

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT
 SUPERSEDING

OFFENSE CHARGED

See attachment

- Petty
- Minor
- Misdemeanor
- Felony

PENALTY: See attachment

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

DEFENDANT - U.S.

FILED

OCT - 2 2014

▶ Anthony Keslinke

DISTRICT COURT NUMBER **RICHARD W. WIEKING**
CR 14-00237 JST CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

INTERNAL REVENUE SERVICE

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

this is a reprosecution of charges previously dismissed which were dismissed on motion of:

U.S. ATTORNEY DEFENSE

SHOW DOCKET NO.

this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person Furnishing Information on this form MELINDA HAAG

U.S. Attorney Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned) AARON D. WEGNER

DEFENDANT

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

- 1) If not detained give date any prior summons was served on above charges
- 2) Is a Fugitive
- 3) Is on Bail or Release from (show District)

Northern District of California

IS IN CUSTODY

- 4) On this charge
- 5) On another conviction } Federal State
- 6) Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer been filed? Yes No

If "Yes" give date filed

DATE OF ARREST **▶** Month/Day/Year
2/10/14

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY **▶** Month/Day/Year

This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

SUMMONS NO PROCESS* WARRANT

Bail Amount: _____

If Summons, complete following:

Arraignment Initial Appearance

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Defendant Address:

Date/Time: 11/21/14 at 9:30 a.m. Before Judge: Donna M. Ryu

Comments:

PENALTY SHEET ATTACHMENT - ANTHONY KESLINKE

COUNT ONE

18 U.S.C. § 1349 – Conspiracy to Commit Bank Fraud

- 30 years prison
- \$1,000,000 fine
- 5 years on supervised release
- \$100 special assessment

COUNTS TWO, THREE, FOUR, and FIVE

18 U.S.C. § 1344 – Bank Fraud

- 30 years prison
- \$1,000,000 fine
- 5 years on supervised release
- \$100 special assessment

COUNT SIX

18 U.S.C. §§ 1343 – Wire Fraud

- 20 years prison
- \$250,000 fine
- 3 years on supervised release
- \$100 special assessment

COUNT SEVEN

18 U.S.C. § 1956(h) – Conspiracy to Launder Monetary Instruments

- 20 years prison
- \$250,000 fine
- 3 years on supervised release
- \$100 special assessment

COUNT EIGHT, NINE, TEN, ELEVEN, AND TWELVE

18 U.S.C. § 1956(a)(3)(B) – Money Laundering

- 20 years prison
- \$250,000 fine
- 3 years on supervised release
- \$100 special assessment

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: Oakland

UNITED STATES OF AMERICA,

CR-14-00237 JST

V.

ANTHONY KESLINKE,

FILED
OCT - 2 2014

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

DEFENDANT.

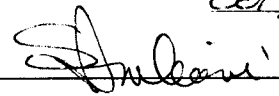
SUPERSEDING INDICTMENT

18 U.S.C. § 1349 – Conspiracy to Commit Bank Fraud;
18 U.S.C. § 1344(1) and (2) – Bank Fraud; 18 U.S.C. § 1343 –
Wire Fraud, 18 U.S.C. § 2 – Aiding and Abetting;
18 U.S.C. § 1956(h) – Conspiracy to Launder Monetary
Instruments; 18 U.S.C. § 1956(a)(3)(B) – Money Laundering;
18 U.S.C. §§ 981(a)(1)(C), 982(a)(1), 982(a)(2), and 2461(c) and
21 U.S.C. § 853 – Criminal Forfeiture

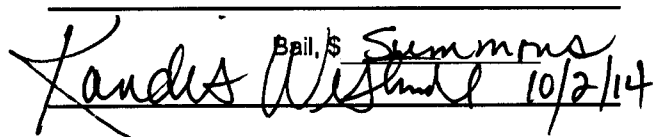
A true bill.



