

2. The Defendant carried out the Wire Fraud Scheme in the following manner and by the following means:

a. The Defendant represented to P.M. and L.M., a married couple residing in Wyoming, that he was qualified to invest money on behalf of others and manage others' investments.

b. The Defendant promised P.M. and L.M. that he would, if they entrusted their money to him, invest it on their behalf and manage the investments for their benefit.

c. The Defendant, who was in the Western District of Texas, customarily communicated with P.M. and L.M., who were in Wyoming, via telephone and electronic mail.

d. The Defendant directed P.M. and L.M. to transfer money by wire to an account that he controlled, so that he could invest it for P.M. and L.M. As instructed by the Defendant, P.M. and L.M. transferred approximately one million dollars (\$1,000,000) to the account on or about April 24, 2012, and transferred approximately three hundred fifty thousand dollars (\$350,000) to the account on or about July 10, 2012.

e. Without notifying P.M. and L.M., or obtaining their permission, the Defendant spent on his own personal expenses some of the money that P.M. and L.M. transferred on April 24, 2012 and July 10, 2012.

f. The Defendant also used a portion of the money that P.M. and L.M. transferred on April 24, 2012 and July 10, 2012 to trade commodities and securities, but the trades as a whole were unprofitable.

g. From time to time, the Defendant falsely represented to P.M. and L.M. that he had earned money on their behalf by investing their money and managing their investments, and that the value of their investments had increased as a result.

h. The Defendant made those false representations, among other ways, by sending false and fraudulent written account statements to P.M. and L.M. via electronic mail.

i. The Defendant consistently omitted to disclose to P.M. and L.M. material facts, including but not limited to the fact that he had used their money for purposes that they did not authorize, such as payment of his personal expenses; and the fact that the investing he did with their money was unprofitable.

3. From time to time, the Defendant transmitted and caused to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce certain writings, signs, signals, pictures, and sounds for the purpose of executing the Wire Fraud Scheme, including but not limited to the following:

a. On or about April 24, 2012 and July 10, 2012, as described above, the Defendant caused P.M. and L.M. to transfer money by wire from their securities brokerage account to a bank in Texas.

b. On at least four occasions, the Defendant sent false and fraudulent written account statements, via electronic mail, from Texas to P.M. and L.M. in Wyoming.

4. In 2013, after P.M. and L.M. requested that the Defendant return their money, the Defendant returned some of the funds; but he kept the remainder for his own use and benefit, without notifying P.M. and L.M. or obtaining their permission.

5. By way of the Wire Fraud Scheme, the Defendant enriched himself unjustly, and P.M. and L.M. lost nearly one million dollars (\$1,000,000).

COUNT ONE

**Monetary Transaction in Criminally Derived Property
(Violation of 18 U.S.C. § 1957)**

6. Count One incorporates by reference the “Introduction” section above in its entirety as if fully set forth herein.

7. On or about October 4, 2013, in the Western District of Texas, the Defendant,

NATHANIEL ANTHONY BROOKS, JR.

knowingly engaged and attempted to engage in a monetary transaction by, through and to a financial institution, affecting interstate or foreign commerce, in criminally derived property of a value greater than \$10,000, in that he transferred and caused to be transferred \$20,000 from an account at Dorman Trading L.L.C. to an account at JPMorgan Chase Bank, knowing that the funds had been derived from a specified unlawful activity, Wire Fraud as described in the Introduction section of this Indictment.

In violation of Section 1957 of Title 18 of the United States Code.

COUNT TWO

**Monetary Transaction in Criminally Derived Property
(Violation of 18 U.S.C. § 1957)**

8. Count Two incorporates by reference the “Introduction” section above in its entirety as if fully set forth herein.

9. On or about October 4, 2013, in the Western District of Texas, the Defendant,

NATHANIEL ANTHONY BROOKS, JR.

knowingly engaged and attempted to engage in a monetary transaction by, through and to a financial institution, affecting interstate or foreign commerce, in criminally derived property of a value greater than \$10,000, in that he transferred and caused to be transferred \$12,500 from an account at Tradestation Securities to an account at JPMorgan Chase Bank, knowing that the

funds had been derived from a specified unlawful activity, Wire Fraud as described in the Introduction section of this Indictment.

