

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
RECEIVED LAFAYETTE

MAR 11 2016

TONY R. MOORE, CLERK
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

UNITED STATES OF AMERICA

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CRIMINAL NO. 16 CR00053-01
18 U.S.C. § 1341
18 U.S.C. § 1343

VERSUS

JUDGE
JUDGE WALTER

EDWIN ZAVALA, JR.

MAGISTRATE JUDGE

INDICTMENT

MAGISTRATE JUDGE HANNA

THE GRAND JURY CHARGES:

COUNTS 1-4
Mail Fraud
18 U.S.C. § 1341

At all times material to this Indictment:

1. The defendant, EDWIN ZAVALA, Jr., was a resident of Lafayette, Louisiana.
2. The United States Immigration and Customs Enforcement agency ("ICE"), a component of the United States Department of Homeland Security ("DHS"), was responsible for, among other things, the detention and removal of aliens and other removable individuals apprehended in the interior of the United States.
3. In connection with its mission, ICE maintained detention centers throughout the United States into which detained aliens were placed pending formal immigration proceedings or deportation.

4. In order to positively identify each person detained by ICE and stay apprised of the identity and status of each individual in its custody, each ICE detainee was assigned Alien Registration Number ("A-File Number"), and such number was maintained in the records of DHS.

5. Beginning on or before November 12, 2014, and continuing until in or around February 1, 2016, EDWIN ZAVALA, JR., was the owner and chief operator of one or more business entities that purported to offer assistance to individuals detained by ICE. These business entities included, among others, United Immigration Consulting, LLC ("UIC"), also known as National Immigration Services.

6. UIC was a Louisiana limited liability company, formed on or about November 12, 2014, with a registered address of 100 Belle Fontaine Drive, Apartment 146, Lafayette, Louisiana 70506, C/O, EDWIN ZAVALA, JR.

7. UIC and/or EDWIN ZAVALA, JR., as an individual, maintained two or more bank accounts at IberiaBank (the "Iberia Accounts") into which the proceeds from the activities of UIC were deposited. The monies deposited into the Iberia Accounts were then used for the benefit of EDWIN ZAVALA, JR.

8. At no time material to this Indictment was EDWIN ZAVALA, JR. a licensed attorney or legal representative permitted to practice immigration law either in the State of Louisiana or elsewhere.

THE SCHEME AND ARTIFICE TO DEFRAUD

9. Beginning on or before November 12, 2014, and continuing through on or about February 1, 2016, in the Western District of Louisiana and elsewhere, the defendant, EDWIN ZAVALA, JR., did knowingly and unlawfully devise and intend to devise a scheme and artifice to defraud and to obtain money from ICE detainees and the families and friends of ICE detainees by means of false and fraudulent pretenses, representations, and promises. In execution of the scheme and artifice to defraud, the defendant, EDWIN ZAVALA, JR., individually and utilizing UIC, did knowingly place and cause to be placed, in an authorized depository for mail matter, mail matter for the purpose of executing and attempting to execute his scheme and artifice to defraud in violation of 18 U.S.C. § 1341. The scheme and artifice to defraud was as follows:

10. The defendant, EDWIN ZAVALA, JR., would obtain the personal information of illegal aliens who had recently been detained by Immigration and Customs Enforcement, including their A-File numbers, full names, and the names and locations of the detention centers where they were being held, from persons and places undisclosed in this Indictment.

11. Upon receiving the personal information of the recently detained aliens, EDWIN ZAVALA, JR., would address and mail letters to them, in the Spanish language, stating words to the effect of:

Mr./Mrs.,

We are a company that helps with any immigration issue. We can help you in these difficult moments.

We know that being away from you family and with anyone to help in your case can be hard. Being detained with Immigration is not something easy either. There are a lot of rules, and without knowing, you could be signing away your rights. (We are not going to let them take advantage of you).

Here at United Immigration Consulting we fight for you. We are not going to allow Immigration or the Government to do what they please with you. The immigration process can be a lengthy process and full of confusion. We can expedite the process and make it easier for you.

We have a lot of experience in immigration issues. We triumph at every obstacle that we encounter. If you allow us, we can do whatever needs to be done for you. We hope to win another immigration case with you. We have to teach the United States that Hispanics deserve to have opportunities in this country. You and everyone else that has been detained came to this country for a better life, not to be detained. Do not wait too long because a lot of times Immigration can keep you detained for several months or years.

And remember we are here for you and all the Hispanics every step of the way.

12. It was further part of the scheme and artifice to defraud that EDWIN ZAVALA, JR., would include "United Immigration Consulting, LLC" business cards in each envelope that was mailed—listing the defendant's address as UIC's address and the defendant's phone number as UIC's phone number.

13. It further was part of the scheme and artifice to defraud that, when contacted by ICE detainees or their friends and family members, EDWIN ZAVALA, JR., falsely and fraudulently represented that he (or, alternatively, unnamed others at UIC) was an immigration consultant who could, without limitation, represent the detainees at deportation proceedings, assist them in obtaining work permits, assist them in "bonding out" of detention facilities, and otherwise represent their interests in

immigration-related matters.

