



IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

INDICTMENT

v.

Criminal No. 22- 470 (PAD)

SERGEI MAKININ, Defendant.

VIOLATIONS: 18 U.S.C. §§ 1030(a)(5)(A) and (c)(4)(B)(i) and (c)(4)(A)(i)(VI) – Damage to Protected Computers

FORFEITURE 18 U.S.C. §§ 982(a)(2)(B) and 982(b)(1) and 1030(i) and 1030(j)

THE GRAND JURY CHARGES:

COUNTS ONE through THREE Intentional Damage to a Protected Computer (18 U.S.C. § 1030(a)(5)(A))

On or about each of the dates set forth below, in the District of Puerto Rico and elsewhere, the defendant,

SERGEI MAKININ,

knowingly caused the transmission of a program, information, code, and command, and, as a result of such conduct, intentionally caused damage without authorization to a protected computer, and the offense caused damage affecting 10 or more protected computers during a one-year period, described below for each count, each transmission constituting a separate count:

Table with 3 columns: Count, Date, Computer(s). Row 1: 1, May 14, 2022, One or more computers associated with IP address 24.138.223.146 located in Juncos, PR

2	May 14, 2022	One or more computers associated with IP address 24.139.216.72 located in San Sebastián, PR
3	March 3, 2021	One or more computers associated with IP address 52.128.27.198 located in Yauco, PR

in violation of 18 U.S.C. §§ 1030(a)(5)(A) and (c)(4)(B)(i) and (c)(4)(A)(i)(VI).

Forfeiture Allegation

(18 U.S.C. §§ 982(a)(2)(B), 982(b)(1), 1030(i), and 1030(j))

The allegations contained in Count 1 of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeiture pursuant to 18 U.S.C. §§ 982(a)(2)(B), 982(b)(1), 1030(i)(1), and 1030(j).

Upon conviction of Count 1 of this Indictment, a computer fraud offense in violation of 18 U.S.C. § 1030(a)(5)(A), defendant shall forfeit to the United States of America, pursuant to 18 U.S.C. § 982(a)(2)(B), any property, real or personal, constituting, or derived from, proceeds obtained directly or indirectly as a result of such offense and, pursuant to 18 U.S.C. §§ 1030 (i) and (j), defendant's interest in any personal property that was used or intended to be used to commit or to facilitate the commission of such offense, and any property, real or personal, constituting or derived from, any proceeds that such person obtained, directly or indirectly, as a result of such offense.

If the above-described property, as a result of any act or omission of defendant:

- 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 divided without difficulty,

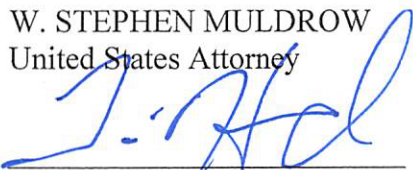
the United States of America shall be entitled to forfeiture of substitute property pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. §§ 982(b)(1) and 1030(i)(2).

TRUE BILL,

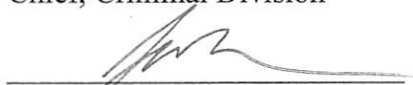
FOREPERSON

Date: 3 NOV 2022

W. STEPHEN MULDROW
United States Attorney



Timothy Henwood
Chief, Criminal Division



Jonathan Gottfried
Assistant U.S. Attorney

Jane Lee
Trial Attorney
Computer Crime and Intellectual Property Section
Department of Justice