

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

BY:  INFORMATION  INDICTMENT

Matter Sealed:  Juvenile  Other than Juvenile

- Pre-Indictment Plea  Superseding  Defendant Added  
 Indictment  Charges/Counts Added  
 Information

Name of District Court, and/or Judge/Magistrate Location (City)

UNITED STATES DISTRICT COURT San Francisco  
 DISTRICT OF Northern California Divisional Office

Name and Office of Person MELINDA HAAG  
 Furnishing Information on  U.S. Atty  Other U.S. Agency  
 THIS FORM Phone No. \_\_\_\_\_

Name of Asst. U.S. Attorney Robert S. Leach  
 (if assigned)

PROCEEDING

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

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

this person/proceeding 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. Atty  Defense

this prosecution relates to a  
 pending case involving this same  
 defendant. (Notice of Related  
 Case must still be filed with the  
 Clerk.)

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

SHOW  
 DOCKET NO.

MAG. JUDGE  
 CASE NO.

Place of offense \_\_\_\_\_ County \_\_\_\_\_

CASE NO. FILED CR 13 444  
 2013 USA vs P 3:30  
 Defendant: Adorean Boleancu  
 CLERK, U.S. DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

Address: \_\_\_\_\_

RS

Interpreter Required Dialect: \_\_\_\_\_

Birth Date \_\_\_\_\_  Male  Alien  
 Female (if applicable)

Social Security Number \_\_\_\_\_

DEFENDANT

Issue:  Warrant  Summons

Location Status:

Arrest Date \_\_\_\_\_ or Date Transferred to Federal Custody \_\_\_\_\_

Currently in Federal Custody

Currently in State Custody

Writ Required

Currently on bond

Fugitive

Defense Counsel (if any): \_\_\_\_\_

FPD  CJA  RET'D

Appointed on Target Letter

This report amends AO 257 previously submitted

OFFENSE CHARGED - U.S.C. CITATION - STATUTORY MAXIMUM PENALTIES - ADDITIONAL INFORMATION OR COMMENTS

Total # of Counts 27

Set	Title & Section/Offense Level (Petty = 1 / Misdemeanor = 3 / Felony = 4)	Description of Offense Charged	Count(s)
	PLEASE SEE ATTACHED FOR		
	PENALTIES		

PENALTY SHEET ATTACHMENT

Counts One Through Fourteen:

18 U.S.C. § 1344 – Bank Fraud

Maximum Penalties: 30 years imprisonment  
\$1,000,000 fine  
5 years supervised release (18 U.S.C. §§ 3583(b)(1) & 3559(a)(2))  
\$100 special assessment (18 U.S.C. § 3013)

Counts Fifteen Through Eighteen:

18 U.S.C. § 1343 – Wire Fraud

Maximum Penalties: 30 years imprisonment  
\$1,000,000 fine  
5 years supervised release (18 U.S.C. §§ 3583(b)(1) & 3559(a)(2))  
\$100 special assessment (18 U.S.C. § 3013)

Counts Nineteen Through Twenty-Three:

18 U.S.C. § 1957 – Money Laundering

Maximum Penalties: 10 years imprisonment  
\$250,000 fine or not more than twice the amount of the criminally  
derived property involved in the transaction (18 U.S.C. § 3571)  
3 years supervised release (18 U.S.C. §§ 3583(b)(2) & 3559(a)(3))  
\$100 special assessment (18 U.S.C. § 3013)

Counts Twenty-Four Through Twenty-Seven:

18 U.S.C. § 1028A – Aggravated Identity Theft

Maximum Penalties: 2 years imprisonment (in addition to punishment provided for  
underlying felony)  
\$250,000 fine (18 U.S.C. § 3571)  
1 year supervised release (18 U.S.C. §§ 3583(b)(3) & 3559(a)(5))  
\$100 special assessment (18 U.S.C. § 3013)

1 MELINDA HAAG (CABN 132612)  
United States Attorney

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

UNDERSEAL

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ADOREAN BOLEANCU,

Defendant.

