
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Michael A. Hammer
: :
v. : Mag. No. 16-4028 (MAH)
: :
MAHMOUD ODETALLAH : **CRIMINAL COMPLAINT**
(a/k/a "Mike") : :
: **FILED UNDER SEAL**
:

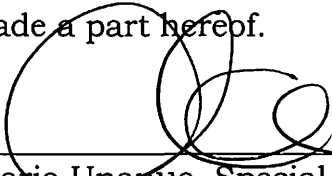
I, Maria Unanue, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

SEE ATTACHMENT A

I further state that I am a Special Agent with the Federal Bureau of Investigation, and that this Complaint is based on the following facts:

SEE ATTACHMENT B

continued on the attached pages and made a part hereof.



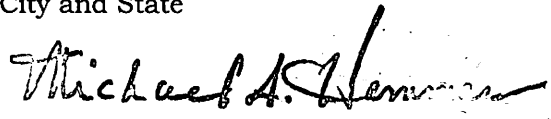
Maria Unanue, Special Agent
Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,

March 28, 2016
Date

at Newark, New Jersey
City and State

Honorable Michael A. Hammer
United States Magistrate Judge
Name and Title of Judicial Officer



Signature of Judicial Officer

ATTACHMENT A

Count One
(Wire Fraud)

From in or about August 2015 to on or about February 6, 2016, in the District of New Jersey and elsewhere, defendant

MAHMOUD ODETALLAH, a/k/a "Mike,"

did knowingly and intentionally 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, and, for the purpose of executing and attempting to execute such scheme and artifice, did transmit and cause to be transmitted by means of wire communications in interstate and foreign commerce, certain writings, signs, signals, pictures, and sounds.

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

FORFEITURE ALLEGATIONS

1. The allegations contained in this Complaint are incorporated by reference as though set forth in full herein for the purpose of noticing forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461.

2. The United States hereby gives notice to defendant MAHMOUD ODETALLAH, a/k/a "Mike," that, upon conviction of the offense charged in this Complaint, the United States will seek forfeiture in accordance with Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461, of any and all property, real or personal, that constitutes or is derived from proceeds traceable to the violation of Title 18, United States Code, Section 1343, as alleged in this Complaint.

3. If by any act or omission of defendant ODETALLAH, any of the property subject to forfeiture described herein:

- 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 divided without difficulty,

the United States will be entitled to forfeiture of substitute property up to the value of the property described above, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

ATTACHMENT B

I, Maria Unanue, a Special Agent with the Federal Bureau of Investigation ("FBI"), having conducted an investigation and discussed this matter with other law enforcement officers who have participated in this investigation, have knowledge of the following facts. Because this Complaint is being submitted for the limited purpose of establishing probable cause, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts which I believe are necessary to establish probable cause. Unless specifically indicated, all conversations and statements described in this affidavit are related in substance and in part. In addition, the events described in this affidavit occurred on or about the dates provided herein.

Background

1. At all times relevant to this Complaint, unless otherwise indicated:
 - a. Defendant MAHMOUD ODETALLAH (a/k/a "Mike") ("ODETALLAH"), a resident of the Bronx, New York, identified himself as a State of New Jersey Motor Vehicle Commission ("MVC") employee purportedly working at the MVC facility located in North Bergen, New Jersey (the "North Bergen MVC"). The MVC was the state agency authorized to issue New Jersey driver's licenses to qualified applicants.
 - b. A commercial driver's license ("CDL") was a driver's license required to operate large or heavy vehicles such as tow trucks, tractor trailers, and buses. The Commercial Motor Vehicle Safety Act of 1986 required all states, including the State of New Jersey, to implement the same commercial driver licensing system in order to improve commercial driver quality, remove problematic drivers from the roads, and promote public safety. Drivers were required to pass standard written knowledge and road tests to ensure that they possessed the advanced skills and knowledge required to operate a commercial vehicle.
 - c. A regular or basic driver's license ("Basic DL") was required to drive a car or other light weight vehicle. Basic DL applicants were also subject to knowledge and road tests, though the standards were less rigorous than those required of CDL applicants.
 - d. In order for a new driver to obtain a basic or commercial New Jersey driver's license, applicants were required to satisfy a 6 Point ID Verification requirement by providing: (i) at least one primary identification document such as a U.S. passport or a birth certificate (4 points); (ii) at least one secondary identification document such as a bank statement or record (1 point); (iii) a verifiable social security number such as that shown on a social

security card (1 point); and (iv) proof of address such as a utility or credit card bill that was less than 90 days old.

e. Craigslist Inc. ("Craigslist") was an online classified advertisements business headquartered in California. Craigslist customers used Internet connected computers to place classified advertisements on the Craigslist website, www.craigslist.com. Each advertisement placed by a customer was assigned a unique identification number by Craigslist.