Foreman

Filed in open court this 2nd day of
Oct, 2014


Clerk


Bail, \$ Summons
10/2/14

1 MELINDA HAAG (CABN 132612)
United States Attorney

FILED

OCT - 2 2014

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 OAKLAND DIVISION

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 ANTHONY KESLINKE,

15 Defendant.

No. CR 14-00237 JST

VIOLATIONS: 18 U.S.C. § 1349 –
Conspiracy to Commit Bank Fraud; 18 U.S.C. §
1344(1) and (2) – Bank Fraud; 18 U.S.C. §
1343 – Wire Fraud, 18 U.S.C. § 2 – Aiding and
Abetting; 18 U.S.C. § 1956(h) – Conspiracy
to Launder Monetary Instruments; 18 U.S.C. §
1956(a)(3)(B) – Money Laundering; 18 U.S.C.
§§ 981(a)(1)(C), 982(a)(1), 982(a)(2), and
2461(c) and 21 U.S.C. § 853 – Criminal
Forfeiture

OAKLAND VENUE

18
19
20 SUPERSEDING INDICTMENT

21 The Grand Jury charges:

22 INTRODUCTORY ALLEGATIONS

23 At all times relevant to this Indictment:

24 1. The defendant Anthony KESLINKE was an individual who resided in the Northern
25 District of California. KESLINKE held a salesperson’s license from the California Department of Real
26 Estate.

27 2. KESLINKE owned a parcel of real property located at 87 Panoramic Way, Walnut
28 Creek, California (hereafter referred to as “the Panoramic Way property”). KESLINKE also owned a

SUPERSEDING INDICTMENT

1 parcel of real property located at 951 La Gonda Way, Danville, California (hereafter referred to as “the
2 La Gonda Way property”).

3 3. “Straw Buyer 1” was an individual who resided in the Northern District of California.
4 Straw Buyer 1 worked for KESLINKE in various capacities, including as a general contractor for
5 properties owned by KESLINKE.

6 4. “Straw Buyer 2” was an individual who resided in the Northern District of California.
7 Straw Buyer 2 was introduced to KESLINKE through a relative in the real estate business.

8 5. Wells Fargo Bank (“Wells Fargo”) was a financial institution, as that term is defined in
9 Title 18, United States Code, Section 20(1), the deposits of which were insured by the Federal Deposit
10 Insurance Corporation (“FDIC”). Wells Fargo was the holder of the mortgage on the Panoramic Way
11 property and the La Gonda Way Property.

12 6. Beginning in or about March of 2013, KESLINKE was the listing real estate agent for a
13 parcel of real property located at 9005 N. Lake Blvd., Kings Beach, California (hereafter referred to as
14 “the Lake Blvd. property”).

15 7. Bank of America was the holder of the mortgage on the Lake Blvd. property. Bank of
16 America was a financial institution, as that term is defined in Title 18, United States Code, Section
17 20(1), the deposits of which were insured by the FDIC.

18 8. On or about September 1, 2013, Nationstar Mortgage LLC acquired the mortgage
19 secured by the Lake Blvd. property from Bank of America. Nationstar Mortgage LLC was a financial
20 institution, as that term is defined in Title 18, United States Code, Section 20(10), as it is a “mortgage
21 lending business” as defined in Title 18, United States Code, Section 27.

22 9. A “short sale” is a sale of real estate in which the sale proceeds are less than the balance
23 owed on the mortgage loan pertaining to the property. A short sale often occurs when a borrower cannot
24 pay the mortgage loan on the borrower’s property and the property is worth less than the balance owed
25 on the property’s loan, but the borrower and mortgage holder decide that selling the property at a loss
26 results in a greater return in a shorter period than could be obtained if the property was sold in
27 foreclosure. A short sale must be approved by the mortgage holder. The mortgage holder generally
28 requires that the short sale be an “arm’s length” transaction, meaning that no party to the short sale

1 contract can be a family member, business associate, or a person who shares a business interest with the
2 seller.