14. It was further part of the scheme and artifice to defraud that the defendant, EDWIN ZAVALA, JR., would solicit fees from ICE detainees or their friends and family members ranging from approximately \$400 to \$10,000 in exchange for UIC's services. He would then instruct ICE detainees or their friends and family members to wire monies directly to his Iberia Accounts, or to transfer the agreed-upon sum to him in cash via Western Union or MoneyGram.

15. It was further part of the scheme and artifice to defraud that the defendant, EDWIN ZAVALA, JR., would go to MoneyGram and Western Union retail outlets to collect the monies sent to him via Western Union and MoneyGram and use the money for his own purposes.

16. It was further part of the scheme and artifice to defraud that the defendant, EDWIN ZAVALA, JR., would fail to keep the promises made to the persons sending him money or the ICE detainees whom he purported to represent. Instead, EDWIN ZAVALA, JR., would fail to appear at the detainees immigration court appearances and then cease all communication with the detainees and their family and friends.

17. It was further part of the scheme and artifice to defraud that the defendant, EDWIN ZAVALA, JR., wrongfully obtained a cumulative amount of over \$40,000 from 40 or more ICE detainees and their family or friends.

THE CHARGES

18. On or about the dates listed below, in the Western District of Louisiana and elsewhere, the defendant, EDWIN ZAVALA, JR., having devised and intending to devise a scheme and artifice to defraud and to obtain money as described above by means of false and fraudulent pretenses, representations, and promises, and for the purposes of executing and attempting to execute the above described scheme and artifice to defraud, did knowingly place and cause to be placed, in an authorized depository for mail matter, to be sent and delivered by the Postal Service, the following matter:

<u>COUNT</u>	<u>DATE</u>	<u>DESCRIPTION</u>
1	October 9, 2015	Solicitation letter mailed to R.G.M. at Northwest Detention Center, 1623 E J Street, Suite 2, Tacoma, Washington 98421
2	June 29, 2015	Solicitation letter mailed to V.A.A.C. at South Texas Detention Facility, 566 Veterans Drive, Pearsall, Texas 78061
3	January 19, 2016	Solicitation letter mailed to P.D.M.B. at Elizabeth Contract Detention Facility, 625 Evans Street, Elizabeth, New Jersey 07201
4	January 25, 2016	Solicitation letter mailed to P.M.L.C. at Seneca County Jail, 3040 South State Route 100, Tiffin, Ohio 44883

all in violation of Title 18, United States Code, Section 1341. [18 U.S.C. § 1341].

COUNTS 5-8
Wire Fraud
18 U.S.C. § 1343

19. The Grand Jury adopts and incorporates by reference the allegations contained in Paragraphs 1-18 of this Indictment for all purposes.

20. On or about the dates listed below, in the Western District of Louisiana and elsewhere, the defendant, EDWIN ZAVALA, JR., having devised and intending to devise a scheme and artifice to defraud and to obtain money as described above by means of false and fraudulent pretenses, representations, and promises, and for the purposes of executing and attempting to execute the above described scheme and artifice to defraud, did knowingly utilize and cause others to utilize interstate wire communication facilities, including MoneyGram and Western Union money transfer services and inter-bank wire transfers, to send and receive monies representing the proceeds of the scheme to defraud, each transmission constituting a separate count:

<u>COUNT</u>	<u>DATE</u>	<u>DESCRIPTION</u>
5	April 2, 2015	Interstate wire transfer of \$750 from J.F. in Mount Pleasant, Texas to UIC's IberiaBank account in Lafayette, Louisiana, as a payment for EDWIN ZAVALA, JR.'s promised representation of his wife, R.M.A., in her immigration proceedings, all in furtherance of the defendant's scheme and artifice to defraud.
6	April 9, 2015	Interstate wire transfer of \$2,250 from M.A.V. in San Bernardino, California to UIC's IberiaBank account in Lafayette, Louisiana, as a payment for EDWIN ZAVALA, JR.'s promised representation of his sister, M.A.N., and her children in their immigration

proceedings, all in furtherance of the defendant's scheme and artifice to defraud.

7 April 13, 2015 Interstate MoneyGram wire transfer of \$750 from M.F.A. in Lake Dallas, Texas to the defendant, EDWIN ZAVALA, JR. in Lafayette, Louisiana as a payment for EDWIN ZAVALA, JR.'s promised representation of her brother-in-law, G.C.G., in his immigration proceedings, in furtherance of the defendant's scheme and artifice to defraud.

8 June 15, 2015 Interstate Western Union wire transfer of \$750 from O.L. in College Station, Texas to the defendant, EDWIN ZAVALA, JR. in Lafayette, Louisiana as a payment for EDWIN ZAVALA, JR.'s promised representation of his brother, J.C.L.G., in his immigration proceedings, in furtherance of the defendant's scheme and artifice to defraud.

all in violation of Title 18, United States Code, Section 1343. [18 U.S.C. § 1343].

A TRUE BILL:

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STEPHANIE A. FINLEY
United States Attorney



DAVID C. JOSEPH, LA Bar: 28634
Assistant United States Attorney
800 Lafayette Street, Suite 2200
Lafayette, LA 70501
Telephone: (337) 262-6618