CR 13 444

) VIOLATIONS: 18 U.S.C. § 1344 – Bank  
) Fraud; 18 U.S.C. § 1343 – Wire Fraud; 18  
) U.S.C. § 1957 – Money Laundering; 18  
) U.S.C. § 1028A – Aggravated Identity Theft;  
) Criminal Forfeiture – 18 U.S.C. §§  
) 981(a)(1)(C) & 982(a)(1) & 28 U.S.C. §  
) 2461(c)  
)  
) SAN FRANCISCO VENUE

INDICTMENT

The Grand Jury charges:

Introductory Allegations

At all times relevant to this Indictment:

1. From in or about July 2004 to in or about February 2008, the defendant, ADOREAN BOLEANCU, worked for Morgan Stanley & Co., Inc. (“Morgan Stanley”) and a predecessor firm in San Francisco, California, as Vice President, Financial Advisor, and in another position. Morgan Stanley was a broker-dealer registered with the Securities and Exchange Commission (“SEC”).
2. From in or about February 2008 to in or about December 2011, BOLEANCU worked as Vice President, Senior Financial Consultant in the Wealth Management Group of Wells Fargo Advisors,

INDICTMENT

1 LLC, and its predecessor, Wells Fargo Investments, LLC (collectively, "WFA") in San Francisco,  
2 California. WFA was also a broker-dealer registered with the SEC.

3 3. BOLEANCU was a registered representative with the Financial Industry Regulatory  
4 Authority ("FINRA"). BOLEANCU held Series 7 (General Securities Representative), Series 31  
5 (Futures Managed Funds Exam), and Series 66 (Uniform Combined State Law Exam) securities  
6 licenses.

7 4. From in or about June 2007 through in or about November 2011, D.T. was a client of  
8 BOLEANCU, first at Morgan Stanley and then at WFA. D.T. was widowed in or about September 2006  
9 and was approximately 77 years old when she became a client of BOLEANCU.

10 5. In or about June 2007, BOLEANCU caused D.T. to open a securities brokerage account  
11 with Morgan Stanley. The brokerage account included check writing privileges provided by JPMorgan  
12 Chase Bank, N.A. ("JPMorgan") and its agent First Data Resources, Inc. ("First Data").

13 6. JPMorgan was a financial institution within the meaning of 18 U.S.C. § 20, whose  
14 deposits were insured by the Federal Deposit Insurance Corporation.

15 7. In or about September and October 2007, BOLEANCU caused D.T. to establish two  
16 home equity lines of credit ("HELOCs") with Morgan Stanley Credit Corporation ("MSCC"). A  
17 HELOC is a revolving loan secured by a borrower's home in which the lender agrees to lend up to a  
18 specified amount and the borrower may draw on the loan at his or her discretion. One HELOC  
19 established by D.T. was secured by a condominium D.T. owned in California. The other was secured by  
20 real property in Colorado. MSCC permitted borrowers like D.T. to draw down on HELOCs by writing  
21 checks. Checks written on MSCC HELOCs were payable through Wells Fargo Bank, N.A. ("Wells  
22 Fargo"). The account numbers for checks written on D.T.'s HELOCs ended in -8877 and -7240.

23 8. Saxon Mortgage Services, Inc. ("Saxon"), was an affiliate of MSCC and Morgan Stanley  
24 that serviced HELOCs on behalf of MSCC.

25 The Scheme to Defraud

26 9. From approximately December 2007 and continuing until approximately December 2011,  
27 in the Northern District of California and elsewhere, the defendant,

28 ADOREAN BOLEANCU,

1 did knowingly and intentionally devise, and intend to devise, and execute a material scheme and artifice  
2 to defraud and to obtain money and property owned by, or under the custody or control of, a financial  
3 institution and others by means of materially false and fraudulent pretenses, representations, and  
4 promises, namely, by forging checks written on D.T.'s brokerage account and D.T.'s HELOC accounts  
5 for his personal benefit.

6 10. As part of the scheme to defraud, without D.T.'s knowledge or authorization,  
7 BOLEANCU wrote checks drawn on D.T.'s brokerage account and D.T.'s HELOC accounts payable to  
8 BOLEANCU's family members, his girlfriend, another female acquaintance, cash, and financial  
9 companies where BOLEANCU had credit card accounts.

