

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ATHENS DIVISION

UNITED STATES OF AMERICA	:	CRIM. NO: 3:13-CR-16-CAR
	:	
v.	:	VIOLATIONS:
	:	18 U.S.C. § 371 i/c/w 472 and 1001
DARLEY FERNANDO BERNAL,	:	18 U.S.C. § 472
CYNTHIA K. RAMIREZ,	:	18 U.S.C. § 2
A/K/A CYNTHIA K. BERNAL	:	18 U.S.C. § 1001
A/K/A CYNTHIA K. RAMIREZ-BERNAL	:	
JUAN D. URIBE,	:	INDICTMENT
CARLOS R. RAMIREZ, and	:	
YESENIA LAVAYEN	:	
A/K/A YESSNIA LAVAYEN	:	

THE GRAND JURY CHARGES THAT:

INTRODUCTION

At all times relevant to this indictment:

1. Defendants **CYNTHIA K. RAMIREZ** and **DARLEY FERNANDO BERNAL** were husband and wife. Defendants **CYNTHIA K. RAMIREZ** and **DARLEY FERNANDO BERNAL** resided at 116 Wisteria Way, Athens, GA 30607, within the Middle District of Georgia.
2. Defendant **CARLOS R. RAMIREZ** resided in Elmhurst NY. He is the brother of **CYNTHIA K. RAMIREZ** who lived in Athens, GA.
3. Defendant **YESENIA LAVAYEN** lived in the New York City, NY area. She is the cousin of defendants **CYNTHIA K. RAMIREZ** and **CARLOS R. RAMIREZ**.
4. Defendant **JUAN D. URIBE** resided in Elmhurst, NY. He is a known associate of **CARLOS R. RAMIREZ**.
5. The counties of Athens-Clarke and Oconee are located in the Middle District of Georgia.

6. Five Points Bottle Shop, is a liquor store. This incident location is at 3685 Atlanta Hwy, Athens, GA.

7. Kangaroo is a regional convenience store that sells gasoline, food items, tobacco and liquor. This incident location is at 1333 South Lumpkin Street, Athens, GA.

8. Outback Steak House is a national casual dining restaurant. This incident location is at 3585 Atlanta Hwy, Athens, GA.

9. Brett's is a local casual dining restaurant. It is located at 3190 Atlanta Hwy, Athens, GA.

10. Golden Pantry is a local chain convenience store that sells gasoline, food items and tobacco. The stores involved are located at 4099 Jefferson Road, Athens, GA and 3495 #B Atlanta Hwy., Athens, GA.

11. CVS Pharmacy is a national chain drug store. The stores involved are located at 795 Oglethorpe Ave, Athens, GA and 196 Alps Rd., Athens, GA.

12. Publix is a regional grocery store chain. The stores involved are located at 1860 Barnett Shoals Road, Athens, GA and 3620 Atlanta Hwy, Athens, GA.

13. Kroger is a national chain grocery store. This involved store is located at 2301 College Station Road, Athens, GA.

14. Quick Pantry is a local owner convenience store that sells gasoline, food items, and tobacco. It is located at 3875 Jefferson Road, Athens, GA.

15. Ann Taylor Loft is a national chain designer woman's apparel store. This incident location is at 196 Alps Road, Athens, GA.

16. Radio Shack is a national chain electronics store. This incident location is at 196 Alps Road, Athens, GA.

17. Chuck-E-Cheese is a national chain family entertainment/pizza restaurant. This incident location is at 3654 Atlanta Hwy, Suite 1, Athens, GA.

18. Buffalo's Café is a regional chain casual dining restaurant. This incident location is at 196 Alps Road, Suite 49, Athens, GA.

19. Pet Supplies Plus is a national chain pet supply company. This incident location is at 191 Alps Road, Athens, GA.

20. Barberitos is a regional chain casual dining restaurant. It is located at 1860 Barnett Shoals Road, Athens, GA.

THE CONSPIRACY

Beginning on a date no later than approximately June 4, 2011 and continuing through on or about July 3, 2011 in the Middle District of Georgia, defendants **DARLEY FERNANDO BERNAL, CYNTHIA K. RAMIREZ, JUAN D. URIBE, CARLOS R. RAMIREZ, YESENIA LAVAYEN, an unidentified female co-conspirator #1 and an unidentified female co-conspirator #2**, knowingly combined, conspired and agreed among themselves and each other to commit certain offenses against the United States as follows:

a. That is to pass, utter, publish or sell or attempt to pass, utter, publish or sell falsely made forged, counterfeited or altered obligations or other security of the United States in violation of Title 18, United States Code, Section 472.

b. To travel across state lines to pass utter, publish or sell or attempt to pass, utter, publish or sell falsely made forged, counterfeited or altered obligations or other security of the United States in violation of Title 18, United States Code, Section 472 with the intent of evading identification and arrest.

c. To conceal the identity of the group by intentionally lying to law enforcement if and when questioned as to the identity of the members of the conspiracy.