3 THE SCHEME TO DEFRAUD

4 10. Beginning on a date unknown, but no later than February of 2011, and continuing until
5 at least March of 2014, in the Northern District of California and elsewhere, the defendant,

6 ANTHONY KESLINKE,

7 and others did knowingly and intentionally devise and participate in a material scheme and artifice to
8 defraud lenders and did knowingly and intentionally obtain money and property from lenders by
9 means of materially false and fraudulent pretenses, representations, promises, and omissions.

10 11. As a part of the scheme to defraud, KESLINKE used straw buyers to purchase real
11 estate throughout Northern California. KESLINKE identified properties, including his own properties,
12 that were potential candidates for a “short sale.” KESLINKE submitted offers to the financial
13 institutions on behalf of straw buyers. KESLINKE submitted fraudulent financial hardship letters
14 from the sellers of the properties to the financial institutions that owned the mortgages. In addition,
15 KESLINKE often altered engineering and pest reports associated with the properties in order to give
16 the appearance to the financial institutions that the properties were worth significantly less than true
17 fair market value. Furthermore, KESLINKE and his personal assistant often altered bank account
18 documents to create the appearance that the straw buyers had sufficient funds to purchase the
19 properties in cash. Once a financial institution accepted a particular property for a short sale,
20 KESLINKE used his own funds to purchase the property in the name of the straw buyer. After a short
21 sale was completed on a particular property, KESLINKE maintained control of the property and often
22 sold the property for a significant financial gain.

23 12. As a further part of the scheme to defraud, in 2011, KESLINKE orchestrated a short
24 sale of both the La Gonda Way property and the Panoramic Way property to straw buyers so that
25 KESLINKE could discharge debt associated with those properties but still retain control of the
26 properties. As a further part of the scheme to defraud, KESLINKE wrote letters to Wells Fargo that
27 contained false information regarding his financial situation and his inability to make loan payments
28 related to the debt associated with the La Gonda Way property and the Panoramic Way property.

1 after the short sale.

2 Short Sale of 87 Panoramic Way

3 17. As a further part of the scheme to defraud, on June 29, 2011, KESLINKE signed under
4 penalty of perjury a Wells Fargo Bank Short Sale Guidelines that stated in part:

- 5 a. The borrower [KESLINKE] is to net \$0.00 (zero) from the sale.
- 6 b. The contract for the sale of the property is an arms length transaction,
7 negotiated between the borrower(s) and the buyer(s) who are unrelated parties,
8 with each party acting in their own self interest. The contract sales price is the
9 fair market value of the property, and has been fairly bargained for and agreed
10 to by and between the parties to the sale contract. The borrower(s) affirmatively
11 states that they are not related to the person(s) named as the buyer(s) in the
12 contract for the sale of the property, by blood, marriage, friendship, commercial
13 enterprise, or in any other manner.

14 18. As a further part of the scheme to defraud, KESLINKE listed the name of a real estate
15 agent for the seller and the name of a real estate agent for the buyer on the residential purchase
16 agreement submitted to Wells Fargo. KESLINKE directed his personal assistant to forge the
17 signatures of the real estate agents on the document.

18 19. On June 30, 2011, Wells Fargo conditionally approved the short sale of the Panoramic
19 Way property from KESLINKE to Straw Buyer 2 for the amount of \$580,000. As a further part of the
20 scheme to defraud, KESLINKE used his own funds to ensure the property closed escrow. As a further
21 part of the scheme to defraud, KESLINKE caused two separate checks totaling \$85,828.80 to be
22 deposited into escrow to fund the short sale of the Panoramic Way property. The first cashier's check,
23 in the amount of \$80,028.80, was drawn on June 29, 2011, from a bank account controlled solely by
24 KESLINKE. The second cashier's check, in the amount of \$5,800, was purchased by KESLINKE
25 from a Fremont Bank branch location on June 29, 2011.

26 20. As a further part of the scheme to defraud, when the short sale of the Panoramic Way
27 property closed, the listed real estate agent for Straw Buyer 2 received two commission checks totaling
28 \$29,000. The real estate agent for Straw Buyer 2 deposited the checks and then wrote a \$29,000 check
to KESLINKE. KESLINKE continued to maintain custody and control of the Panoramic Way
property after the short sale.

