

UNITED STATES DISTRICT COURT
for the
District of Oregon

United States of America
v.
DAVID ROGER UNITAN

Case No. 3:20-mj-00293

Defendant(s)

CRIMINAL COMPLAINT
BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 24, 2020, in the county of Washington in the
District of Oregon, the defendant(s) violated:

Table with 2 columns: Code Section, Offense Description. Rows include 18 U.S.C. § 1028A (Aggravated Identity Theft), 18 U.S.C. § 1343 (Wire Fraud), and 18 U.S.C. § 1957 (Money Laundering).

This criminal complaint is based on these facts:

See the attached affidavit, which is incorporated herein by reference.

Continued on the attached sheet.

Complainant's signature

Special Agent Christopher Mar, IRS-CI

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
telephone at 4:13 p.m.

Date: 12/21/2020

City and state: Portland, Oregon



Signature of Judge

Judge's signature

Hon. Youlee Yim You, U.S. Magistrate Judge

Printed name and title

3:20-mj-00293

DISTRICT OF OREGON, ss: AFFIDAVIT OF CHRISTOPHER MAR

Affidavit in Support of a Criminal Complaint, Arrest Warrant and Seizure Warrants

I, Christopher Mar, being duly sworn, do hereby depose and state as follows:

Introduction and Agent Background

1. I am a Special Agent with the Internal Revenue Service, Criminal Investigations (IRS-CI) and have been since June 2009. My current assignment is the Portland, Oregon, post of duty. I have successfully completed the 11-week Criminal Investigator Training Course at the Federal Law Enforcement Training Center and the 16-week Special Agent Basic Training course put on by the Internal Revenue Service. Throughout my tenure as a Special Agent with IRS-CI, I have conducted or participated in investigations concerning Title 26 (Income Tax), Title 18 (Conspiracy and Money Laundering), and Title 31 (Bank Secrecy Act) violations by individuals involved both in legal and illegal occupations.

2. I submit this affidavit in support of a criminal complaint and arrest warrant for DAVID ROGER UNITAN (UNITAN) for committing Aggravated Identity Theft, in violation of 18 U.S.C. § 1028A, Wire Fraud, in violation of 18 U.S.C. § 1343, and Money Laundering, in violation of 18 U.S.C. § 1957. As set forth below, there is probable cause to believe that UNITAN committed the above-described offenses.

3. This affidavit is also being submitted in support of an Application for Seizure Warrants for the following assets controlled by UNITAN:

- A white 2020 Tesla Model X with vehicle identification number (VIN) 5YJXCDE23LF283975, believed to be located outside the residence of 840 SW Englewood Drive, Lake Oswego, Oregon 97034.

- A dark blue 2020 Ford F-350 Super Duty Lariat pickup truck with VIN 1FT8W3BT2LED22219, believed to be located outside the residence of 840 SW Englewood Drive, Lake Oswego, OR 97034.
- Funds, up to the amount of \$153,846.42, associated with Wells Fargo Bank Account Number 5225001626, in the name of DANNY M. COHEN, with an address of 818 SW 3rd Ave #209, Portland, Oregon.
- Funds, up to the amount of \$15,000, associated with Wells Fargo Bank-WELLSTRADE Account Number 8418-3371, in the name of DANNY M. COHEN, with an address of 818 SW 3rd Ave #209, Portland, Oregon.

4. I submit that the property described above was involved in or is traceable to property involved in money laundering offenses in violation of Title 18, United States Code, Section 1957 and is property, real or personal, which constitutes or is derived from proceeds traceable to wire fraud in violation of Title 18, United States Code, Section 1343. The vehicles and Wells Fargo funds are therefore subject to seizure pursuant to 18 U.S.C. § 981(b) and 21 U.S.C. § 853(f) and are forfeitable pursuant to 18 U.S.C. § 981(a)(1)(A) and (C), 982(a)(1), 984, and 28 U.S.C. § 2461.

5. The information set forth in this affidavit consists of information I have gathered, including through my own review and analysis of various official and financial records, and information relayed to me by other law enforcement personnel and civilian witnesses. The information in this affidavit is not intended to detail every fact and circumstance of the investigation or all information known to me or other participants in the investigation. Rather,

this affidavit serves solely to establish that probable cause exists in support of the offenses charged in this complaint.

