

FILED
CHARLOTTE, NC

NOV 19 2019

US DISTRICT COURT
WESTERN DISTRICT OF NC

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

UNITED STATES OF AMERICA)
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 v.)
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 ARLANDO M. HENDERSON)
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DOCKET NO. 3:19-cr-345-FDW

BILL OF INDICTMENT

- Violations:
18 U.S.C. § 656
18 U.S.C. § 1005
18 U.S.C. § 1344
18 U.S.C. § 1957

THE GRAND JURY CHARGES:

At the specified times and at all relevant times:

Introductory Allegations

1. The defendant ARLANDO M. HENDERSON worked for Wells Fargo Bank, N.A. (Wells Fargo) in the Charlotte, North Carolina, cash vault. On numerous occasions in 2019, HENDERSON abused his position of trust; made and caused false entries in the books and records of Wells Fargo; and stole cash from Wells Fargo. In total, HENDERSON stole more than \$88,000 and used it to, among other things, make a large down payment on a luxury car and to pay personal expenses. Separately, in connection with the purchase of the luxury car, HENDERSON submitted falsified and fraudulent documents to Ally Financial to obtain a loan to finance the rest of the purchase price.

Background

2. Wells Fargo was a financial institution with significant operations in Charlotte, North Carolina. Wells Fargo's accounts and deposits were insured by the Federal Deposit Insurance Corporation.

3. Ally Financial was a depository institution holding company with operations in Charlotte, North Carolina. Ally Financial offered a variety of financial products through its subsidiaries and affiliates, including automobile financing.

4. HENDERSON, who was a resident of Charlotte, North Carolina, was hired by Wells Fargo on or around April 24, 2019, to work in the cash vault.

5. Shortly after starting at Wells Fargo, HENDERSON began stealing cash from the vault. Specifically, on at least 18 occasions, HENDERSON stole cash from deposits made by customers of Wells Fargo. In total, in June and July 2019, HENDERSON stole more than

\$88,000. On numerous days on which HENDERSON stole money, he also made cash deposits of large numbers of \$50 and \$100 bills at an ATM near his worksite.

6. To conceal his wrongdoing, HENDERSON destroyed certain documents and made, and caused others to make, various false entries in the books and records of Wells Fargo. This included the creation of fraudulent deposit tickets.

7. Throughout July and August 2019, a social media account associated with HENDERSON posted several pictures of HENDERSON holding large stacks of cash.

8. On or about July 16, 2019, after HENDERSON had stolen more than \$70,000 in cash from the Wells Fargo cash vault, he made a \$20,000 down payment on a luxury car with 200 \$100 bills.

9. In connection with the purchase of the luxury car, HENDERSON obtained a loan of approximately \$27,800 from Ally Financial or one of its subsidiaries or affiliates on or about July 16, 2019. HENDERSON provided false information and falsified documents in connection with obtaining this loan, including, among others, falsified bank statements.

COUNT ONE
18 U.S.C. § 1344(1)
(Financial Institution Fraud)

10. The Grand Jury realleges and incorporates by reference herein all of the allegations contained in paragraphs one through seven of the Bill of Indictment, and further alleges that:

11. From in or about June 2019 through at least July 2019, in Mecklenburg County, within the Western District of North Carolina and elsewhere, the defendant,

ARLANDO M. HENDERSON

and others known and unknown to the Grand Jury, did knowingly and unlawfully, with the intent to defraud, execute and attempt to execute and cause to be executed a scheme and artifice to defraud a financial institution, that is Wells Fargo Bank, N.A., the deposits of which were insured by the Federal Deposit Insurance Corporation, by, among other things, on numerous occasions stealing cash from deposits made by customers of Wells Fargo and falsifying documents and making various false entries to conceal his conduct.

All in violation of Title 18, United States Code, Sections 1344(1) and 2.

COUNTS TWO THROUGH TWENTY
18 U.S.C. § 656
(Theft, Embezzlement, Misapplication)

12. The Grand Jury realleges and incorporates by reference herein the allegations contained in paragraphs one through seven of this Bill of Indictment, and further alleges that:

13. On or about the dates identified in the chart below, each date constituting a separate count, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, the defendant,

ARLANDO M. HENDERSON

who was at the time an employee of Wells Fargo Bank, N.A., an institution, the deposits of which were insured by the Federal Deposit Insurance Corporation, did, with intent to injure and defraud said institution, willfully embezzle, abstract, purloin, and misapply moneys and funds belonging to said institution and pledged and otherwise entrusted to its care, as set forth below:

Count	Date	Amount
2	6/12/2019	\$446.00
3	6/18/2019	\$200.00
4	6/20/2019	\$411.00
5	6/21/2019	\$850.00
6	6/24/2019	\$5,465.00
8	6/25/2019	\$5,647.00
9	6/26/2019	\$1,300.00
10	7/1/2019	\$8,100.00
11	7/2/2019	\$5,600.00
12	7/5/2019	\$3,600.00
13	7/8/2019	\$8,069.00
14	7/9/2019	\$7,450.00
15	7/10/2019	\$8,700.00
16	7/15/2019	\$13,450.00
17	7/16/2019	\$3,700.00
18	7/17/2019	\$10,250.00
19	7/18/2019	\$2,200.00
20	7/19/2019	\$3,250.00

All in violation of Title 18, United States Code, Sections 656 and 2.