WAYS AND MEANS

In furtherance of the conspiracy, the defendants, **DARLEY FERNANDO BERNAL, CYNTHIA K. RAMIREZ, JUAN D. URIBE, CARLOS R. RAMIREZ, YESENIA LAVAYEN, an unidentified female co-conspirator #1 and an unidentified female co-conspirator #2**, employed the following ways and means to accomplish the object of the conspiracy included, among other things the following:

21. The defendants **DARLEY FERNANDO BERNAL, CYNTHIA K. RAMIREZ, JUAN D. URIBE, CARLOS R. RAMIREZ, YESENIA LAVAYEN, an unidentified female co-conspirator #1 and an unidentified female co-conspirator #2**, between a date no later than June 4, 2011 and continuing through to July 4, 2011 possessed approximately \$10,300.00 in counterfeit \$100 Federal Reserve notes.

22. The defendants **CARLOS R. RAMIREZ, YESENIA LAVAYEN, and JUAN D. URIBE** between a date no later than June 4, 2011 continuing through to July 4, 2011 traveled from their residences in New York State to the Athens, GA (Athens-Clarke County and Oconee County) area of Georgia which is in the Middle District of Georgia for the purpose of converting the counterfeit currency into genuine United States currency with the assistance of defendants **DARLEY FERNANDO BERNAL and CYNTHIA K. RAMIREZ** who were already physically present in the Athens, GA area residing at 116 Wisteria Way, Athens, GA .

23. The defendants **DARLEY FERNANDO BERNAL, JUAN D. URIBE, CARLOS R. RAMIREZ, YESENIA LAVAYEN, an unidentified female co-conspirator #1 and an unidentified female co-conspirator #2**, purchased merchandise at various retail stores in the

Athens, GA area (Athens-Clarke County and Oconee County). Paying for the merchandise, which was usually modestly priced, with \$100 counterfeit Federal Reserve notes, with the intent of receiving genuine United States currency as change from the purchase price of the merchandise.

24. The defendants **CYNTHIA K. RAMIREZ** and **DARLEY FERNANDO BERNAL** assisted the furtherance of the conspiracy by transporting and allowing defendants **CARLOS R. RAMIREZ, YESENIA LAVAYEN, JUAN D. URIBE, an unidentified female co-conspirator #1 and an unidentified female co-conspirator #2**, to be transported in vehicles owned by defendants **DARLEY FERNANDO BERNAL** and **CYNTHIA K. RAMIREZ** as the members of the conspiracy travelled from store to store in the Athens GA area with the intent to pass the counterfeit federal reserve notes.

25. The defendants **CYNTHIA K. RAMIREZ** and **DARLEY BERNAL** were present with defendants **CARLOS R. RAMIREZ, YESENIA LAVAYEN and an unidentified female co-conspirator** on June 4, 2011 as defendants **CARLOS R. RAMIREZ, YESENIA LAVAYEN and an unidentified female co-conspirator #1** each passed a counterfeit \$100 Federal Reserve note at the Kangaroo, 1333 South Lumpkin Street, Athens, GA.

OVERT ACTS

26. On or about June 4, 2011 at the Five Points Bottle Shop, **CARLOS R. RAMIREZ** passed counterfeit \$100 bill serial number AB60717623D purchasing champagne and receiving change from the purchase.

27. On or about June 4, 2011, at the Kangaroo on Lumpkin ST, **CARLOS R. RAMIREZ**, an unidentified female co-conspirator, and **YESENIA LAVAYEN**, accompanied by **DARLEY BERNAL** and **CYNTHIA K. RAMIREZ** entered and passed three (3) counterfeit \$100 bills with Serial numbers FC72568124F, HA64101315H, and AB60717623D.

28. On or about June 5, 2011, at Kangaroo on Lumpkin ST, **DARLEY FERNANDO BERNAL** passed counterfeit \$100 bill serial number AF02819967E.

29. On or about July 1, 2011 at Brett's counterfeit \$100 bill serial number AL67012405D is passed.

30. On or about July 2, 2011, at CVS on Oglethorpe Ave, **CARLOS R. RAMIREZ** passed one (1) counterfeit \$100 bill serial number HE48317626A.

31. On or about July 2, 2011, at CVS on Alps Rd., Athens, GA. **JUAN D. URIBE and an unidentified female #2** passed two (2) counterfeit \$100 bill serial numbers AB60717623D and IC58927321B.

32. On or about July 2, 2011, at the Publix on Barnett Shoals Rd., **JUAN D. URIBE**, passed one (1) counterfeit \$100 bill with serial number FF95691545H.

