

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

08-21144 CR - GOLD | McALILEY
CASE NO.

18 U.S.C. § 1349
18 U.S.C. § 1344
18 U.S.C. § 1028A
18 U.S.C. § 2
18 U.S.C. § 982

UNITED STATES OF AMERICA

vs.

BIENVENIDO "BENNY" BENACH, JR.,
RAMON PUENTES,
DANNY FLORES,
ROLANDO ALFONSO,
JORGE NOBREGA,
JORGE ARRIETA,
SEBASTIAN KISHINEVSKY, and
ADRIANA CRUZ,

Defendants.

FILED by *[Signature]* D.C.
DEC 18 2008
STEVEN M. LARIMORE
CLERK U. S. DIST. CT.
S. D. of FLA. - MIAMI

INDICTMENT

The Grand Jury charges that:

GENERAL ALLEGATIONS

At various times relevant to this Indictment:

1. The term "home equity line of credit" ("HELOC") refers to a loan in which the lender agrees to lend to the borrower a maximum amount of money within an agreed period, and the equity in the borrower's property serves as collateral for the loan. The borrower is not advanced the entire sum of money up front, but uses a line of credit to borrow sums that total no more than the total amount of money authorized under the HELOC, similar to a credit card.

[Handwritten signature]

2. Bank of America, NA (“Bank of America”) was a federally regulated national banking association, the accounts of which were insured by the Federal Deposit Insurance Corporation, making it a “financial institution” as that term is defined in Title 18, United States Code, Section 20.

3. Wachovia Bank National Association (“Wachovia”) was a federally regulated national banking association, the accounts of which were insured by the Federal Deposit Insurance Corporation, making it a “financial institution” as that term is defined in Title 18, United States Code, Section 20.

4. Defendant **BIENVENIDO “BENNY” BENACH, JR.** was a resident in the Southern District of Florida, living at 270 Cypress Drive, Key Biscayne, Florida (the “270 Cypress Property”). Although **BENACH** resided at the 270 Cypress Property, the home in fact was owned by **BENACH**’s mother-in-law, A.G.

5. Defendant **JORGE ARRIETA** was employed as a personal banker at Bank of America.

6. Defendant **SEBASTIAN KISHINEVSKY** was employed as a financial specialist at Wachovia.

7. **RAMON PUENTES, DANNY FLORES, ROLANDO ALFONSO, JORGE NOBREGA** and **ADRIANA CRUZ** were residents in the Southern District of Florida.

COUNT 1
CONSPIRACY TO COMMIT BANK FRAUD
(18 U.S.C. § 1349)

1. Paragraphs 1 through 7 of the General Allegations section of this Indictment are realleged and incorporated by reference as though fully set forth herein.

2. From in or around March 2008, and continuing through in or around August 2008, the exact dates being unknown to the grand jury, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants,

**BIENVENIDO "BENNY" BENACH, JR.,
RAMON PUENTES,
DANNY FLORES,
ROLANDO ALFONSO,
JORGE NOBREGA,
JORGE ARRIETA,
SEBASTIAN KISHINEVSKY, and
ADRIANA CRUZ,**

together with others known and unknown to the Grand Jury, did willfully, that is, with the intent to further the object of the conspiracy, and knowingly combine, conspire, confederate, and agree with each other, to knowingly, and with intent to defraud, execute, and cause the execution of, a scheme and artifice to defraud one or more financial institutions, including Bank of America and Wachovia, which scheme and artifice would employ a material falsehood, and to knowingly execute, and cause the execution of, a scheme and artifice to obtain money and funds owned by, and under the custody and control of, one or more financial institutions, by means of false and fraudulent pretenses, representations, and promises relating to a material fact, in violation of Title 18, United States Code, Section 1344(1) and (2).

