

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF TEXAS**  
**HOUSTON DIVISION**

United States Courts  
Southern District of Texas  
**FILED**

AUG 10 2011

David J. Bradley, Clerk of Court

**UNITED STATES OF AMERICA**

**v.**

**WALTER RYAN MACAPAZ,**  
**TONY DAVID MALDONADO,**  
**BUFFY MARIE LAWRENCE and**  
**LISA CAROL ROSS,**

**Defendants.**

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**CRIMINAL NO.**

**18 U.S.C. § 1349**  
**18 U.S.C. § 1343**  
**18 U.S.C. § 1956(h)**

**H 11 - 575**

**INDICTMENT**

**THE GRAND JURY CHARGES:**

At all times material to this Indictment:

**COUNT ONE**

(Conspiracy to Commit Wire Fraud)

**A. INTRODUCTION**

1. Defendant **WALTER RYAN MACAPAZ** was involved in the real estate industry in Houston, Texas. Defendant MACAPAZ utilized his connections in the real estate and financial industries to fraudulently qualify individuals to obtain mortgage financing. He established businesses with bank accounts to collect fraudulently obtained proceeds from the mortgages and paid co-conspirators with cash and checks from those accounts.

2. Defendant **TONY DAVID MALDONADO** was also involved in the real estate industry in Houston, Texas. He located properties that were available for sale by owner and negotiated for their sale. Defendant MALDONADO also recruited individuals to act as “straw borrowers”. A straw borrower is a person who is paid money to allow his name and credit history to be used to obtain a mortgage loan to purchase a home when the person has no intention of actually living in the home or having any responsibility for making the mortgage payments. Defendant MALDONADO also established businesses that sent fraudulent documents to qualify straw borrowers for mortgages.

3. Defendant **BUFFY MARIE LAWRENCE** worked in the lending industry for mortgage brokers including Mortgages First Real Estate Services LLC (“Mortgages First”). Defendant LAWRENCE utilized her position as a loan officer as well as her contacts within the lending industry to obtain mortgage loans by fraud. Defendant LAWRENCE became an attorney on November 3, 2006.

4. Defendant **LISA CAROL ROSS** was an attorney and escrow officer for Vision Title LLC (“Vision Title”). In order to obtain illicit proceeds from a transaction, defendant ROSS would create two separate checks or disbursements payable to the seller. One of the disbursements was actually given to the seller. The second disbursement would be turned into cash and money orders and distributed to the involved parties.

**B. THE CONSPIRACY**

5. From in or about November, 2005, through in or about October, 2008, in the Southern District of Texas and elsewhere, the defendants,

**WALTER RYAN MACAPAZ,  
TONY DAVID MALDONADO,  
BUFFY MARIE LAWRENCE and  
LISA CAROL ROSS,**

did willfully, that is, with the intent to further the objects of the conspiracy, and knowingly combine, conspire, confederate and agree with each other and others, known and unknown to the Grand Jury, to commit an offense against the United States, that is: to devise and intend to devise a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations and promises, knowing that they were false and fraudulent when made, and transmitting and causing to be transmitted certain wire communications in interstate and foreign commerce, for the purpose of executing the scheme, in violation of Title 18, United States Code, Section 1343.

**C. PURPOSE OF THE CONSPIRACY**

6. It was a purpose of the conspiracy that the defendants and their co-conspirators would enrich themselves with proceeds from fraudulently-obtained mortgages.

**D. MANNER AND MEANS OF THE CONSPIRACY**

7. The defendants and their co-conspirators sought to accomplish the

purpose of the conspiracy by the following manner and means, among other things:

a. recruiting, soliciting and compensating individuals with good credit to act as borrowers in applications for residential mortgage loans to purchase one or more residential properties;

b. causing Uniform Residential Loan Applications to be completed in the names of the borrowers to attempt to obtain 100% financing of residential properties' sales price;

c. causing false and misleading information to be created regarding borrowers' income, assets, liabilities, employment status, bank deposits, rental payments, intent to use properties as a primary residence and source of funds used to close the real estate transactions;

d. causing such false and misleading information to be provided to lenders and their agents in locations throughout the United States;

e. inducing lenders to fund residential mortgage loans in the total amount of more than \$22 million; and

f. establishing business entities with corresponding bank accounts which were used to obtain disbursements of portions of the loan proceeds including Texas Investments & Management, Walk Away Lease Inc. and T.M. Enterprises.