33. On or about July 2, 2011, at Kroger on College Station Rd., **DARLEY FERNANDO BERNAL, CARLOS R. RAMIREZ and unidentified female #2** passed five (5) counterfeit \$100 bills, two (2) with serial number AL67012405D, two (2) with serial number DA86535335A, and one (1) with serial number FF95691545H.

34. On or about July 2, 2011, at the Quick Pantry on Jefferson Rd., **unidentified female co-conspirator #1** passed a counterfeit \$100 bill with serial number DA86535335A.

35. On or about July 2, 2011, at the Ann Taylor Loft on Alps Rd., **unidentified female co-conspirator #1** passed one (1) counterfeit \$100 bill serial number HE56103167E.

36. On or about July 2, 2011, at the Radio Shack on Alps Rd., **CARLOS R. RAMIREZ** passed five (5) counterfeit \$100 bills, two (2) with serial number, DA86535335A, serial numbers DF55331614A, AF02819967E, and HE56103167E.

37. On or about July 2, 2011, at Buffalos Café, on Alps Rd., **DARLEY FERNANDO BERNAL** passed two (2) counterfeit \$100 bill serial numbers AB60717623D and DA86535335A.

38. On July 2, 2011, at the Chuck E. Cheese on Atlanta Hwy., **CARLOS R. RAMIREZ** passed one (1) counterfeit \$100 bill serial number DG24315176A.

39. On or about July 3, 2011, at the Golden Pantry on Atlanta Highway, **CARLOS R. RAMIREZ**, accompanied by **DARLEY FERNANDO BERNAL**, passed one counterfeit \$100 bill with serial number DE58946698I.

40. On or about July 3, 2011, at Publix on Atlanta Highway, **CARLOS R. RAMIREZ and an unidentified female co-conspirator #1** passed six (6) counterfeit \$100 bills, with serial numbers BC41367157C, HB40344419B, AL67012405D, AL63072121B, AF07863617B, and AE83886442H.

41. On or about July 3, 2011, at Outback Steak House, on Atlanta, Hwy., **DARLEY FERNANDO BERNAL** called and placed a takeout order. When the order is picked up, the counterfeit \$100 bill with serial number AL67012405D is used to pay for the order.

42. On or about July 3 2011, at Baberitos on Barnett Shoals Rd., **DARLEY FERNANDO BERNAL** passed one (1) counterfeit \$100 bill, with serial number AF07863617B.

43. On or about July 3, 2011 at Publix on Barnett Shoals Rd., **CARLOS R. RAMIREZ and an unidentified female co-conspirator #1** passed four (4) counterfeit \$100 bills with serial numbers DA86535335A, FD45341745B, HA64101315H, and IF95391744I.

44. On or about July 3, 2011, at the Pet Supplies Plus, on Alps Rd., one of the co-conspirators purchased \$5.05 of merchandise and passed one counterfeit \$100 bill with serial number AL67012405D.

45. On or about July 14, 2011, the Athens Clarke County Police and the Secret Service questioned **CYNTHIA K. RAMIREZ** at her home, 116 Wisteria Way, Athens GA.

46. **CYNTHIA K. RAMIREZ** was shown photographs of the suspects by the officers and asked if she could identify her brother, **CARLOS R. RAMIREZ**.

47. **CYNTHIA K. RAMIREZ** denied knowing the individual in the picture and when specifically asked whether or not it was her brother, she denied that it was **CARLOS R. RAMIREZ**.

All in violation of Title 18, United States Code, Section 371 i/c/w 472 and 1001.

COUNT TWO
(POSSESSION OF COUNTERFEIT CURRENCY)

The Introduction and Count One of the Indictment is incorporated herein as though fully realleged.

Beginning on or about the 4th day of June, 2011, and continuing through the 5th day of July, 2011, in the Athens Division of the Middle District of Georgia, the defendant,

CARLOS R. RAMIREZ,
JUAN D. URIBE AND
DARLEY FERNANDO BERNAL

aided and abetted by each other and others known and unknown to the Grand Jury with intent to defraud, did keep in their possession and concealed falsely made, forged and counterfeited obligations of the United States, that is: Defendants were in possession of twenty eight (28) counterfeit \$100 Federal Reserve Notes which defendants then knew to be falsely made, forged and counterfeited.

All in violation of Title 18, United States Code, Section 472 and Section 2.

COUNT THREE
(UTTERING COUNTERFEIT CURRENCY)

The Introduction and Count One of the Indictment are incorporated herein as though fully realleged.

