

IN THE UNITED STATES DISTRICT COURT

FILED '09 DEC 08 15:54 USDC-ORP

FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,

CR 09- 487-40

v.

INDICTMENT

ALEX Z. BISCOCHO,

18 U.S.C. § 1344

Defendant.

THE GRAND JURY CHARGES:

COUNT 1

On or between September 19, 2006 and January 23, 2007, in the District of Oregon, defendant Alex Z. Biscocho devised a material scheme and artifice to defraud and to obtain money from First Franklin Financial Corporation, a financial institution, by materially false and fraudulent pretenses and representations.

It was part of the material scheme and artifice that:

1. Defendant Alex Z. Biscocho, acting as a residential mortgage loan broker, prepared uniform residential loan applications on behalf of Scott Elliott ("the borrower"). The loan applications were for the purchase of a residential property owned by Alex Z. Biscocho's parents.
2. Defendant Alex Z. Biscocho knowingly falsified and inflated the borrower's income and asset information on the uniform residential loan applications.
3. Defendant Alex Z. Biscocho submitted the borrower's false uniform residential mortgage applications to First Franklin Financial Corporation, a financial institution, with the intent that the financial institution would approve and fund the mortgage loans based upon the

false and inflated statements of income and assets provided in the uniform residential mortgage applications.

4. On or about October, 18, 2006, the borrower became concerned about information contained in the closing documents and refused to complete the transaction. Defendant Alex Z. Biscocho thereafter closed the loans on behalf of the borrower without the borrower's knowledge or approval and without advising the financial institution of borrower's withdrawal from the transaction or the false and inflated statement of income and assets provided in the uniform residential loan applications. Based on the fraudulent loan application and the actions of Alex Z. Biscocho to complete the closing of the loans, First Franklin Financial Corporation funded mortgage loans in the amount of \$475,000.00.

5. Between December 5, 2006 and January 23, 2007, Defendant Alex Z. Biscocho, without the knowledge or consent of the borrower, made two loan payments on the loans from defendant Biscocho's personal bank account. One check was altered to make it appear that the borrower was the payor.

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On about October 18, 2006, in the District of Oregon, defendant Alex Z. Biscocho executed and attempted to execute a material scheme to defraud First Franklin Financial Corporation and to obtain money owned by them and under their control by material and false pretenses, representations and promises, by closing the above-described mortgage loan transactions, resulting in First Franklin Financial Corporation funding the loans in the amount of \$475,000.00.

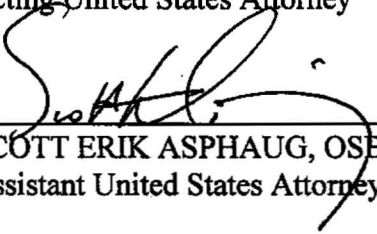
All in violation of 18 United States Code, Section 1344.

Dated this 8 day of December, 2009.

A TRUE BILL

Presented by:

KENT S. ROBINSON
Acting United States Attorney


SCOTT ERIK ASPHAUG, OSB# 83367
Assistant United States Attorney