**E. OVERT ACTS**

8. On or about the dates specified below, in furtherance of the conspiracy

and to achieve the purpose thereof, the defendants and their co-conspirators, in the Southern District of Texas and elsewhere, committed and caused to be committed at least one of the following overt acts, among others:

**914 Main Street (Commerce Towers), Unit 2002, Houston, TX**

1. August 24, 2006, BUFFY MARIE LAWRENCE signed as the interviewer on behalf of the mortgage broker, a Fannie Mae Form 1003 - Uniform Residential Loan Application in the name of a borrower seeking lender financing to purchase 914 Main Street, Unit 2002, Houston, Texas.

2. August 30, 2006, BUFFY MARIE LAWRENCE signed as the loan officer on behalf of the mortgage broker a Request for Verification of Rent or Mortgage for the borrower's residence.

3. August 31, 2006, TONY DAVID MALDONADO fraudulently completed the Request for Verification of Rent or Mortgage concerning the borrower that was applying for a mortgage loan to purchase 914 Main Street, Unit 2002, Houston, Texas.

4. September 7, 2006, BUFFY MARIE LAWRENCE faxed a Request for Title Commitment to Stewart Title Company to open title on 914 Main Street, Unit 2002, Houston, Texas.

5. September 19, 2006, TONY DAVID MALDONADO received \$184,650 wired into bank account number XXXXXX3737 of T.M. Enterprises at Washington

Mutual Bank.

6. October 5, 2006, TONY DAVID MALDONADO obtained Official Check number 250043129 from Washington Mutual Bank in the amount of \$50,000 at the direction of BUFFY MARIE LAWRENCE. The money for the check was withdrawn from T.M. Enterprises' Washington Mutual Bank account number XXXXXX3737.

7. October 5, 2006, TONY DAVID MALDONADO obtained Official Check number 250043130 from Washington Mutual Bank in the amount of \$50,000 at the direction of BUFFY MARIE LAWRENCE. The money for the check was withdrawn from T.M. Enterprises' Washington Mutual Bank account number XXXXXX3737.

8. October 5, 2006, TONY DAVID MALDONADO obtained Official Check number 250043131 from Washington Mutual Bank in the amount of \$43,000 at the direction of BUFFY MARIE LAWRENCE. The money for the check was withdrawn from T.M. Enterprises' Washington Mutual Bank account number XXXXXX3737.

9. October 28, 2006, BUFFY MARIE LAWRENCE deposited check number 1337 from T.M. Enterprises' Washington Mutual Bank account number XXXXXX3737 payable for \$41,000 into her accounts at First Community Credit Union account numbers XXXXXX6402 and XXXXXX4030.

**914 Main Street (Commerce Towers), Unit 905, Houston, TX**

10. September 12, 2006, WALTER MACAPAZ wrote check number 1306 payable to Vision Title for \$1,000. In the memo line for the check, MACAPAZ wrote "UNIT 905 earnest money."

11. September 21, 2006, TONY DAVID MALDONADO caused to be signed a Fannie Mae Form 1003 - Uniform Residential Loan Application in the name of a borrower seeking lender financing to purchase 914 Main Street, Unit 905, Houston, Texas.

12. September 21, 2006, WALTER MACAPAZ caused to be signed a Verification of Deposit from Regions Bank for account number XXXXXX3943.

13. October 4, 2006, LISA CAROL ROSS caused Vision Title check number 30-1751 drawn on Bank of America account number XXXXXXXXX4170 in the amount of \$108,295 payable to the seller of 914 Main Street, Unit 905, Houston, Texas, to be negotiated into cash and \$1,000 denomination money orders.

**2204 Oxford, Houston, TX**

14. October 16, 2006, TONY DAVID MALDONADO caused to be signed a Request for Verification of Rent or Mortgage regarding the borrower for a mortgage concerning 2204 Oxford, Houston, Texas.

15. October 10, 2006, BUFFY MARIE LAWRENCE caused a Fannie Mae Form 1003 - Uniform Residential Loan Application containing fraudulent

information to be signed.

16. October 26, 2006, BUFFY MARIE LAWRENCE caused a Fannie Mae Form 1003 - Uniform Residential Loan Application containing fraudulent information to be sent via facsimile.

17. October 27, 2006, LISA CAROL ROSS caused Vision Title check number 30-1795 drawn on Bank of America account numberXXXXXXXX4170 in the amount of \$144,553.90 payable to the seller of 2204 Oxford, Houston, Texas, to be negotiated into cash and \$1,000 denomination money orders.