PURPOSE OF THE CONSPIRACY

3. It was the purpose of the conspiracy for the defendants and their co-conspirators to unlawfully enrich themselves by, among other things: (a) submitting false and fraudulent loan applications for HELOCs, and closing documents to one or more financial institutions; (b) causing the false and fraudulent loan applications to be processed and approved; and (c) receiving fraudulently obtained loan proceeds from one or more financial institutions for the defendants' personal use and benefit.

MANNER AND MEANS OF THE CONSPIRACY

The manner and means by which the defendants and their co-conspirators sought to accomplish the object and purpose of the conspiracy included, among others, the following:

4. **BIENVENIDO “BENNY” BENACH, JR.** asked **RAMON PUENTES** to assist him with obtaining a HELOC, using as collateral the 270 Cypress Property. Because the 270 Cypress Property was owned by A.G., the HELOC would need to be in A.G.’s name. **BENACH** emphasized that neither his mother-in-law, A.G., nor his wife could learn about any attempt to obtain the HELOC on the 270 Cypress Property.

5. **RAMON PUENTES** recruited **DANNY FLORES** and **ROLANDO ALFONSO** to assist with obtaining the HELOC because **FLORES** and **ALFONSO** had business relationships with employees at banking institutions who could facilitate obtaining the loans.

6. **BIENVENIDO “BENNY” BENACH, JR., RAMON PUENTES, DANNY FLORES** and **ROLANDO ALFONSO** decided to submit simultaneous fraudulent HELOC applications to two banks for the total amount of \$1,000,000, requesting \$500,000 from one bank and \$500,000 from a second bank.

7. **BIENVENIDO “BENNY” BENACH, JR.** and **RAMON PUENTES** provided to **DANNY FLORES** and **ROLANDO ALFONSO** A.G.’s identification information without A.G.’s knowledge, input or authority, so that **FLORES** and **ALFONSO** could begin the process of submitting the fraudulent HELOC applications to each bank. **FLORES** and **ALFONSO** then prepared, and caused to be prepared, two fraudulent applications for \$500,000 HELOCs on the 270 Cypress Property. Unbeknownst to A.G., the applications were prepared in her name as the purported borrower. In support of the HELOC applications, **FLORES** and **ALFONSO** also caused fraudulent tax returns in the name of A.G. to be prepared and submitted to each bank.

8. **DANNY FLORES** and **ROLANDO ALFONSO** submitted one fraudulent HELOC application on the 270 Cypress Property to their contact at Bank of America, **JORGE ARRIETA**, who, for a fee, agreed to help process the fraudulent HELOC. **FLORES** and **ALFONSO** simultaneously submitted the second fraudulent HELOC application on the 270 Cypress Property to their contact at Wachovia, **SEBASTIAN KISHINEVSKY**, who, for a fee, agreed to help process the fraudulent HELOC. At the time of the submission of the fraudulent HELOC applications, neither bank was made aware of the other pending HELOC application.

9. To facilitate the processing of the HELOCs, **JORGE ARRIETA** and **SEBASTIAN KISHINEVSKY** independently caused A.G.'s deceased husband's name, who was listed as a co-owner of the 270 Cypress Property, to be added as a co-borrower for each fraudulent HELOC application. **ARRIETA** and **KISHINEVSKY** also each independently requested from **DANNY FLORES** and **ROLANDO ALFONSO** additional information necessary to successfully process the fraudulent HELOC applications at each bank. Both **ARRIETA** and **KISHINEVSKY** requested insurance information on the 270 Cypress Property, and **KISHINEVSKY** indicated that Wachovia required an appraisal of the 270 Cypress Property.

10. **RAMON PUENTES** communicated **JORGE ARRIETA's** and **SEBASTIAN KISHINEVSKY's** requests for supplemental information to **BIENVENIDO "BENNY" BENACH, JR.** In response, **BENACH** supplied the requested insurance information and scheduled an appraisal of the 270 Cypress Property, which appraisal was ultimately submitted to Wachovia.

11. Once each bank had received all requested information and the HELOCs were approved, **DANNY FLORES** and **ROLANDO ALFONSO** brought the closing documents to

RAMON PUENTES at his office. There, forged signatures in the names of A.G. and her deceased husband were placed on the documents.