10 11. As further part of the scheme to defraud, BOLEANCU forged the signature of D.T. on  
11 checks and other documents without D.T.'s knowledge or authorization.

12 12. As further part of the scheme to defraud, BOLEANCU presented and caused to be  
13 presented for payment checks bearing the forged signature of D.T. drawn on D.T.'s brokerage account  
14 to JPMorgan and First Data as follows:

CHECK NO.	DATE OF CHECK	DATE PAID	PAYEE	AMOUNT
253	12/12/2007	12/21/2007	R.G.	\$6,000
255	12/12/2007	12/21/2007	R.G.	\$6,000
252	12/20/2007	12/26/2007	C.J.	\$6,000
256	12/20/2007	12/26/2007	C.J.	\$6,000
257	12/20/2007	12/26/2007	M.J.	\$6,000
258	12/20/2007	12/26/2007	M.J.	\$6,000
260	1/22/2008	1/23/2008	R.G.	\$12,000
261	1/22/2008	1/30/2008	M.J.	\$7,000
263	1/22/2008	1/30/2008	C.J.	\$8,000
267	1/22/2008	1/30/2008	M.J.	\$5,000
268	1/22/2008	1/30/2008	C.J.	\$4,000
298	2/25/2008	2/29/2008	Chase	\$11,975
301	2/25/2008	3/3/2008	Citibank	\$5,255
303	2/25/2008	3/3/2008	Chase	\$19,000

1 13. As further part of the scheme to defraud, BOLEANCU presented and caused to be  
2 presented checks bearing the forged signature of D.T. drawn on D.T.'s HELOC accounts to Wells Fargo  
3 and MSCC for payment as follows:

ACCT.	CHECK NO.	DATE OF CHECK	DATE PAID	PAYEE	AMOUNT
-7240	126	4/12/2008	4/21/2008	Cash	\$9,875
-7240	128	4/14/2008	4/21/2008	R.G.	\$2,229.06
-7240	124	4/15/2008	4/22/2008	American Express	\$29,985.15
-7240	125	4/15/2008	4/23/2008	Citibank	\$7,880.04
-8877	101	10/20/2008	10/24/2008	S.A.	\$750,000
-7240	130	5/25/2009	5/28/2009	S.A.	\$600,000
-7240	131	1/12/2010	1/14/2010	R.G.	\$100,000
-7240	132	1/12/2010	1/14/2010	R.G.	\$200,000

13 14. BOLEANCU used Check Nos. 124 and 125 to pay his credit card accounts. He  
14 deposited Check No. 126, made out to "cash," in his own bank account.

15 15. On or about October 22, 2008, BOLEANCU faxed a letter bearing D.T.'s forged  
16 signature from San Francisco, California, to MSCC in Fort Worth, Texas, requesting that MSCC cease  
17 sending HELOC account statements to D.T.'s address.

18 16. On or about October 27, 2008, after depositing Check No. 101 for \$750,000, S.A.  
19 obtained a \$425,000 cashier's check payable to the order of BOLEANCU.

20 17. On or about October 27, 2008, BOLEANCU deposited that cashier's check into his  
21 Citibank checking account, and, on or about October 28, 2008, BOLEANCU withdrew \$430,000 in cash  
22 from the account.

23 18. On or about June 3, 2009, after depositing Check No. 130 for \$600,000, S.A.  
24 issued a \$600,000 check payable to BOLEANCU.

25 19. On or about June 4, 2009, BOLEANCU deposited the \$600,000 check from S.A. into his  
26 Citibank money market account. On or about June 10, 2009, BOLEANCU transferred \$595,000 to his  
27 Citibank checking account, and, on or about June 16, 2009, he withdrew \$550,000 in cash.

1 COUNTS ONE THROUGH FOURTEEN: (18 U.S.C. § 1344(2) – Bank Fraud)

2 20. The factual allegations in Paragraphs 1 through 19 are re-alleged and incorporated by  
3 reference.