In violation of Section 1957 of Title 18 of the United States Code.

COUNT THREE
Monetary Transaction in Criminally Derived Property
(Violation of 18 U.S.C. § 1957)

10. Count Three incorporates by reference the "Introduction" section above in its entirety as if fully set forth herein.

11. On or about October 7, 2013, in the Western District of Texas, the Defendant,

NATHANIEL ANTHONY BROOKS, JR.

knowingly engaged and attempted to engage in a monetary transaction by, through and to a financial institution, affecting interstate or foreign commerce, in criminally derived property of a value greater than \$10,000, in that he withdrew \$20,000 from an account at JPMorgan Chase Bank, knowing that the funds had been derived from a specified unlawful activity, Wire Fraud as described in the Introduction section of this Indictment.

In violation of Section 1957 of Title 18 of the United States Code.

COUNT FOUR
Monetary Transaction in Criminally Derived Property
(Violation of 18 U.S.C. § 1957)

12. Count Four incorporates by reference the "Introduction" section above in its entirety as if fully set forth herein.

13. On or about October 8, 2013, in the Western District of Texas, the Defendant,

NATHANIEL ANTHONY BROOKS, JR.

knowingly engaged and attempted to engage in a monetary transaction by, through and to a financial institution, affecting interstate or foreign commerce, in criminally derived property of a

value greater than \$10,000, in that he withdrew \$20,000 from an account at JPMorgan Chase Bank, knowing that the funds had been derived from a specified unlawful activity, Wire Fraud as described in the Introduction section of this Indictment.

In violation of Section 1957 of Title 18 of the United States Code.

COUNT FIVE
Monetary Transaction in Criminally Derived Property
(Violation of 18 U.S.C. § 1957)

14. Count Five incorporates by reference the "Introduction" section above in its entirety as if fully set forth herein.

15. On or about October 8, 2013, in the Western District of Texas, the Defendant,

NATHANIEL ANTHONY BROOKS, JR.

knowingly engaged and attempted to engage in a monetary transaction by, through and to a financial institution, affecting interstate or foreign commerce, in criminally derived property of a value greater than \$10,000, in that he withdrew \$17,800 from an account at JPMorgan Chase Bank, knowing that the funds had been derived from a specified unlawful activity, Wire Fraud as described in the Introduction section of this Indictment.

In violation of Section 1957 of Title 18 of the United States Code.

A TRUE BILL:

**ORIGINAL SIGNATURE
REDACTED PURSUANT TO
E-GOVERNMENT ACT OF 2002**

JOHN F. BASH
United States Attorney

By:


ALAN M. BUIE

Assistant United States Attorney

Sealed X
Unsealed _____

A 18 CR 344 LY

Personal Data Sheet

USAO# 2013R20902

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS

RELATED CASE YES X NO

CASE NO. _____

County: TRAVIS AUSTIN Division _____ Judge: _____

Date: 10/02/18 Mag Ct.# _____ SSN: _____ FBI#: _____

Case No.: _____ Assistant U. S. Attorney: Alan M. Buie

Defendant: NATHANIEL ANTHONY BROOKS, JR. Date of Birth: REDACTED

Address: _____

Citizenship: United States _____ Mexican _____ Other _____

Interpreter Needed: Yes _____ No _____ Language _____

Defense Attorney: _____ Employed _____

Address of Attorney: _____ Appointed _____

Defendant is: In Jail _____ Where: _____

On Bond _____ Amt. of Bond _____ Where: _____

Date of Arrest: _____ Bench Warrant Needed _____

Prosecution By: _____ Information _____ Indictment X

Offense (Code & Description): Count 1-5: 18 U.S.C. § 1957, Monetary Transaction in Criminally Derived Property

Offense Is: Felony X Misdemeanor _____

Maximum Sentence: Count 1-5: NMT 10 yrs. imprisonment; \$250,000 fine or twice the victim's loss (i.e., 2 x \$1 million); 3yrs TSR; SA \$100, each count.

Penalty is Mandatory: Yes X No _____
 As to special assessment

Remarks: _____