Overview of the Scheme to Defraud

2. As set forth in more detail below, there is probable cause to believe that defendant ODETALLAH engaged in a scheme to defraud, facilitated by use of interstate wire transmissions, in which he purported to sell authentic commercial driver's licenses in one or more publicly available advertisements on the online classifieds website, Craigslist, and accepted \$1,000 in cash from an individual cooperating with the FBI (the "CW") for the purchase of a commercial driver's license.

The Scheme to Defraud

The Craigslist Advertisements

3. On or about October 11, 2015, in the section of Craigslist designated for online classifieds related to the sale of cars and trucks by owners in northern New Jersey, defendant ODETALLAH posted or caused the posting of an online advertisement on the Craigslist website (the "October Craigslist Ad") that offered to sell commercial driver's licenses ("CDL[s]") for \$600. More specifically, the advertisement stated:

**DRIVER LICENSE. class D 600\$ CDL A
class M- \$600 (life suspensions)**

Call mike 732 [XXX XXXX] Get your drivers license no road test no paper test. YES REAL LICENSE FROM MOTOR VEHICLE YES WE MEET IN PERSON AT DMV. Need copy of I'd [sic] or copy of passport and proof of address.

4. The October Craigslist Ad's promise to "Get your drivers license no road test no paper test" by paying \$600 and supplying a copy of one's identification or passport and proof of address was in conflict with the requirements necessary for legitimately acquiring a driver's license from the MVC. The Ad's representation, "Yes real license from motor vehicle yes we meet in person at mvc," implied that the fraudulently purchased driver's license would be authentic in appearance and produced by "Mike," i.e., defendant ODETALLAH, a purported employee of the MVC or purportedly affiliated with an employee of the MVC.

5. The October Craigslist Ad was substantially similar to numerous other Craigslist advertisements posted between at least as early as in or about August 2015 and as late as in or about January 2016. These Craigslist advertisements generally instructed users interested in purchasing a driver's license to contact "mike" at the 732 phone number listed in the October Craigslist Ad, or a "steve" at a 718 phone number.

The November 17, 2015 Recorded Call

6. On or about November 17, 2015, the CW, acting under the supervision of the FBI, responded to the October Craigslist Ad by calling defendant ODETALLAH at the telephone number listed for "Mike" in the advertisement (the "November 17th Call"). The CW placed the telephone call from New Jersey and, according to a review of cellular telephone cell-site records, defendant ODETALLAH accepted the call from New York.

7. At the beginning of the call, which was consensually recorded by the CW, the CW stated: "Mike . . . I need, uh, the favor . . . for the ad that you have on Craigslist . . . How can we do it?" Defendant ODETALLAH explained, in response: "I work in Motor Vehicles."

8. When asked by the CW, "What documents do you need?" defendant ODETALLAH replied:

a. "You need a copy of the ID, copy of the social [security card], proof of address, and the cash." The CW asked whether a passport could qualify as the "copy of the ID," which defendant ODETALLAH affirmed, explaining that a copy of the passport would suffice, as well as two passport-sized pictures.

b. If the CW did not have a "social," i.e., a social security card, defendant ODETALLAH stated that a regular driver's license would cost \$800 in cash.

c. In terms of the proof of address, defendant ODETALLAH noted that "anything mailed to you in the last 90 days" would satisfy the proof of address requirement.

9. Defendant ODETALLAH also affirmed that he would be willing to sell multiple driver's licenses to the CW for distribution to the CW's friends, explaining, "If you have four or five guys, I'll give you a little bit of a discount on it . . . maybe, a \$100 off for each one . . . and yes, you can bring their information and their cash in separate envelopes[.]"

10. With respect to a CDL, defendant ODETALLAH explained that a CDL would cost \$800 if the CW had a social security number and normally

\$1,000 without a social security card, but that defendant ODETALLAH would “take care of” the CW for “9,” i.e., \$900.

11. During the call, defendant ODETALLAH also explained to the CW that it would take only approximately forty-five minutes for defendant ODETALLAH to produce the purchased driver’s licenses. Defendant ODETALLAH claimed that “[he] worked in the Motor Vehicles . . . [he] gotta sneak out and meet [the CW] outside, across the street, in the parking lot.” When the CW asked defendant ODETALLAH which specific MVC facility to report to in order to meet with him, defendant ODETALLAH instructed the CW to go to “North Bergen,” stating, “I’ll text [the address] to you when you are ready. Call me one day before, and I’ll take care of it.”

