manner affecting interstate and foreign commerce.

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

COUNT SEVEN THROUGH NINE
(Aggravated Identity Theft: 18 U.S.C. § 1028A(a)(1))

The Grand Jury further charges that:

5. On or about the following dates and at the following places, in the District of Massachusetts and elsewhere, the defendant,

1. GEORGI KANEV,

did knowingly possess and use, without lawful authority, a means of identification of another person, to wit, a PIN and the magnetic strip information, including card number, for an access device, specifically an ATM card, for the accounts identified below, during and in relation to the following felony offenses: (a) conspiracy to commit access device fraud, in violation of 18 U.S.C. § 1029(b)(2), as charged in Count One; and (b) production and use, and attempted production and use, of one and more counterfeit access devices, in violation of 18 U.S.C. §§ 1029(a)(1), 1029(b)(1) and 2, as charged in Count Six:

Count	Date	Transaction
Seven	8/31/13	Withdrawal of cash from account # xxxx-4302 at ATM INYN5403, 115 West 42 nd Street, New York, NY
Eight	9/1/13	Withdrawal of cash from account # xxxx-4255 at ATM INYN4908, 36 East 14 th Street, New York, NY
Nine	9/1/13	Withdrawal of cash from account # xxxx-4569 at ATM INYN4908, 36 East 14 th Street, New York, NY

All in violation of Title 18, United States Code, Section 1028A(a)(1).

COUNT TEN

(Aggravated Identity Theft: 18 U.S.C. § 1028A(a)(1))

The Grand Jury further charges that:

6. On or about the following date and at the following place, in the District of Massachusetts and elsewhere, the defendant,

2. ANATOLI MITREV,

did knowingly possess and use, without lawful authority, a means of identification of another person, to wit, a PIN and the magnetic strip information, including card number, for an access device, specifically an ATM card, for the accounts identified below, during and in relation to the following felony offenses: (a) conspiracy to commit access device fraud, in violation of 18 U.S.C. § 1029(b)(2), as charged in Count One; (b) possession of device-making equipment, in violation of 18 U.S.C. § 1029(a)(4), as charged in Counts Two through Five; and (c) production and use, and attempted production and use, and aiding and abetting the production and use, of one or more counterfeit access devices, in violation of 18 U.S.C. §§ 1029(a)(1), 1029(b)(1) and 2, as charged in Count Six:

Count	Date	Transaction
Ten	9/1/13	Withdrawal of cash from account #xxxx 4602 at ATM IILN0214, 1419 N. Wells Street, Chicago, IL

All in violation of Title 18, United States Code, Section 1028A(a)(1).

ACCESS DEVICE FORFEITURE ALLEGATIONS
18 U.S.C. § § 982(a)(2)(B) and 1029 (c)(1)(C)

The Grand Jury alleges:

7. Upon conviction of one or more offenses in violation of Title 18, United States Code, Section 1029, as set forth in Counts One through Six of this Indictment, the defendants,

1. GEORGI KANEV, and
2. ANATOLI MITREV

shall forfeit to the United States: (a) any property constituting, or derived from, proceeds obtained, directly or indirectly, as the result of the offenses, pursuant to Title 18, United States Code, Section 982(a)(2)(B); and (b) any personal property used or intended to be used to commit the offense, pursuant to Title 18, United States Code, Section 1029(c)(1)(C).

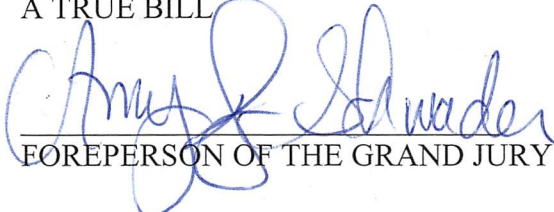
8. If any of the property described in Paragraph 7, above, as being forfeitable pursuant to Title 18, United States Code, Sections 982(a)(2)(B) and 1029(c)(1)(C), as a result of any act or omission of the defendants--

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty,

it is the intention of the United States, pursuant to Title 18, United States Code, Sections 982(b) and 1029(c)(2), both of which incorporate Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property described in paragraph 7 above.

All pursuant to Title 18, United States Code, Sections 982, and 1029.

A TRUE BILL


FOREPERSON OF THE GRAND JURY

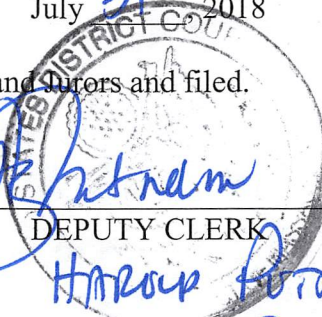
Sandra S. Bower

Sandra S. Bower
ASSISTANT U.S. ATTORNEY

DISTRICT OF MASSACHUSETTS

July 31 2018

Returned into the District Court by the Grand Jurors and filed.


DEPUTY CLERK

Harold Forward
7.31.18 @ 1:10PM