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

6 **ADOREAN BOLEANCU,**

7 did knowingly execute, and attempt to execute, a scheme and artifice to obtain money, funds, credits,  
8 assets, securities, and other property owned by, and under the custody or control of, a financial  
9 institution, namely JPMorgan, by means of materially false and fraudulent pretenses, representations,  
10 and promises as follows:

COUNT	CHECK NO.	DATE PAID	PAYEE	AMOUNT
ONE	253	12/21/2007	R.G.	\$6,000
TWO	255	12/21/2007	R.G.	\$6,000
THREE	252	12/26/2007	C.J.	\$6,000
FOUR	256	12/26/2007	C.J.	\$6,000
FIVE	257	12/26/2007	M.J.	\$6,000
SIX	258	12/26/2007	M.J.	\$6,000
SEVEN	260	1/23/2008	R.G.	\$12,000
EIGHT	261	1/30/2008	M.J.	\$7,000
NINE	263	1/30/2008	C.J.	\$8,000
TEN	267	1/30/2008	M.J.	\$5,000
ELEVEN	268	1/30/2008	C.J.	\$4,000
TWELVE	298	2/29/2008	Chase	\$11,975
THIRTEEN	301	3/3/2008	Citibank	\$5,255
FOURTEEN	303	3/3/2008	Chase	\$19,000

24 All in violation of Title 18, United States Code, Section 1344(2).

25 COUNTS FIFTEEN THROUGH EIGHTEEN: (18 U.S.C. § 1343 – Wire Fraud)

26 22. The factual allegations in Paragraphs 1 through 21 are re-alleged and incorporated by  
27 reference.

1 23. On or about the dates set forth below, in the Northern District of California and  
2 elsewhere, the defendant,

3 ADOREAN BOLEANCU,

4 did knowingly devise, and intend to devise, a material scheme and artifice to defraud and to obtain  
5 money and property by means of materially false and fraudulent pretenses, representations, and  
6 promises and, for the purpose of executing such scheme and artifice to defraud, did transmit, and cause  
7 to be transmitted, by means of wire communication in interstate and foreign commerce, certain writings,  
8 signs, signals, pictures, and sounds, namely, the following wire communications:

9

COUNT	DATE	DESCRIPTION	FROM	TO
FIFTEEN	10/22/2008	Faxed letter bearing D.T.'s forged signature	Wells Fargo Bank in San Francisco, CA	MSCC in Fort Worth, TX
SIXTEEN	10/24/2008	Faxed Sharedraft Photo Request relating to HELOC Check 101	Saxon in Fort Worth, TX	Wells Fargo Bank in MN
SEVENTEEN	5/28/2009	Faxed Sharedraft Photo Request relating to HELOC Check 130	Saxon in Fort Worth, TX	Wells Fargo Bank in MN
EIGHTEEN	01/14/2010	Faxed Sharedraft Photo Request relating to HELOC Checks 131 and 132	Saxon in Fort Worth, TX	Wells Fargo Bank in MN

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18 All in violation of Title 18, United States Code, Section § 1343.

19 COUNTS NINETEEN THROUGH TWENTY-THREE: (18 U.S.C. § 1957 – Money Laundering)

20 24. The factual allegations of Paragraphs 1 through 23 are re-alleged and incorporated by  
21 reference.

22 25. On or about the dates set forth below, in the Northern District of California and  
23 elsewhere, the defendant,

24 ADOREAN BOLEANCU,

25 did knowingly and intentionally engage and attempt to engage in monetary transactions in criminally  
26 derived property of a value greater than \$10,000 as described below and derived from specified unlawful  
27 activity, namely property derived from wire fraud in violation of Title 18, United States Code, Section  
28 1343:



COUNT	DATE	MONETARY TRANSACTION
NINETEEN	10/27/2008	\$425,000 cashier's check deposit to Citibank Account No. -8503 in name of BOLEANCU
TWENTY	10/28/2008	\$430,000 cash withdrawal from Citibank Account No. -8503 in name of BOLEANCU
TWENTY-ONE	6/4/2009	\$600,000 check deposit to Citibank Account No. -9300 in name of BOLEANCU
TWENTY-TWO	6/10/2009	\$595,000 transfer from Citibank Account No. -9300 in name of BOLEANCU to Citibank Account No. -8503 in name of BOLEANCU
TWENTY-THREE	6/16/2009	\$550,000 cash withdrawal from Citibank Account No. -8503 in name of BOLEANCU

All in violation of Title 18, United States Code, Section 1957.