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1 Short Sale of 9005 North Lake Blvd.

2 21. As a further part of the scheme to defraud, beginning in approximately March of 2013,
3 KESLINKE and his real estate company, New Strategy Real Estate, represented the sellers of the Lake
4 Blvd. property as it went through the short sale process.

5 22. As a further part of the scheme to defraud and in an attempt to induce Bank of America
6 to accept the property for a short sale, KESLINKE directed his assistant to send letters to Bank of
7 America making false representations regarding the employment and financial status of the sellers.
8 KESLINKE directed his personal assistant to forge the signatures of the owners on the letters.
9 KESLINKE never showed these letters to the sellers of the property.

10 23. As a further part of the scheme to defraud and in an attempt to induce Bank of America
11 to accept the property for a short sale, KESLINKE drafted a residential purchase agreement detailing
12 an offer from Straw Buyer 1 to purchase the Lake Blvd. property for \$142,000. As a further part of
13 the scheme to defraud, the residential purchase agreement dated May 31, 2013, was sent to Bank of
14 America on June 5, 2013.

15 24. As a further part of the scheme to defraud, on August 8, 2013, KESLINKE signed
16 the Bank of America Short Sale Real Estate Licensee Certification that stated in part:

- 17 a. Licensee acknowledges and agrees that Licensee is not engaging in appraisal
18 fraud, flipping (a predatory lending practice whereby a recently acquired
19 property is resold for a considerable profit with an artificially inflated value
within a short period of time, as defined by the Federal Bureau of
Investigation), identity theft, and/or straw buying...
- 20 b. Licensee acknowledges and agrees that he or she has disclosed to Bank of
21 America any known relationship to Buyer or ownership interest in Buyer's
22 company, and Licensee representing Seller further acknowledges that he or she
23 has no existing business relationship with Buyer and/or Seller other than the
purchase of Property according to the terms and conditions of the purchase
contract.

24 25. The mortgage on the Lake Blvd. property was sold to Nationstar Mortgage LLC on or
25 about September 1, 2013. As a further part of the scheme to defraud, on or about November 17, 2013,
26 the Lake Blvd. property was listed for sale on www.auction.com, an online auction site. During the
27 initial two-week viewing period for the property, any prospective bidder would contact KESLINKE or
28 his assistant for more information. As a further part of the scheme to defraud, KESLINKE directed his

1 assistant to respond to potential buyers of the Lake Blvd. property with emails containing inflated cost
2 of repair estimates and other false information about the actual condition of the property.

3 26. As a further part of the scheme to defraud, during the bidding process for the property,
4 KESLINKE created an email account for Straw Buyer 1 and submitted the winning bid to
5 www.auction.com to purchase the Lake Blvd. property for \$191,000. As a further part of the scheme
6 to defraud, KESLINKE directed his assistant to alter one of KESLINKE's bank account statements by
7 changing the account holder information and account balance information. KESLINKE's assistant
8 then altered the bank statement to increase the account balance and made it appear that the account
9 belonged to Straw Buyer 1. As a further part of the scheme to defraud, the altered bank account
10 statement was then submitted to Nationstar Mortgage LLC.

11 27. As a further part of the scheme to defraud, after the bidding process had ended,
12 KESLINKE attempted to negotiate a lower purchase price for the property. As part of that process,
13 KESLINKE directed his assistant to send an email to Specialized Loan Servicing, located in
14 Highlands Ranch, Colorado, which also held a mortgage on the property, containing inflated repair
15 estimates and other false information about the condition of the Lake Blvd. property.

16 28. As a further part of the scheme to defraud, Straw Buyer 1 purchased the Lake Blvd.
17 property for \$191,000 on March 10, 2014. As a further part of the scheme to defraud, KESLINKE
18 caused two separate cashier's checks totaling \$192,527.50 to be deposited into escrow for the short
19 sale. The first cashier's check, in the amount of \$10,027.50, was drawn from a bank account
20 controlled solely by KESLINKE. The second cashier's check, in the amount of \$182,500, was sent
21 from Chicago Title Company at KESLINKE's instruction.