12. **RAMON PUENTES** gave the documents to **ADRIANA CRUZ**, who took the already signed fraudulent documents to a notary for false notarization of the signatures. **DANNY FLORES** and **ROLANDO ALFONSO** delivered the fraudulently notarized closing documents to **SEBASTIAN KISHINEVSKY** at Wachovia and **JORGE ARRIETA** at Bank of America.

13. Following the submission of the notarized closing documents to Bank of America, but prior to the funding of the HELOC, **RAMON PUENTES** met with **JORGE NOBREGA** and **JORGE ARRIETA** concerning the Bank of America HELOC application. **NOBREGA**, who claimed to have a business relationship with **ARRIETA**, convinced **PUENTES** to allow **NOBREGA** to participate in the scheme and to benefit from the fraudulently obtained loan proceeds. **NOBREGA** agreed to pay **ARRIETA** more money for his services than **DANNY FLORES** and **ROLANDO ALFONSO** had offered to pay.

14. After the HELOC at each bank was funded and the funds were made available, the defendants disbursed and shared the fraudulently obtained loan proceeds. Pursuant to their fraudulent scheme, the co-conspirators received in total approximately \$800,000.

All in violation of Title 18, United States Code, Section 1349.

COUNTS 2-3
BANK FRAUD
(18 U.S.C. §§ 1344 and 2)

1. Paragraphs 1 through 7 of the General Allegations section of this Indictment are realleged and incorporated by reference as though fully set forth herein.

2. From in or around March 2008, and continuing through in or around August 2008, the exact dates being unknown to the grand jury, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants,

**BIENVENIDO "BENNY" BENACH, JR.,
RAMON PUENTES,
DANNY FLORES,
ROLANDO ALFONSO,
JORGE NOBREGA,
JORGE ARRIETA,
SEBASTIAN KISHINEVSKY, and
ADRIANA CRUZ,**

did knowingly, and with intent to defraud, execute, and cause the execution of, a scheme and artifice to defraud one or more financial institutions, including Bank of America and Wachovia, which scheme and artifice employed a material falsehood, and did knowingly execute, and cause the execution of, a scheme and artifice to obtain moneys and funds owned by, and under the custody and control of one or more financial institutions, by means of false and fraudulent pretenses, representations, and promises relating to a material fact, in violation of Title 18, United States Code, Sections 1344(1) and (2).

PURPOSE OF THE SCHEME AND ARTIFICE

3. It was the purpose of the scheme and artifice for the defendants to unlawfully enrich themselves by, among other things: (a) submitting false and fraudulent loan applications for HELOCs, and closing documents to one or more financial institutions; (b) causing the false and fraudulent loan applications to be processed and approved; and (c) receiving fraudulently obtained loan proceeds from one or more financial institutions for the defendants' personal use and benefit.

THE SCHEME AND ARTIFICE

4. Paragraphs 4 through 14 of the Manner and Means section of Count 1 are realleged and incorporated by reference herein as a description of the scheme and artifice.

EXECUTION OF THE SCHEME AND ARTIFICE

5. On or about the dates specified as to each Count below, in the Southern District of Florida, and elsewhere, the defendants, as specified in each Count, did execute the scheme and artifice, and did cause said scheme and artifice to be executed, as more particularly described in each Count set forth below:

COUNT	DEFENDANTS	APPROX. DATE	ACT IN EXECUTION
2	BIENVENIDO "BENNY" BENACH, JR., RAMON PUENTES, DANNY FLORES, ROLANDO ALFONSO, JORGE NOBREGA, JORGE ARRIETA, and ADRIANA CRUZ	May 9, 2008	Submission and processing of fraudulent closing documents for the \$500,000 HELOC application at Bank of America for a loan on the 270 Cypress Property, which documents falsely identified A.G. and her deceased husband as the purported borrowers
3	BIENVENIDO "BENNY" BENACH, JR., RAMON PUENTES, DANNY FLORES, ROLANDO ALFONSO, SEBASTIAN KISHINEVSKY, and ADRIANA CRUZ	May 14, 2008	Submission and processing of fraudulent closing documents for the \$500,000 HELOC application at Wachovia for a loan on the 270 Cypress Property, which documents falsely identified A.G. and her deceased husband as the purported borrowers

In violation of Title 18, United States Code, Sections 1344(1) and (2) and 2.