**505 Bastrop, Unit 506, Houston, TX**

18. October 11, 2006, TONY DAVID MALDONADO caused to be completed a fraudulent Request for Verification of Employment.

19. October 12, 2006, WALTER RYAN MACAPAZ caused to be completed a fraudulent Request for Verification of Deposit for account number XXX118 in the name of the borrower who was seeking lender financing to purchase 505 Bastrop Street, Unit 506, Houston, Texas.

20. November 1, 2006, LISA CAROL ROSS caused Vision Title check number 30-1826 drawn on Bank of America account numberXXXXXXXX4170 in the amount of \$84,413.17 payable to the seller of 505 Bastrop, Unit 506, Houston, Texas, to be negotiated into cash and \$1,000 denomination money orders.

21. December 14, 2006, WALTER RYAN MACAPAZ negotiated Vision



Title check number 30-1819 drawn on Bank of America account numberXXXXXXXX4170 in the amount of \$2,500.

**1811 Indiana Street, Houston, TX**

22. December 1, 2006, BUFFY MARIE LAWRENCE caused to be completed a fraudulent Request for Verification of Rent or Mortgage to help qualify the borrower to purchase 1811 Indiana Street, Houston, Texas.

23. December 4, 2006, WALTER RYAN MACAPAZ caused a Request for Verification of Deposit containing fraudulent bank account information regarding Regions Bank account number XXXXXX4734 and XXXXXX1141 to be signed and sent via facsimile. Texas Investments is the owner of bank account XXXXXX4734.

24. December 12, 2006, WALTER RYAN MACAPAZ caused Western Union Money Order number 08-568409166 in the amount of \$1,000 to be used as earnest money for the purchase of 1811 Indiana Street, Houston, Texas.

25. December 28, 2006, BUFFY MARIE LAWRENCE caused a Fannie Mae Form 1003 - Uniform Residential Loan Application in the name of a borrower seeking lender financing to be signed. The Fannie Mae Form 1003 was completed to purchase 1811 Indiana Street, Houston, Texas.

**2101 Park Street, Houston, TX**

26. December 1, 2006, BUFFY MARIE LAWRENCE caused to be completed a fraudulent Request for Verification of Rent or Mortgage to help qualify

the borrower to purchase 2101 Park Street, Houston, Texas.

27. December 4, 2006, WALTER RYAN MACAPAZ caused a Request for Verification of Deposit containing fraudulent bank account information regarding Regions Bank account number XXXXXX4734 and XXXXXX1141 to be signed and sent via facsimile. Texas Investments is the owner of bank account XXXXXX4734.

28. December 8, 2006, WALTER RYAN MACAPAZ caused a letter to be signed and submitted to a lender in support of a mortgage loan application.

29. December 18, 2006, BUFFY MARIE LAWRENCE caused a Fannie Mae Form 1003 - Uniform Residential Loan Application in the name of a borrower seeking lender financing to be signed. The Fannie Mae Form 1003 was completed to purchase 2101 Park Street, Houston, Texas.

In violation of Title 18, United States Code, Section 1349.

**COUNTS TWO-FIVE**  
(Wire Fraud)

**A. INTRODUCTION**

1. Paragraphs 1 through 4 and 6 of Count One of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

**B. THE SCHEME TO DEFRAUD**

2. From in or about November, 2005, through in or about October, 2008, in the Southern District of Texas and elsewhere, the defendants,

**WALTER RYAN MACAPAZ,**

**TONY DAVID MALDONADO,  
BUFFY MARIE LAWRENCE and  
LISA CAROL ROSS,**

aided and abetted by others known and unknown to the Grand Jury, did knowingly devise and intend to devise a scheme and artifice to defraud and for obtaining money and property by means of material false and fraudulent pretenses, representations and promises.

**C. THE MANNER AND MEANS OF THE SCHEME**

3. Paragraph 7 of Count One of this Indictment is re-alleged and incorporated by reference herein as a description of the scheme and artifice.