Applicable Law

6. 18 U.S.C. § 1028A specifies, in relevant part: “Whoever, during and in relation to any felony violation enumerated in subsection (c) [including violations of 18 U.S.C. § 1343], knowingly transfers, possesses, or uses, without lawful authority, a means of identification of another person shall, in addition to the punishment provided for such felony, be sentenced to a term of imprisonment of 2 years.”

7. 18 U.S.C. § 1343 specifies, in relevant part: “Whoever, having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, transmits or causes to be transmitted by means of wire, radio, or television communication in interstate or foreign commerce, any writings, signs, signals, pictures, or sounds for the purpose of executing such scheme or artifice, shall be fined under this title or imprisoned not more than 20 years, or both.”

8. 18 U.S.C. § 1957 specifies, in relevant part: “Whoever, in any of the circumstances set forth in subsection (d), knowingly engages or attempts to engage in a monetary transaction in criminally derived property of a value greater than \$10,000 and is derived from specified unlawful activity, shall be punished . . . with imprisonment for not more than ten years.”

Statement of Probable Cause

9. As set forth below, I have probable cause to believe that DAVID ROGER UNITAN committed Aggravated Identity Theft, Wire Fraud, and Money Laundering. This case involves the use of stolen identities of real individuals known to UNITAN as well as aliases and

counterfeit identification documents. UNITAN used the stolen identities to apply for and to receive Economic Injury Disaster Loans (EIDLs) and Paycheck Protection Program (PPP) Loans from the U.S. government and then caused the proceeds of these loans to be transmitted by interstate wires, in part to fund purchases he made using the alias “DANIEL COHEN” or some variant thereof.

Background of Economic Injury Disaster Loans and the Paycheck Protection Program

10. The Economic Injury Disaster Loan (“EIDL”) program is a Small Business Administration (SBA) program that provides low-interest financing to small businesses, renters, and homeowners affected by declared disasters.

11. On March 27, 2020, President Trump signed the Coronavirus Aid, Relief, and Economic Security (CARES) Act into law. Pub. L. No. 116-136, 134 Stat. 281 (2020). That statute, along with the Coronavirus Preparedness and Response Supplemental Appropriations Act, authorized the SBA to provide EIDLs of up to \$2 million to eligible small businesses experiencing substantial financial disruption due to the COVID-19 pandemic. In addition, the CARES Act authorized the SBA to issue advances of up to \$10,000 to small businesses within three days of applying for an EIDL. The amount of the advance is determined by the number of employees the applicant certifies having. The advances do not have to be repaid.

12. In order to obtain an EIDL and advance, a qualifying business must submit an application to the SBA and provide information about its operations, such as the number of employees, gross revenues for the 12-month period preceding the disaster, and cost of goods sold in the 12-month period preceding the disaster. In the case of EIDLs for COVID-19 relief, the 12-month period was that preceding January 31, 2020. The applicant must also certify that all the information in the application is true and correct to the best of the applicant’s knowledge.

13. The CARES Act also created the Paycheck Protection Program (PPP), which authorized the SBA to guarantee loans of up to \$10,000,000 to qualifying employers without collateral or personal guarantees from the borrowers. The Act required lenders making loans under the PPP to defer all repayment obligations for not less than six months on such loans and required borrowers to certify, among other things, that the borrowed “funds [would] be used to retain workers and maintain payroll or make mortgage payments, lease payments, and utility payments.” CARES Act § 1102, 134 Stat. at 286-93.

14. Unlike PPP loan applications, which were submitted directly to participating lenders, EIDL applications are submitted electronically to the SBA through servers in Colorado and processed by the agency with support from a government contractor, Rapid Finance. The amount of an EIDL, if the application is approved, is determined based, in part, on the information provided in the application about employment, revenue, and cost of goods, as described above. Any funds issued under an EIDL or advance are issued directly by the SBA. EIDL funds can be used for payroll expenses, sick leave, production costs, and business obligations, such as debts, rent, and mortgage payments. If the applicant also obtains a loan under the Paycheck Protection Program, the EIDL funds cannot be used for the same purpose as the Paycheck Protection Program funds.

15. The IRS has access to EIDL data through an agreement among Internal Revenue Service-Criminal Investigations (IRS-CI), SBA, and the United States Department of Justice’s Criminal Division to share certain “financial records” of “customers,” as those terms are defined in the Right to Financial Privacy Act of 1978 (12 U.S.C. §§ 3401-22). The data and records may be used only for the purpose of criminal investigations relating to the Paycheck Protection Program and the Economic Injury Disaster Loan Program and any resulting proceedings.