COUNT 4
AGGRAVATED IDENTITY THEFT
(18 U.S.C. § 1028A(a)(1))

On or about May 9, 2008, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants,

**BIENVENIDO "BENNY" BENACH, JR.,
RAMON PUENTES,
DANNY FLORES,
ROLANDO ALFONSO,
JORGE NOBREGA,
JORGE ARRIETA, and
ADRIANA CRUZ,**

during and in relation to a felony violation of Title 18, United States Code, Section 1349, as set forth in Count 1 of this Indictment, did knowingly transfer, possess, and use, without lawful authority, a means of identification of another person, that is, the name and social security number of A.G., in violation of Title 18, United States Code, Sections 1028A(a)(1) and 2.

**COUNT 5
AGGRAVATED IDENTITY THEFT
(18 U.S.C. § 1028A(a)(1))**

On or about May 14, 2008, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants,

**BIENVENIDO "BENNY" BENACH, JR.,
RAMON PUENTES,
DANNY FLORES,
ROLANDO ALFONSO,
SEBASTIAN KISHINEVSKY, and
ADRIANA CRUZ,**

during and in relation to a felony violation of Title 18, United States Code, Section 1349, as set forth in Count 1 of this Indictment, did knowingly transfer, possess, and use, without lawful authority, a means of identification of another person, that is, the name and social security number of A.G., in violation of Title 18, United States Code, Sections 1028A(a)(1) and 2.

FORFEITURE ALLEGATIONS

1. The allegations of Counts 1 through 3 of this Indictment are re-alleged and by this reference fully incorporated herein for the purpose of alleging forfeitures to the United States of America of certain property in which the defendants have an interest.

2. Upon conviction of any violation of Title 18, United States Code, Sections 1349 and 1344, as alleged in this Indictment, the defendants, **BIENVENIDO "BENNY" BENACH, JR., RAMON PUENTES, DANNY FLORES, ROLANDO ALFONSO, JORGE NOBREGA, SEBATSIAN KISHINEVSKY, and ADRIANA CRUZ** shall forfeit to the United States any property, constituting, or derived from, proceeds the defendants obtained directly or indirectly, as the result of such violation, pursuant to Title 18, United States Code, Section 982(a)(2)(A).

3. The property subject to forfeiture includes but is not limited to the following property:

- a. Money Judgment in the amount of \$796,701.65.00.
- b. Bank Accounts
 - i. Up to \$500,000.00 and interest accrued thereto at Bank of America, account number 68218015215199;
 - ii. Up to \$500,000.00 and interest accrued thereto at Bank of America, account number 8980 0671 5653;
 - iii. Up to \$500,000.00 and interest accrued thereto at Bank of America, account number 8980 0671 5598;
 - iv. Up to \$150,000.00 and interest accrued thereto at Bank of America, account number 8980 0667 5353;
 - v. Up to \$500,000.00 and interest accrued thereto at Wachovia Bank National Association, account number 4386-5403-1439-0759;
 - vi. Up to \$200,000.00 and interest accrued thereto at Wachovia Bank National Association, account number 1010205574210;

vii. Up to \$336,475.00 and interest accrued thereto at Washington Mutual Bank, account number 180-4705789;

viii. Up to \$124,000.00 and interest accrued thereto at Washington Mutual Bank, account number 421-448721-0;

ix. Up to \$56,750.00 and interest accrued thereto at Washington Mutual Bank, account number 421-448768-2;

x. Up to \$37,750.00 and interest accrued thereto at Washington Mutual Bank, account numbers 421-448796-3 and 421-448706-3;

xi. Up to \$135,775.00 and interest accrued thereto at Bank Atlantic, account number 0061795140;

xii. Up to \$172,500.00 and interest accrued thereto at Citibank, account number 3178835180; and

xiii. Up to \$50,000.00 and interest accrued thereto at Banco Popular, account number 6800970433.