22 COUNT ONE: (18 U.S.C. § 1349 – Conspiracy to Commit Bank Fraud)

23 29. Paragraphs 1 through 28 of this Superseding Indictment are realleged as if fully set forth
24 herein.

25 30. Beginning on a date unknown to the Grand Jury, but no later than on or about February
26 2, 2011, and continuing until on or about at least March 10, 2014, both dates being approximate and
27 inclusive, within the Northern District of California and elsewhere, the defendant,

28 ANTHONY KESLINKE,

1 did knowingly and willfully conspire with other persons known and unknown to the Grand Jury, to
2 commit the crime of bank fraud, in regards to the short sale of properties located throughout the state of
3 California, in violation of Title 18, United States Code, Section 1349.

4 COUNT TWO: (18 U.S.C. § 1344(1) and (2) and § 2 – Bank Fraud; Aiding and Abetting)

5 31. Paragraphs 1 through 28 of this Superseding Indictment are realleged as if fully set forth
6 herein.

7 32. Beginning on a date unknown to the Grand Jury, but no later than on or about February 2,
8 2011, and continuing until on or about at least June 30, 2011, both dates being approximate and
9 inclusive, within the Northern District of California and elsewhere, the defendant,

10 ANTHONY KESLINKE,

11 and others did knowingly execute and attempt to execute a material scheme and artifice (1) to defraud
12 Wells Fargo, a financial institution insured by the FDIC and (2) to obtain any of the moneys, funds,
13 credits, assets, and other property owned by and under the custody and control of Wells Fargo by
14 means of materially false and fraudulent pretenses, representations, and promises, thereby causing
15 Wells Fargo to discharge debt associated with the Panoramic Way property, in violation of Title 18,
16 United States Code, Sections 1344(1) and (2) and 2.

17 COUNT THREE: (18 U.S.C. §§ 1344 and 2 – Bank Fraud; Aiding and Abetting)

18 33. Paragraphs 1 through 28 of this Superseding Indictment are realleged as if fully set forth
19 herein.

20 34. Beginning on a date unknown to the Grand Jury, but no later than on or about April 19,
21 2011, and continuing until on or about at least October 24, 2011, both dates being approximate and
22 inclusive, within the Northern District of California and elsewhere, the defendant,

23 ANTHONY KESLINKE,

24 and others did knowingly execute and attempt to execute a material scheme and artifice (1) to defraud
25 Wells Fargo, a financial institution insured by the FDIC and (2) to obtain any of the moneys, funds,
26 credits, assets, and other property owned by and under the custody and control of Wells Fargo by means
27 of materially false and fraudulent pretenses, representations, and promises, thereby causing Wells Fargo
28 to discharge debt associated with the La Gonda Way property, in violation of Title 18, United States

1 Code, Sections 1344(1) and (2) and 2.

2 COUNT FOUR: (18 U.S.C. § 1344 and 2 – Attempted Bank Fraud; Aiding and Abetting)

3 35. Paragraphs 1 through 28 of this Superseding Indictment are realleged as if fully set forth
4 herein.

5 36. Beginning on a date unknown to the Grand Jury, but no later than on or about March 20,
6 2013, and continuing until on or about at least September 1, 2013, both dates being approximate and
7 inclusive, within the Northern District of California and elsewhere, the defendant,

8 ANTHONY KESLINKE,

9 and others did knowingly attempt to execute a material scheme and artifice (1) to defraud Bank of
10 America, a financial institution insured by FDIC, and (2) to obtain any of the moneys, funds, credits,
11 assets, and other property owned by and under the custody and control of Bank of America by means
12 of materially false and fraudulent pretenses, representations, and promises, thereby attempting to cause
13 Bank of America to discharge debt associated with the North Lake Blvd. property, in violation of Title
14 18, United States Code, Sections 1344(1) and (2) and 2.

