

Aug 2, 2016

STEVEN M. LARIMORE
CLERK U.S. DIST. CT.
S.D. OF FLA. - MIAMI

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
16-20584-CR-COOKE/TORRES
CASE NO: _____

18 U.S.C. § 371

8 U.S.C. § 1324(a)(1)(A)(v)(I)

18 U.S.C. § 982(a)(6)

UNITED STATES OF AMERICA

vs.

**YOSANDRA PIEDRA VASQUEZ and
YOEL DE MOYA LOZADA,**

Defendants.

INDICTMENT

The Grand Jury charges that:

GENERAL ALLEGATIONS

At all times relevant to this Indictment:

1. The Immigration and Nationality Act (“INA”) governed the immigration laws of the United States.
2. Pursuant to the INA, non-citizens of the United States (“aliens”) were not permitted to permanently reside in the United States unless they were a lawful permanent resident (“LPR”).
3. Pursuant to the Cuban Adjustment Act (“CAA”), an alien could immediately adjust his/her status to that of a LPR, regardless of his/her country of citizenship, if the alien was married to a Cuban citizen and met other requirements.
4. United States Citizenship and Immigration Services (“USCIS”) was an agency of the United States Department of Homeland Security and was charged with processing applications for immigration benefits that aliens submit seeking lawful status in the United States.

5. An Application to Register Permanent Residence or Adjust Status (“DHS Form I-485”) was the application used by an alien seeking to adjust his/her status in the United States to that of a LPR.

COUNT 1
Conspiracy to Defraud the United States
(18 U.S.C. § 371)

1. Paragraphs 1 through 5 of the General Allegations of this Indictment are realleged and incorporated by reference as though fully set forth herein.

2. Beginning in or around January 2002, and continuing through in or around February 2012, the exact dates being unknown to the Grand Jury, in Miami-Dade County and Broward County, in the Southern District of Florida, and elsewhere, the defendants,

YOSANDRA PIEDRA VASQUEZ and
YOEL DE MOYA LOZADA,

did knowingly and willfully combine, conspire, confederate, and agree with each other and other persons known and unknown to the Grand Jury to defraud the United States, that is, to arrange fraudulent marriages for the purpose of interfering with and obstructing USCIS in its administration of the immigration laws of the United States.

PURPOSE OF THE CONSPIRACY

3. It was the purpose of the conspiracy for the defendants and their co-conspirators to unlawfully enrich themselves and to obtain immigration benefits by interfering and obstructing USCIS in its administration of the immigration laws of the United States.

MANNER AND MEANS OF THE CONSPIRACY

The manner and means by which the defendants and their co-conspirators sought to accomplish the purpose of the conspiracy included, among other things, the following:

4. **YOSANDRA PIEDRA VASQUEZ and YOEL DE MOYA LOZADA** arranged fraudulent marriages between non-Cuban aliens and Cuban citizens to fraudulently qualify the non-Cuban aliens for immigration benefits, including LPR status in the United States.

5. **YOSANDRA PIEDRA VASQUEZ and YOEL DE MOYA LOZADA** demanded payment from the non-Cuban aliens for arranging the fraudulent marriages.

6. **YOSANDRA PIEDRA VASQUEZ and YOEL DE MOYA LOZADA** directed the non-Cuban aliens who entered into the fraudulent marriages to file fraudulent DHS Form I-485 applications seeking LPR status as the spouse of a Cuban citizen under the CAA.

OVERT ACTS

In furtherance of the conspiracy, and to accomplish the purpose thereof, the defendants and their co-conspirators committed and caused to be committed, in the Southern District of Florida, and elsewhere, at least one of the following overt acts, among others:

7. On or about January 23, 2002, **YOSANDRA PIEDRA VASQUEZ** married "J.A.G.", a non-Cuban alien, in Miami-Dade County, Florida.

8. On or about April 27, 2006, **YOSANDRA PIEDRA VASQUEZ** married "N.E.M.", a non-Cuban alien, in Miami-Dade County, Florida.

9. On or about May 17, 2008, **YOSANDRA PIEDRA VASQUEZ** married "C.R.R.K.", a non-Cuban alien, in Broward County, Florida.

10. On or about June 4, 2008, **YOSANDRA PIEDRA VASQUEZ** married "P.A.G.G.", a non-Cuban alien, in Miami-Dade County, Florida.

11. On or about June 27, 2008, **YOSANDRA PIEDRA VASQUEZ** married "M.A.S.L.", a non-Cuban alien, in Broward County, Florida.

12. On or about March 19, 2009, **YOSANDRA PIEDRA VASQUEZ** married “F.A.G.C.”, a non-Cuban alien, in Georgia.

13. On or about June 15, 2009, **YOSANDRA PIEDRA VASQUEZ** married “L.C.D.P.”, a non-Cuban alien, in Broward County, Florida.

14. On or about September 17, 2009, **YOSANDRA PIEDRA VASQUEZ** married “G.M.”, a non-Cuban alien, in Georgia.

15. On or about July 28, 2010, **YOSANDRA PIEDRA VASQUEZ** married “N.F.R.F.”, a non-Cuban alien, in Miami-Dade County, Florida.

16. In or around October 2011, **YOEL DE MOYA LOZADA** asked “G.M.F.” if he knew anyone who needed papers and gave G.M.F. his phone number, in Georgia.

17. In or around October 2011, **YOEL DE MOYA LOZADA** told G.M.F. that his cousin could help him get immigration papers in exchange for money, in Georgia.