4. Pursuant to Title 21 United States Code, Section 853(p), as incorporated by reference by Title 18, United States Code, Section 982(b), if any of the forfeitable property, or any portion thereof, as a result of any act or omission of the defendant:

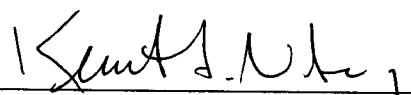
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred, or sold to, or deposited with a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be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

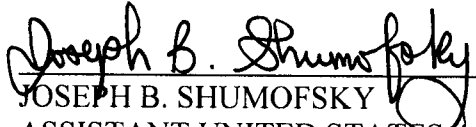
it is the intent of the United States to seek the forfeiture of other property of the defendants up to the value of the above-described forfeitable properties.

All pursuant to Title 18, United States Code, Section 982(a)(2)(A) and the procedures outlined at Title 21, United States Code, Section 853.

A TRUE BILL


FOREPERSON


R. ALEXANDER ACOSTA
UNITED STATES ATTORNEY


JOSEPH B. SHUMOFSKY
ASSISTANT UNITED STATES ATTORNEY

UNITED STATES OF AMERICA

CASE NO. _____

vs.

CERTIFICATE OF TRIAL ATTORNEY*

**BIENVENIDO "BENNY BENACH, JR.,
et al.,**

Defendants.

Superseding Case Information:

Court Division: (Select One)

X Miami _____ Key West
_____ FTL _____ WPB _____ FTP

New Defendant(s) Yes _____ No _____
Number of New Defendants _____
Total number of counts _____

I do hereby certify that:

1. I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.

2. I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. Section 3161.

3. Interpreter: (Yes or No) Yes
List language and/or dialect Spanish

4. This case will take 10 days for the parties to try.

5. Please check appropriate category and type of offense listed below:

(Check only one)	(Check only one)
I 0 to 5 days _____	Petty _____
II 6 to 10 days <u>X</u> _____	Minor _____
III 11 to 20 days _____	Misdem. _____
IV 21 to 60 days _____	Felony <u>X</u> _____
V 61 days and over _____	

6. Has this case been previously filed in this District Court? (Yes or No) No

If yes: Judge: _____ Case No. _____
(Attach copy of dispositive order)

Has a complaint been filed in this matter? (Yes or No) No

If yes: Magistrate Case No. _____
Related Miscellaneous numbers: _____
Defendant(s) in federal custody as of _____
Defendant(s) in state custody as of _____
Rule 20 from the _____ District of _____

Is this a potential death penalty case? (Yes or No) No

7. Does this case originate from a matter pending in the Northern Region of the U.S. Attorney's Office prior to October 14, 2003? _____ Yes X No

8. Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to September 1, 2007? _____ Yes X No


JOSEPH B. SHUMOFSKY
ASSISTANT UNITED STATES ATTORNEY
Court I.D. No. A5501107

*Penalty Sheet(s) attached

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: BIENVENIDO "BENNY" BENACH, JR.