COUNTS TWENTY-FOUR THROUGH TWENTY-SEVEN: (18 U.S.C. § 1028A(a)(1) – Aggravated Identity Theft)

26. The factual allegations of Paragraphs 1 through 25 are re-alleged and incorporated by reference.

27. On or about the dates set forth below, in the Northern District of California and elsewhere, the defendant,

ADOREAN BOLEANCU,

did knowingly use, without lawful authority, a means of identification of another person, namely, the name and purported signature of D.T., during and in relation to a felony violation of Title 18, United States Code, Section 1343, as alleged in Counts Fifteen through Eighteen of this Indictment, as follows:

COUNT	WIRE FRAUD VIOLATION
TWENTY-FOUR	10/22/2008 faxed letter bearing D.T.'s name and forged signature, as alleged in Count Fifteen
TWENTY-FIVE	10/24/2008 faxed Sharedraft Photo Request relating to HELOC Check 101, bearing D.T.'s name and forged signature, as alleged in Count Sixteen
TWENTY-SIX	5/28/2009 faxed Sharedraft Photo Request relating to HELOC Check 130, bearing D.T.'s name and forged signature, as alleged in Count Seventeen
TWENTY-SEVEN	1/14/2010 faxed Sharedraft Photo Request relating to HELOC Checks 131 and 132, bearing D.T.'s name and forged signature, as alleged in Count Eighteen

1 All in violation of Title 18, United States Code, Section 1028A(a)(1).

2 FIRST FORFEITURE ALLEGATION: (18 U.S.C. § 981(a)(1)(C) & 28 U.S.C. § 2461 – Forfeiture of  
3 Fraud Proceeds)

4 28. The factual allegations in Paragraphs 1 through 25 are realleged and incorporated by  
5 reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section  
6 981(a)(1)(C), and Title 28, United States Code, Section 2461.

7 29. Upon conviction of any of the offenses alleged in Counts One through Eighteen, the  
8 defendant,

9 ADOREAN BOLEANCU,

10 shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and  
11 Title 28, United States Code, Section 2461, any property, real and personal, which constitutes or is  
12 derived from proceeds traceable to said violations, including but not limited to a sum of not less than  
13 \$1,808,199, representing the amount of proceeds obtained as a result of the offenses alleged in Counts  
14 One through Eighteen.

15 SECOND FORFEITURE ALLEGATION: (18 U.S.C. § 982(a)(1) – Money Laundering Forfeiture)

16 30. The factual allegations in Paragraphs 1 through 25 are realleged and incorporated by  
17 reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section  
18 982(a)(1).

19 31. Upon conviction of any of the offenses alleged in Counts Nineteen through Twenty-  
20 Three, the defendant,

21 ADOREAN BOLEANCU,

22 shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), any  
23 property, real and personal, involved in said violations, including, but not limited to, a sum of not less  
24 than \$1,025,000, representing the amount of funds involved in the offenses alleged in Counts Nineteen  
25 through Twenty-Three.

26 32. If, as a result of any act or omission of the defendant, any of said property

27 a. cannot be located upon the exercise of due diligence;

28 b. has been transferred or sold to or deposited with a third person;


- 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;

any and all interest defendant has in any other property, up to the value of the property described in Paragraph 28-31 above, shall be forfeited to the United States, pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and 982(a)(1), and Title 28, United States Code, Section 2461.

All in violation of Title 18, United States Code, Sections 981(a)(1)(C) and 982(a)(1), and Title 28, United States Code, Section 2461.

DATED: July 9, 2013

A TRUE BILL

  
\_\_\_\_\_  
FOREPERSON

MELINDA HAAG  
United States Attorney

  
\_\_\_\_\_  
I. DOUGLAS WILSON  
Chief, Criminal Division

(Approved as to form:   
\_\_\_\_\_  
AUSA ROBERT S. LEACH