15 COUNT FIVE: (18 U.S.C. §§ 1344 and 2 – Bank Fraud; Aiding and Abetting)

16 37. Paragraphs 1 through 28 of this Superseding Indictment are realleged as if fully set forth
17 herein.

18 38. Beginning on a date unknown to the Grand Jury, but no later than on or about September
19 1, 2013, and continuing until on or about at least March 10, 2014, both dates being approximate and
20 inclusive, within the Northern District of California and elsewhere, the defendant,

21 ANTHONY KESLINKE,

22 and others did knowingly execute and attempt to execute a material scheme and artifice (1) to defraud
23 Nationstar Mortgage LLC, a mortgage lending business, and (2) to obtain moneys, funds, credits,
24 assets, and other property owned by and under the custody and control of Nationstar Mortgage LLC
25 by means of material false and fraudulent pretenses, representations, and promises, thereby causing
26 Nationstar Mortgage LLC to discharge debt associated with the Lake Blvd. property, in violation of
27 Title 18, United States Code, Section 1344(1) and (2) and 2.

28 ///

1 COUNT SIX: (18 U.S.C. §§ 1343 & 2 – Wire Fraud; Aiding and Abetting)

2 39. Paragraphs 1 through 28 of this Superseding Indictment are realleged as if fully set forth
3 herein.

4 40. On or about the date set forth below, in the Northern District of California and elsewhere,
5 the defendant,

6 ANTHONY KESLINKE,

7 for the purpose of executing a scheme and artifice to defraud Specialized Loan Servicing LLC as to a
8 material matter, and for obtaining money and property from Specialized Loan Servicing LLC by means
9 of materially false and fraudulent pretenses, representations, promises, and omissions, did knowingly
10 transmit and cause to be transmitted the following wire communication in interstate commerce:

| Date | From | To | Description of Wire Communication |
|---------|-----------------------|---------------------------|---|
| 2/19/14 | Pittsburg, California | Highlands Ranch, Colorado | Email sent to Specialized Loan Servicing LLC by KESLINKE's personal assistant with inflated repair estimates for damages at the Lake Blvd. property |

14 All in violation of Title 18, United States Code, Sections 1343 and 2.

15 COUNT SEVEN: (18 U.S.C. § 1956(h) – Conspiracy to Launder Monetary Instruments)

16 41. Beginning at a time unknown to the Grand Jury, but no later than June 20, 2013, and
17 continuing through and including February 10, 2014, in the Northern District of California, the
18 defendant,
19

20 ANTHONY KESLINKE,

21 did knowingly and intentionally conspire with persons known and unknown to the Grand Jury to
22 conduct and attempt to conduct financial transactions affecting interstate commerce involving property
23 represented by law enforcement to be proceeds of specified unlawful activity and property used to
24 conduct or facilitate specified unlawful activity, with the intent to conceal and disguise the nature, the
25 location, the source, the ownership, and the control of the property, and that while conspiring to conduct
26 and attempt to conduct such financial transactions, believed the property involved in the financial
27 transactions represented the proceeds of some form of unlawful activity, in violation of Title 18, United
28 States Code, Section 1956(h).

1 COUNT EIGHT: (18 U.S.C. § 1956(a)(3)(B) – Money Laundering)

2 42. On or about August 27, 2013, in the Northern District of California, the defendant,
3 ANTHONY KESLINKE,
4 with the intent to conceal and disguise the nature, location, source, ownership, and control of property
5 believed to be the proceeds of specified unlawful activity, did knowingly conduct and attempt to conduct
6 a financial transaction affecting interstate and foreign commerce involving property represented by law
7 enforcement to be proceeds of specified unlawful activity and property used to conduct or facilitate
8 specified unlawful activity, to wit: accepting \$55,000 in U.S. currency in exchange for sending a wire
9 transfer of \$50,000 from a financial institution to an account of an undercover federal agent.