Case No:

Count #: 1

Conspiracy to Commit Bank Fraud

Title 18, United States Code, Section 1349

*** Max. Penalty:** Thirty (30) years' imprisonment

Counts #: 2-3

Bank Fraud

Title 18, United States Code, Section 1344

*** Max. Penalty:** Thirty (30) years' imprisonment

Counts #: 4-5

Aggravated Identity Theft

Title 18, United States Code, Section 1028A

*** Max. Penalty:** Two (2) years' imprisonment consecutive

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeiture that may be applicable.**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: RAMON PUENTES

Case No:

Count #: 1

Conspiracy to Commit Bank Fraud

Title 18, United States Code, Section 1349

*** Max. Penalty:** Thirty (30) years' imprisonment

Counts #: 2-3

Bank Fraud

Title 18, United States Code, Section 1344

*** Max. Penalty:** Thirty (30) years' imprisonment

Counts #: 4-5

Aggravated Identity Theft

Title 18, United States Code, Section 1028A

*** Max. Penalty:** Two (2) years' imprisonment consecutive

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeiture that may be applicable.**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: DANNY FLORES

Case No:

Count #: 1

Conspiracy to Commit Bank Fraud

Title 18, United States Code, Section 1349

*** Max. Penalty:** Thirty (30) years' imprisonment

Counts #: 2-3

Bank Fraud

Title 18, United States Code, Section 1344

*** Max. Penalty:** Thirty (30) years' imprisonment

Counts #: 4-5

Aggravated Identity Theft

Title 18, United States Code, Section 1028A

*** Max. Penalty:** Two (2) years' imprisonment consecutive

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeiture that may be applicable.**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: ROLANDO ALFONSO

Case No:

Count #: 1

Conspiracy to Commit Bank Fraud

Title 18, United States Code, Section 1349

*** Max. Penalty:** Thirty (30) years' imprisonment

Counts #: 2-3

Bank Fraud

Title 18, United States Code, Section 1344

*** Max. Penalty:** Thirty (30) years' imprisonment

Counts #: 4-5

Aggravated Identity Theft

Title 18, United States Code, Section 1028A

*** Max. Penalty:** Two (2) years' imprisonment consecutive

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeiture that may be applicable.**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: JORGE NOBREGA

Case No:

Count #: 1

Conspiracy to Commit Bank Fraud

Title 18, United States Code, Section 1349

*** Max. Penalty:** Thirty (30) years' imprisonment

Count #: 2

Bank Fraud

Title 18, United States Code, Section 1344

*** Max. Penalty:** Thirty (30) years' imprisonment

Count #: 4

Aggravated Identity Theft

Title 18, United States Code, Section 1028A

*** Max. Penalty:** Two (2) years' imprisonment consecutive

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeiture that may be applicable.**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: JORGE ARRIETA

Case No:

Count #: 1

Conspiracy to Commit Bank Fraud

Title 18, United States Code, Section 1349

*** Max. Penalty:** Thirty (30) years' imprisonment

Count #: 2

Bank Fraud

Title 18, United States Code, Section 1344

*** Max. Penalty:** Thirty (30) years' imprisonment

Count #: 4

Aggravated Identity Theft

Title 18, United States Code, Section 1028A

*** Max. Penalty:** Two (2) years' imprisonment consecutive

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeiture that may be applicable.**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: SEBASTIAN KISHINEVSKY

Case No:

Count #: 1

Conspiracy to Commit Bank Fraud

Title 18, United States Code, Section 1349

*** Max. Penalty:** Thirty (30) years' imprisonment

Count #: 3

Bank Fraud

Title 18, United States Code, Section 1344

*** Max. Penalty:** Thirty (30) years' imprisonment

Count #: 5

Aggravated Identity Theft

Title 18, United States Code, Section 1028A

*** Max. Penalty:** Two (2) years' imprisonment consecutive

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeiture that may be applicable.**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: ADRIANA CRUZ

Case No:

Count #: 1

Conspiracy to Commit Bank Fraud

Title 18, United States Code, Section 1349

*** Max. Penalty:** Thirty (30) years' imprisonment

Count #: 2-3

Bank Fraud

Title 18, United States Code, Section 1344

*** Max. Penalty:** Thirty (30) years' imprisonment

Count #: 4-5

Aggravated Identity Theft

Title 18, United States Code, Section 1028A

*** Max. Penalty:** Two (2) years' imprisonment consecutive

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeiture that may be applicable.**