18. On or about February 24, 2012, **YOSANDRA PIEDRA VASQUEZ** married G.M.F., a non-Cuban alien, in Georgia.

19. On or about February 24, 2012, **YOEL DE MOYA LOZADA** took photographs of **YOSANDRA PIEDRA VASQUEZ** and G.M.F. together to make it appear that they were in a legitimate marriage, in Georgia.

All in violation of Title 18, United States Code, Section 371.

COUNT 2

**Conspiracy to Encourage and Induce an Alien to Reside Unlawfully in the United States
(8 U.S.C. § 1324(a)(1)(A)(v)(I))**

Beginning in or around January 2002, and continuing through in or around February 2012, the exact dates being unknown to the Grand Jury, in Miami-Dade County and Broward County, in

the Southern District of Florida, and elsewhere, the defendants,

**YOSANDRA PIEDRA VASQUEZ and
YOEL DE MOYA LOZADA,**

did knowingly and intentionally combine, conspire, confederate, and agree with each other and other persons known and unknown to the Grand Jury, to commit an offense against the United States, that is, knowingly encouraging and inducing an alien to reside in the United States, knowing and in reckless disregard of the fact that such residence is and will be in violation of law, in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iv); all in violation of Title 8, United States Code, Section 1324(a)(1)(A)(v)(I).

FORFEITURE ALLEGATIONS

1. The allegations contained in this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeiture to the United States of America of certain property in which the defendants, **YOSANDRA PIEDRA VASQUEZ** and **YOEL DE MOYA LOZADA**, have an interest.

2. Upon conviction of a violation of Title 8, United States Code, Section 1324, the defendants shall each forfeit to the United States of America, pursuant to Title 8, United States Code, Section 1324(b) and Title 18, United States Code, Section 982(a)(6):

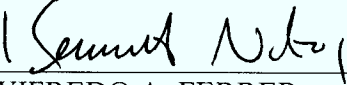
- (a) any conveyance, including any vessel, vehicle, or aircraft, used in the commission of such violation, or property traceable to such property;
- (b) any property, real or personal, that constitutes or is derived from or is traceable to the proceeds obtained directly or indirectly from the commission of such violation, or property traceable to such property; and
- (c) any property, real or personal, used to facilitate or intended to be used to

facilitate the commission of such violation.

All pursuant to Title 8, United States Code, Section 1324(b), Title 18, United States Code, Section 982(a)(6), and the procedures set forth in Title 21, United States Code, Section 853, as incorporated by Title 18, United States Code, Section 982(b)(1) and Title 28, United States Code, Section 2461(c).

A TRUE BILL

FOREPERSON



WIFREDO A. FERRER
UNITED STATES ATTORNEY



TIMOTHY M. COLE
SPECIAL ASSISTANT UNITED STATES ATTORNEY

UNITED STATES OF AMERICA

CASE NO. _____

vs.

CERTIFICATE OF TRIAL ATTORNEY*

YOSANDRA PIEDRA VASQUEZ and
YOEL DE MOYA LOZADA,

Defendants. _____ /

Superseding Case Information:

Court Division: (Select One)

New Defendant(s) Yes _____ No _____

Number of New Defendants _____

Total number of counts _____

x Miami _____ Key West
_____ FTL _____ WPB _____ FTP

I do hereby certify that:

1. I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.
2. I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. Section 3161.
3. Interpreter: (Yes or No) Yes _____
List language and/or dialect Spanish
4. This case will take 4-5 day for the parties to try.
5. Please check appropriate category and type of offense listed below:

(Check only one)		(Check only one)	
I 0 to 5 days	<u>x</u>	Petty	_____
II 6 to 10 days	_____	Minor	_____
III 11 to 20 days	_____	Misdem.	_____
IV 21 to 60 days	_____	Felony	<u>x</u>
V 61 days and over	_____		

6. Has this case been previously filed in this District Court? (Yes or No) No

If yes:

Judge: _____

Case No. _____

(Attach copy of dispositive order)

Has a complaint been filed in this matter? (Yes or No) No

If yes:

Magistrate Case No. _____

Related Miscellaneous numbers: _____

Defendant(s) in federal custody as of _____

Defendant(s) in state custody as of _____

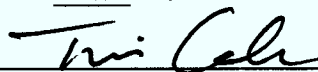
Rule 20 from the _____ District of _____

Is this a potential death penalty case? (Yes or No) No

7. Does this case originate from a matter pending in the Northern Region of the U.S. Attorney's Office prior to October 14, 2003? _____ Yes x No

8. Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to September 1, 2007? _____ Yes x No

_____ Yes x No



TIMOTHY M. COLE
SPECIAL ASSISTANT UNITED STATES ATTORNEY
Court ID No. A5501695

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: YOSANDRA PIEDRA VASQUEZ

Case No: _____

Count #: 1

Conspiracy to Defraud the United States

Title 18, United States Code, Section 371

***Max. Penalty: 5 Years of Imprisonment**

Count #: 2

Conspiracy to Encourage and Induce an Alien to Reside Unlawfully in the United States

Title 8, United States Code, Section 1324(a)(1)(A)(v)(I)

***Max. Penalty: 10 Years of Imprisonment**

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: YOEL DE MOYA LOZADA

Case No: _____

Count #: 1

Conspiracy to Defraud the United States

Title 18, United States Code, Section 371

***Max. Penalty:** 5 Years of Imprisonment

Count #: 2

Conspiracy to Encourage and Induce an Alien to Reside Unlawfully in the United States

Title 8, United States Code, Section 1324(a)(1)(A)(v)(I)

***Max. Penalty:** 10 Years of Imprisonment

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**