COUNTS TWENTY-ONE THROUGH THIRTY-THREE

18 U.S.C. § 1005

(False Entries)

14. The Grand Jury realleges and incorporates by reference herein the allegations contained in paragraphs one through seven of this Bill of Indictment, and further alleges that:

15. On or about the dates identified in the chart below, each date constituting a separate count, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, the defendant,

ARLANDO M. HENDERSON

who was at the time an employee of Wells Fargo Bank, N.A., an institution, the deposits of which were insured by the Federal Deposit Insurance Corporation, knowingly made a false entry in a book, report, and statement of Wells Fargo Bank, N.A. and to Wells Fargo Bank, N.A., with the intent to deceive Wells Fargo Bank, N.A., an officer, auditor, examiner, and agent of Wells Fargo Bank, N.A., and a department and agency of the United States, in that HENDERSON entered, and caused to be entered, false, fictitious, and misleading information into Wells Fargo Bank, N.A.'s books and records regarding the amount of customer cash deposits as set forth below:

Count	Date	False Entries
21	6/25/2019	Falsified deposit slip and related records to understate amount of customer's deposits
23	7/1/2019	Falsified deposit slip and related records to understate amount of customer's deposits
24	7/2/2019	Falsified deposit slip and related records to understate amount of customer's deposits
25	7/5/2019	Falsified deposit slip and related records to understate amount of customer's deposits
26	7/8/2019	Falsified deposit slips and related records to understate amount of customer's deposits
27	7/9/2019	Falsified deposit slips and related records to understate amount of customers' deposits
28	7/10/2019	Falsified deposit slip and related records to understate amount of customer's deposits
29	7/15/2019	Falsified deposit slips and related records to understate amount of customers' deposits

30	7/16/2019	Falsified deposit slip and related records to understate amount of customer's deposits
31	7/17/2019	Falsified deposit slips and related records to understate amount of customers' deposits
32	7/18/2019	Falsified deposit slip and related records to understate amount of customer's deposits
33	7/19/2019	Falsified deposit slip and related records to understate amount of customer's deposits

All in violation of Title 18, United States Code, Sections 1005 and 2.

COUNT THIRTY-FOUR
18 U.S.C. § 1957
(Transactional Money Laundering)

16. The Grand Jury realleges and incorporates by reference herein all of the allegations contained in paragraphs one through eight of this Bill of Indictment, and further alleges that:

17. On or about July 16, 2019, in Mecklenburg County, within the Western District of North Carolina and elsewhere, the defendant,

ARLANDO M. HENDERSON

did knowingly engage, attempt to engage, and caused others to engage, in a monetary transaction by, through, or to a financial institution, affecting interstate or foreign commerce, in criminally derived property of a value greater than \$10,000, that is the deposit, withdrawal, transfer and exchange of United States currency, funds, and monetary instruments in the amount of \$20,000 with Mercedes-Benz of Northlake, such property having been derived from a specified unlawful activity, *to wit*, bank fraud, embezzlement and false entries.

All in violation of Title 18, United States Code, Section 1957(a) and 2.

COUNT THIRTY-FIVE
18 U.S.C. § 1344(2)
(Financial Institution Fraud)

18. The Grand Jury realleges and incorporates by reference herein all of the allegations contained in paragraphs three and nine of this Bill of Indictment, and further alleges that:

19. On or about July 16, 2019, in Mecklenburg County, within the Western District of North Carolina and elsewhere, the defendant,

ARLANDO M. HENDERSON

and others known and unknown to the Grand Jury, did knowingly and unlawfully execute and attempt to execute and cause to be executed a scheme and artifice to obtain monies, funds, credits, assets, and other property owned by and under custody and control of Ally Financial, a depository institution holding company, by means of materially false and fraudulent pretenses, representations, and promises, *to wit* the false information and falsified documents submitted with his application to finance the purchase of a car.

All in violation of Title 18, United States Code, Sections 1344(2) and 2.

NOTICE OF FORFEITURE AND FINDING OF PROBABLE CAUSE

Notice is hereby given of 18 U.S.C. § 982 and 28 U.S.C. § 2461(c). Under Section 2461(c), criminal forfeiture is applicable to any offenses for which forfeiture is authorized by any other statute, including but not limited to 18 U.S.C. § 981 and all specified unlawful activities listed or referenced in 18 U.S.C. § 1956(c)(7), which are incorporated as to proceeds by Section 981(a)(1)(C). The following property is subject to forfeiture in accordance with Section 982 and/or 2461(c):

- a. All property which constitutes or is derived from proceeds of the violations set forth in this Bill of Indictment; and
- b. All property involved in the violations set forth in Count Thirty-Four or traceable to property involved in such violations; and
- c. If, as set forth in 21 U.S.C. § 853(p), any property described in (a) cannot be located upon the exercise of due diligence, has been transferred or sold to, or deposited with, a third party, has been placed beyond the jurisdiction of the court, has been substantially diminished in value, or has been commingled with other property which cannot be divided without difficulty, all other property of the defendant/s to the extent of the value of the property described in (a).

The Grand Jury finds probable cause that the following property is subject to forfeiture on one or more of the grounds stated above:

- a. A 2019 Mercedes-Benz A2 with Vehicle Identification Number WDD3G4FB4KW004826.
- b. A forfeiture money judgment in the amount of at least \$88,688.00, such amount constituting the proceeds of the violations set forth in this Bill of Indictment.

A TRUE BILL



R. ANDREW MURRAY
UNITED STATES ATTORNEY



DANIEL RYAN
ASSISTANT UNITED STATES ATTORNEY