10 All in violation of Title 18, United States Code, Section 1956(a)(3)(B).

11 COUNT NINE: (18 U.S.C. § 1956(a)(3)(B) – Money Laundering)

12 43. On or about September 30, 2013, in the Northern District of California, the defendant,
13 ANTHONY KESLINKE,
14 with the intent to conceal and disguise the nature, location, source, ownership, and control of property
15 believed to be the proceeds of specified unlawful activity, did knowingly conduct and attempt to conduct
16 a financial transaction affecting interstate and foreign commerce involving property represented by law
17 enforcement to be proceeds of specified unlawful activity and property used to conduct or facilitate
18 specified unlawful activity, to wit: accepting \$109,000 in U.S. currency in exchange for sending a wire
19 transfer of \$100,000 from a financial institution to an account of an undercover federal agent.

20 All in violation of Title 18, United States Code, Section 1956(a)(3)(B).

21 COUNT TEN: (18 U.S.C. § 1956(a)(3)(B) – Money Laundering)

22 44. On or about October 25, 2013, and November 1, 2013, in the Northern District of
23 California, the defendant,
24 ANTHONY KESLINKE,
25 with the intent to conceal and disguise the nature, location, source, ownership, and control of property
26 believed to be the proceeds of specified unlawful activity, did knowingly conduct and attempt to conduct
27 a financial transaction affecting interstate and foreign commerce involving property represented by law
28 enforcement to be proceeds of specified unlawful activity and property used to conduct or facilitate

1 specified unlawful activity, to wit: accepting \$108,800 in U.S. currency in exchange for sending two
2 wire transfers totalling \$100,000 from a financial institution to an account of an undercover federal
3 agent.

4 All in violation of Title 18, United States Code, Section 1956(a)(3)(B).

5 COUNT ELEVEN: (18 U.S.C. § 1956(a)(3)(B) – Money Laundering)

6 45. Between December 4, 2013, and December 16, 2013, in the Northern District of
7 California, the defendant,

8 ANTHONY KESLINKE,

9 with the intent to conceal and disguise the nature, location, source, ownership, and control of property
10 believed to be the proceeds of specified unlawful activity, did knowingly conduct and attempt to conduct
11 financial transactions affecting interstate and foreign commerce involving property represented by law
12 enforcement to be proceeds of specified unlawful activity and property used to conduct or facilitate
13 specified unlawful activity, to wit: accepting \$109,000 in U.S. currency in exchange for purchasing 23
14 separate cashier's checks and one money order, cumulatively totalling \$100,000, which were purchased
15 from various financial institutions, and then sent through the United States mail to an address provided
16 by an undercover federal agent.

17 All in violation of Title 18, United States Code, Section 1956(a)(3)(B).

18 COUNT TWELVE: (18 U.S.C. § 1956(a)(3)(B) – Money Laundering)

19 46. On or about February 6, 2014, in the Northern District of California, the defendant,

20 ANTHONY KESLINKE,

21 with the intent to conceal and disguise the nature, location, source, ownership, and control of property
22 believed to be the proceeds of specified unlawful activity, did knowingly conduct and attempt to conduct
23 financial transactions affecting interstate and foreign commerce involving property represented by law
24 enforcement to be proceeds of specified unlawful activity and property used to conduct or facilitate
25 specified unlawful activity, to wit: accepting \$218,000 in U.S. currency in exchange for sending a wire
26 transfer of \$200,000 from a financial institution to an account of an undercover federal agent.

27 All in violation of Title 18, United States Code, Section 1956(a)(3)(B).

28 ///

1 FORFEITURE ALLEGATION: (18 U.S.C. §§ 981(a)(1)(C), 982(a)(1), 982(a)(2), and 28 U.S.C.
2 § 2461)

3 47. The allegations contained in Counts One through Twelve of this Superseding Indictment
4 are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to
5 Title 18, United States Code, Sections 981(a)(1)(C), 982(a)(1), 982(a)(2), and 28 U.S.C. § 2461.