On or about the 2nd day of July, 2011, in the Athens Division of the Middle District of Georgia, the defendant,

CARLOS R. RAMIREZ

aided and abetted by others both known and unknown to the Grand Jury with intent to defraud, did pass and utter falsely made, forged and counterfeited obligations of the United States, that is he passed to employees of the CVS on Oglethorpe Avenue, Athens, GA, counterfeit \$100 Federal Reserve Notes which defendant knew to be falsely made, forged and counterfeited, in violation of Title 18, United States Code, Section 472.

COUNT FOUR
(UTTERING COUNTERFEIT CURRENCY)

The Introduction and Count One of the Indictment are incorporated herein as though fully realleged.

On or about the 2nd day of July, 2011, in the Athens Division of the Middle District of Georgia, the defendant,

JUAN D. URIBE

aided and abetted by others both known and unknown to the Grand Jury with intent to defraud, did pass and utter falsely made, forged and counterfeited obligations of the United States, that is he passed to employees of the CVS on Alps Rd., Athens, GA counterfeit \$100 Federal Reserve Notes which defendant knew to be falsely made, forged and counterfeited, in violation of Title 18, United States Code, Section 472.

COUNT FIVE
(UTTERING COUNTERFEIT CURRENCY)

The Introduction and Count One of the Indictment are incorporated herein as though fully realleged.

On or about the 2nd day of July, 2011, in the Athens Division of the Middle District of Georgia, the defendant,

CARLOS R. RAMIREZ

aided and abetted by others both known and unknown to the Grand Jury with intent to defraud, did pass and utter falsely made, forged and counterfeited obligations of the United States, that is he passed to employees of the Radio Shack on Alps Rd, Athens, GA, counterfeit \$100 Federal Reserve Notes which defendant knew to be falsely made, forged and counterfeited, in violation of Title 18, United States Code, Section 472 and Section 2.

COUNT SIX
(UTTERING COUNTERFEIT CURRENCY)

The Introduction and Count One of the Indictment are incorporated herein as though fully realleged.

On or about the 2nd day of July, 2011, in the Athens Division of the Middle District of Georgia, the defendant,

CARLOS R. RAMIREZ

aided and abetted by others both known and unknown to the Grand Jury with intent to defraud, did pass and utter falsely made, forged and counterfeited obligations of the United States, that is he passed to employees of the Chuck. E. Cheese on Atlanta Highway counterfeit \$100 Federal

Reserve Notes which defendant knew to be falsely made, forged and counterfeited, in violation of Title 18, United States Code, Section 472 and Section 2.

COUNT SEVEN
(UTTERING COUNTERFEIT CURRENCY)

The Introduction and Count One of the Indictment are incorporated herein as though fully realleged.

On or about the 3rd day of July, 2011, in the Athens Division of the Middle District of Georgia, the defendant,

CARLOS R. RAMIREZ AND DARLEY FERNANDO BERNAL

aided and abetted by each other and others both known and unknown to the Grand Jury, with intent to defraud, did pass and utter falsely made, forged and counterfeited obligations of the United States, that is they passed to employees of the Golden Pantry on Atlanta Highway, Athens, GA, counterfeit \$100 Federal Reserve Notes which defendant knew to be falsely made, forged and counterfeited, in violation of Title 18, United States Code, Section 472 and Section 2.

COUNT EIGHT
(MAKING FALSE STATEMENTS)

The Introduction and Count One of the Indictment are incorporated herein as though fully realleged.

That on or about the 14th day of July, 2011, the defendant,

CYNTHIA K. RAMIREZ

did willfully and knowingly make and cause to be made a materially false, fictitious, and fraudulent statement(s) and representation(s) in a matter within the jurisdiction of a department or agency of the United States by falsely stating to Special Agent Johnny Rhodes of the Secret Service that she did not know individuals in photograph shown to her by the agents at 116

Wisteria Way, Athens, GA, in the Middle District of Georgia. The statement[s] and representation[s] were false because, as **CYNTHIA K. RAMIREZ** then and there knew that the photographs were photographs of **CARLOS R. RAMIREZ**, her brother, who had been in Athens, Georgia and who was involved in passing counterfeit Federal Reserve Notes.

All in violation of Title 18, United States Code, Section 1001.

A TRUE BILL.

s/FOREPERSON OF THE GRAND JURY

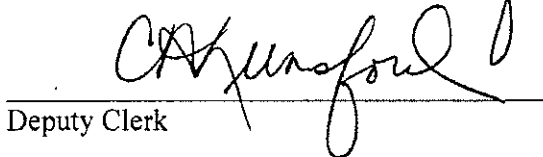
Presented By:

MICHAEL J. MOORE
UNITED STATES ATTORNEY



SHARON T. RATLEY
ASSISTANT UNITED STATES ATTORNEY

Filed in open court this 11th day of June, A.D. 2013.



Deputy Clerk