**D. THE EXECUTION OF THE SCHEME**

4. On or about the dates specified below, the defendants, for the purpose of executing the aforesaid scheme and artifice to defraud, and attempting to do so, did knowingly transmit and cause to be transmitted, by means of wire communications in interstate and foreign commerce, certain writings, signs, signals, pictures and sounds, as more particularly described below:

<b><u>Count</u></b>	<b><u>Date</u></b>	<b><u>Description</u></b>	<b><u>Lender</u></b>	<b><u>Title Company</u></b>
2	9/18/06	Wire transfer of \$575,158.46 for the purchase of 914 Main Street, Unit 2002, Houston, TX	Mortgage It Dallas, TX	Charter Title Company Houston, TX

3	10/3/06	Wire transfer of \$364,684.83 for the purchase of 914 Main Street, Unit 905, Houston, TX	Washington Mutual Bank Stockton, CA	Vision Title Company Houston, TX
4	10/31/06	Wire transfer of \$403,157.18 for the purchase of 505 Bastrop, Unit 506, Houston, TX	WMC Mortgage New York, NY	Vision Title Company Houston, TX
5	12/28/06	Wire transfer of \$447,729.25 for the purchase of 1811 Indiana, Houston, TX	Homecoming s Financial Petaluma, CA	Stewart Title Company Houston, TX

In violation of Title 18, United States Code, Sections 1343 and 2.

**COUNT SIX**

(Conspiracy to Launder Money)

**A. INTRODUCTION**

1. Paragraphs 1 through 4 and 6 of Count One of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

**B. THE CONSPIRACY**

2. From in or about November, 2005, through in or about October, 2008, in the Southern District of Texas and elsewhere, the defendants,

**WALTER RYAN MACAPAZ,  
TONY DAVID MALDONADO,  
BUFFY MARIE LAWRENCE and**

**LISA CAROL ROSS,**

did willfully, that is, with the intent to further the objects of the conspiracy, and knowingly combine, conspire, confederate and agree with others, known and unknown to the Grand Jury, to commit offenses against the United States, that is:

- a) to conduct a financial transaction which in fact involves the proceeds of specified unlawful activity, that is, Wire Fraud, knowing that the property involved in such financial transaction represented the proceeds of some form of unlawful activity, and knowing that such transaction was designed in whole or in part to conceal and disguise the nature, location, source, ownership and control of the proceeds of specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i); and
- b) to knowingly engage and attempt to engage in monetary transactions by, through or to a financial institution affecting interstate and foreign commerce, in criminally derived property of a value of greater than \$10,000, such property having been derived from Wire Fraud, a specified unlawful activity, in violation of Title 18, United States Code, Section 1957.

**C. MANNER AND MEANS OF THE CONSPIRACY**

3. Paragraph 7 of Count One of this Indictment is re-alleged and incorporated by reference as though fully set forth herein as the manner and means of this conspiracy.

**D. OVERT ACTS**

4. In furtherance of the conspiracy and to achieve the purpose thereof, the defendants and their co-conspirators, in the Southern District of Texas and elsewhere, committed and caused to be committed at least one of the following overt acts, among

others:

**914 Main Street (Commerce Towers), Unit 2002, Houston, TX**

1. September 19, 2006, TONY DAVID MALDONADO received \$184,650 wired from Land America Charter Title Company into bank account number XXXXXX3737 of T.M. Enterprises at Washington Mutual Bank.

2. October 5, 2006, TONY DAVID MALDONADO obtained Official Check number 250043129 from Washington Mutual Bank in the amount of \$50,000 at the direction of BUFFY MARIE LAWRENCE. The money for the check was withdrawn from T.M. Enterprises' Washington Mutual Bank account number XXXXXX3737.

3. October 5, 2006, TONY DAVID MALDONADO obtained Official Check number 250043130 from Washington Mutual Bank in the amount of \$50,000 at the direction of BUFFY MARIE LAWRENCE. The money for the check was withdrawn from T.M. Enterprises' Washington Mutual Bank account number XXXXXX3737.

4. October 5, 2006, TONY DAVID MALDONADO obtained Official Check number 250043131 from Washington Mutual Bank in the amount of \$43,000 at the direction of BUFFY MARIE LAWRENCE. The money for the check was withdrawn from T.M. Enterprises' Washington Mutual Bank account number XXXXXX3737.

5. October 19, 2006, BUFFY MARIE LAWRENCE caused Washington Mutual Bank Official Check numbers 250043129 in the amount of \$50,000, 250043130 in the amount of \$50,000 and 250043131 in the amount of \$43,000 to be deposited into Bank of America bank account number XXXXXXXXX0946 in the name of Age to Perfection.

6. October 27, 2006, BUFFY MARIE LAWRENCE deposited check number 1337 from T.M. Enterprises' Washington Mutual Bank account number XXXXXX3737 payable for \$41,000 into her accounts at First Community Credit Union account numbers XXXXXX6402 and XXXXXX4030.