6 48. Upon a conviction for any of the offenses alleged in Counts One through Five, the
7 defendant,

8 ANTHONY KESLINKE,

9 shall forfeit to the United States of America any property, real or personal, which constitutes or is
10 derived from proceeds traceable to such offense. The property to be forfeited includes, but is not limited
11 to, the following:

- 12 a. The real property and improvements located at 951 La Gonda Way, Danville, CA
13 94526, Assessor's Parcel Number ("APN") 197-210-0034;
- 14 b. The real property and improvements located at 87 Panoramic Way, Walnut Creek,
15 CA, APN 184-311-031; and
- 16 c. The real property and improvements located at 9005 North Lake Boulevard,
17 Kings Beach, CA 96143, APN 090-232-016-000;
- 18 d. The real property and improvements located at 21650 State Highway #140,
19 Stevinson, CA 95374
- 20 e. The real property and improvements located at 1907 Cavallo Road, Antioch, CA
21 94509
- 22 f. The real property and improvements located at 2121 L Street, Antioch, CA 94509
- 23 g. The real property and improvements located at 1178 Kulow Street, South Lake
24 Tahoe, CA 96150
25 hereafter the "defendant real properties."

26 49. Upon a conviction for any of the offenses alleged in Count Six, the defendant,

27 ANTHONY KESLINKE,

28 shall forfeit to the United States of America any property, real or personal, which constitutes or is

1 derived from proceeds traceable to such offense. The property to be forfeited includes, but is not limited
2 to: the real property and improvements located at 9005 North Lake Boulevard, Kings Beach, CA 96143,
3 APN 090-232-016-000.

4 50. Upon a conviction for any of the offenses alleged in Counts Seven through Twelve, the
5 defendant,

6 ANTHONY KESLINKE,

7 shall forfeit to the United States of America any property, real or personal, involved in such offense, and
8 any property traceable to such property. The property to be forfeited includes, but is not limited to:

- 9 a. \$55,585.95 seized from Fremont Bank account number 12XXX174 on February
10 10, 2014;
- 11 b. \$9,677.14 seized from Fremont Bank account number 12XXX206 on February
12 10, 2014;
- 13 c. \$1,333,254.79 seized from Merrill Lynch account number 29F-XXX494 on
14 February 10, 2014, plus accrued interest;
- 15 d. \$323,910.00 in United States currency seized from 951 La Gonda Way, Danville,
16 California, on February 10, 2014;
- 17 e. 500 American Silver Eagle coins seized from 951 La Gonda Way, Danville,
18 California, on February 10, 2014; and
- 19 f. One Tiffany diamond solitaire ring seized from 951 La Gonda Way, Danville,
20 California, on February 10, 2014 (collectively the "subject property")

21 51. If, as a result of any act or omission of the defendants, any of said property

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

28 the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21,
United States Code, Section 853(p), as incorporated by 18 U.S.C. § 982(b)(1) and 28 U.S.C. § 2461(c).

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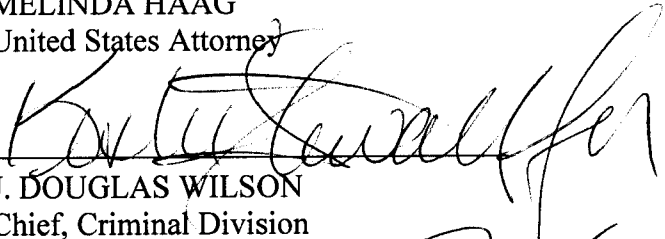
1 All pursuant to 18 U.S.C. § 981(a)(1)(C), 982(a)(1), 982(a)(2); 21 U.S.C. § 853; 28 U.S.C
2 § 2461(c), and Rule 32.2 of the Federal Rules of Criminal Procedure.

3 DATED: Oct 2, 2014

A TRUE BILL.

4
5 
6 FOREPERSON

7 MELINDA HAAG
8 United States Attorney

9 
10 J. DOUGLAS WILSON
11 Chief, Criminal Division

12 (Approved as to form: 
13 AUSA AARON D. WEGNER