The January 12, 2016 Recorded Calls

12. In accordance with defendant ODETALLAH’s explicit instructions during the November 17th Call, the CW called defendant ODETALLAH on or about January 12, 2016 to arrange a meeting, for the following day, for the purchase of a CDL with no social security number for \$1,000. During the call, which was consensually recorded by the CW, the CW stated, “Do you remember me? Listen, you told me to call [you] one day in advance. Now, I got all the money ready, the documents, everything, okay?” Defendant ODETALLAH immediately responded: “No problem, buddy! So you ready to come over?” The CW stated, “Yes, do you think I can be there tomorrow?” Defendant ODETALLAH confirmed that they could meet the following day, and he and the CW discussed the items that the CW would need to bring to the meeting: two passport pictures, two copies of proof of address, and a copy of the CW’s passport. The CW expressed the desire to purchase a CDL, which defendant ODETALLAH confirmed would cost \$1,000 without a social security number.

13. Defendant ODETALLAH claimed that he was located in North Bergen, New Jersey and that everything would have to be in an envelope—the cash, the copies, the pictures—and that the CW would have to be “very discrete.” Defendant ODETALLAH promised that the process would take approximately half an hour or forty-five minutes, and that the CW would get the license the same day.

14. Defendant ODETALLAH further instructed the CW to call him at 11:15 the next morning and to send a picture of the CW’s passport to defendant ODETALLAH ahead of time, so that defendant ODETALLAH “can start the process, that way when [the CW] come down here, it only takes like thirty minutes, forty-five minutes, not an hour-and-a-half, two hours[.]”

15. That evening, on January 12, 2016, the CW consensually recorded a second call with defendant ODETALLAH at the behest of the FBI. After

confirming that the CW would meet with him the following day, defendant ODETALLAH instructed the CW “to call him [at] 11 o’clock . . . [he’d] make the appointment for 12 o’clock for [the CW].” Defendant ODETALLAH also stated: “Now you know you have to bring everything in an envelope . . . I told you it’s \$800 in cash.” In response, the CW, acting at the direction of the FBI, noted that he would be purchasing a CDL without a social security card, which defendant ODETALLAH affirmed would cost \$1,000. Defendant ODETALLAH warned the CW: “Count the money two times, because if you make a mistake, I gotta go inside Motor Vehicle, come back outside, go back in, come back outside to give you the license, too much hassle, too much headache, make sure you count the money two times, and make sure you don’t forget the proof of address.” Although defendant ODETALLAH indicated that he would be going inside the MVC to procure the license for the CW, it should be noted that, according to the MVC’s website, the North Bergen MVC facility had been closed since December 10, 2015 and would not reopen for business until January 16, 2016.

16. After receiving an assurance from the CW that the requisite cash and documents would be provided, defendant ODETALLAH promised that “it would take 45 minutes to one hour for [the CW] to get the license after [the CW] pay[s].”

The January 13, 2016 Video Recorded Meeting

17. The day of the planned meeting, on January 13, 2016, the CW, acting at the direction of the FBI, sent a photograph of his purported passport under an assumed name to defendant ODETALLAH, via text message. The CW then arranged to meet with defendant ODETALLAH at a coffee shop (the “Coffee Shop”) in the vicinity of the North Bergen MVC facility, where FBI agents were conducting surveillance of the meeting from another table. The meeting was consensually video recorded by the CW.

18. When he arrived at the Coffee Shop, defendant ODETALLAH directed the CW to follow him to the back of the establishment, explaining that “[his] supervisor is very nosy.” There, the CW handed defendant ODETALLAH \$500 of the \$1,000 cash payment, as instructed to do so by the FBI. Defendant ODETALLAH grew angry by the shorting in cash, stating that he had told the CW “to be ready, be ready, . . . because of his supervisor, [he] was going to lose his job over this” Defendant ODETALLAH stated that he “had to go back inside” to the “DMV” [Department of Motor Vehicles] and that he had one more customer who had called already and that the CW was wasting his time. Defendant ODETALLAH made clear that he wanted the full \$1,000 cash payment now. The CW complied, providing the full \$1,000 in cash to defendant ODETALLAH, along with color copies of the CW’s purported passport. Defendant ODETALLAH then warned the CW, stating, “Next time . . . be ready; if I tell you forty-five minutes; it will be forty-five minutes, I’m not

going to take four hours.” Defendant ODETALLAH continued, stating, “If my supervisor comes to you, say you don’t know me. . . .”

19. Defendant ODETALLAH hurriedly exited the Coffee Shop with the \$1,000 in cash, speaking on his cellular telephone as he left. The CW waited for defendant ODETALLAH to return to the Coffee Shop with the driver’s license, but he never returned, notwithstanding calls that the CW made to defendant ODETALLAH.

The February 6, 2016 Text Message Communications

20. After defrauding the CW of \$1,000, defendant ODETALLAH began harassing the CW for the payment of an additional \$1,000 to acquire the promised CDL. On or about February 6, 2016, defendant ODETALLAH sent a text message to the CW that contained an image of the CW’s purported passport identification page, which displayed, among other things, the CW’s photograph and the CW’s assumed name. Defendant ODETALLAH then sent a text message to the CW stating, in substance and in part, “Now you must pay 1000\$ [sic] again. Good luck[.]”