**914 Main Street (Commerce Towers), Unit 905, Houston, TX**

7. October 4, 2006, LISA CAROL ROSS caused Vision Title check number 30-1751 drawn on Bank of America account number XXXXXXXXX4170 in the amount of \$108,295 to be made payable to the seller of 914 Main Street, Unit 905, Houston, Texas.

8. October 4, 2006, LISA CAROL ROSS caused Vision Title check number 30-1751 drawn on Bank of America account number XXXXXXXXX4170 in the amount of \$108,295 payable to the seller of 914 Main Street, Unit 905, Houston, Texas, to be negotiated into cash and \$1,000 denomination money orders.

9. Around October 2006, TONY DAVID MALDONADO provided the buyer of 914 Main Street, Unit 905, Houston, Texas with Western Union Money

Order numbers 08-493668293, 08-493668294, 08-493668295 and 08-493668296 totaling \$4,000.

10. October 12, 2006, WALTER RYAN MACAPAZ caused Western Union Money Order numbers 08-493668332 through 08-493668339 to be deposited into Regions Bank account number XXXXXX6157 in the name of Texas Investments & Management totaling \$8,000.

11. October 17, 2006, WALTER RYAN MACAPAZ caused Western Union Money Order numbers 08-493668312, 08-493668314 and 08-493668315 to be deposited into Regions Bank account number XXXXXX6157 in the name of Texas Investments & Management totaling \$3,000.

**2204 Oxford, Houston, TX**

12. October 27, 2006, LISA CAROL ROSS caused Vision Title check number 30-1795 drawn on Bank of America account number XXXXXXXXXX4170 in the amount of \$144,553.90 to be made payable to the seller of 2204 Oxford, Houston, Texas.

13. October 27, 2006, LISA CAROL ROSS caused Vision Title check number 30-1795 drawn on Bank of America account number XXXXXXXXXX4170 in the amount of \$144,553.90 payable to the seller of 2204 Oxford, Houston, Texas, to be negotiated into cash and \$1,000 denomination money orders.

14. On or around October 27, 2006, WALTER MACAPAZ caused Western



Union Money Order numbers 08-568408877 through 08-568408881, 08-568408887 through 08-568408896, 08-568409055, 08-568409056, 08-568409066 through 08-568409069, 08-568409149, 08-568409154, 08-568409156, 08-568409157, 08-568409163, 08-568409164, 08-568409168 through 08-568409170, 08-568409176 through 08-568409188 and 08-568409294 totaling \$44,000 to be made payable to Texas Investments.

15. On or around October 27, 2006, WALTER MACAPAZ caused Western Union Money Order numbers 08-568409070, 08-568409071, 08-568409171 through 08-568409175, 08-568409189, 08-568409190 and 08-568409193 through 08-568409195 to be made payable to WALTER MACAPAZ.

**505 Bastrop, Unit 506, Houston, TX**

16. During 2006, TONY DAVID MALDONADO recruited the buyer of 505 Bastrop, Unit 506 claiming he would receive \$9,000 following closing.

17. November 3, 2006, LISA CAROL ROSS caused Vision Title check number 30-1826 drawn on Bank of America account numberXXXXXXXXX4170 in the amount of \$84,413.17 to be made payable to the seller of 505 Bastrop, Unit 506, Houston, Texas.

18. November 3, 2006, LISA CAROL ROSS caused Vision Title check number 30-1826 drawn on Bank of America account numberXXXXXXXXX4170 in the amount of \$84,413.17 payable to the seller of 505 Bastrop, Unit 506, Houston,

Texas, to be negotiated into cash and \$1,000 denomination money orders.

**1811 Indiana, Houston, TX**

19. December 29, 2006, WALTER RYAN MACAPAZ caused Heritage Home Builders I Limited Partnership to wire \$121,259.72 into Regions Bank account number XXXXXX4734 in the name of Texas Investments & Management.

**2101 Park Street, Houston, TX**

20. January 12, 2007, WALTER RYAN MACAPAZ caused Heritage Home Builders I Limited Partnership check number 4140 drawn on Compass Bank account number XXXX1798 in the amount of \$119,350 payable to Texas Investments & Management to be deposited into Regions Bank account number XXXXXX4734 in the name of Texas Investments & Management.

In violation of Title 18, United States Code, Section 1956(h).

**A TRUE BILL:**

ORIGINAL SIGNATURE ON FILE

RY

José Angel Moreno  
United States Attorney

By:



JOHN R. LEWIS  
Assistant United States Attorney