The Investigation

Use of V-1's Identity to Obtain EIDL That Funded Purchase of Ford Pickup

16. On July 9, 2020, at approximately 2:28 PM, an individual identified herein only as Identity Theft Victim-1 (V-1) contacted the Clackamas County Sheriff's Office (CCSO) to report an identity theft, as noted in a report authored by Community Service Officer (CSO) Julie Fanger (CCSO Case Number 20-014266).

17. V-1 informed CSO Fanger that, sometime before June 17, 2020, an unknown person had obtained and used personal information belonging to him, his wife, and their businesses, collectively referred to herein only as the Victim Business (VB-1), to establish accounts with Radius Bank in Boston, Massachusetts.

18. V-1 had received three credit and debit cards in the mail from Radius Bank. V-1, his wife, and VB-1 had not opened the accounts and were not previously familiar with the bank. V-1 contacted Radius Bank and learned their identifying information, including tax identification numbers, had been utilized to open the accounts.

19. V-1 later confirmed that he and his wife had received two cards in his name and one in his wife's name. V-1 had also received a statement for a Radius Bank account ending in 4544, which was associated with VB-1.

20. V-1 reported that, on June 24, 2020, \$100,000 had been transferred into the Radius Bank account ending in 4544 from an account ending in 9821 at another bank. That same day, \$77,898.11 had been transferred by wire to Mackenzie Motor Company in Hillsboro, Oregon, from the account ending in 4544. On June 26, 2020, the SBA made a \$10,000 deposit into the same account.

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21. According to SBA's data, an EIDL (SBA Loan Number 7025797910) was applied for on June 14, 2020, utilizing a North One Bank account ending in 9821 and business information pertaining to VB-1, including VB-1's Employer Identification Number (EIN) ending in 3674. North One Bank is an online bank that uses Radius Bank for its banking services. On June 17, 2020, the loan was approved, and \$150,000 was disbursed on June 18, 2020, into the North One Bank account ending in 9821. The bank statement provided by V-1 confirms that, on June 24, 2020, \$100,000 was transferred from that account to a Radius Bank account, ending in 4544, opened in the name of VB-1. That same day, \$77,898.11 was wired from the account ending in 4544 to Mackenzie Ford in Hillsboro, Oregon.

22. SBA records show that six EIDLs were applied for using V-1's true social security number (ending in 1523), resulting in two loans: the above-described loan for \$150,000 and a second EIDL for \$145,000. The latter loan was disbursed to the North One Bank account ending in 9821 on July 2, 2020.

23. On August 25, 2020, the General Manager (GM) for Dick's Mackenzie Ford, located at 4151 SE Tualatin Valley Highway in Hillsboro, Oregon, reported that a male had purchased a 2020 Ford F-350 Super Duty Lariat pickup truck for \$77,898.11 on June 26, 2020 (two days after the above-described transfer from the Radius Bank account ending in 4544). The GM provided copies of the documents the dealership had collected during the vehicle sale. The purchaser had presented a California driver's license in the name of DANNY MICHAEL COHEN with the date of birth 11/01/1974. According to the Law Enforcement Database System (LEDS), no such record exists, indicating the license was counterfeit.

24. The GM further reported that the purchaser of the pickup had arrived at the car dealership in a white 2020 Tesla Model X and later provided the dealership with an insurance

card for the Tesla issued by the General. The dealership retained a photocopy of that insurance card, which shows the Tesla's VIN as 5YJXCDE23LF283975.

25. On September 4, 2020, a check of that VIN in LEDS showed that it had been impounded by the Lake Oswego Police Department (LOPD) on August 29, 2020, because the operator of the vehicle had been driving while suspended and without insurance. LOPD Officer Macfarlane reported the driver had been identified as UNITAN.

26. UNITAN's photo on file with the Oregon Department of Motor Vehicles (DMV), is very similar to the photo in the fraudulent California driver's license presented to Dick's McKenzie Ford. In addition, the address listed on that fraudulent driver's license was 3130 Claremore Avenue in Long Beach, California. A databased used by law enforcement shows that UNITAN had a previous address of 3131 Claremore Ave in Long Beach, California.



Fraudulent California ID

David Roger Unitan Oregon DMV

27. On October 8, 2020, CCSO Deputy Brenden McKoy contacted two employees at Dick's Mackenzie Ford to conduct a photo line-up. Deputy McKoy separately showed the employees a set of six photographs. One employee did not identify UNITAN as the purchaser of the pickup, but he had not seen the suspect without a mask on (due to COVID-19). The second

employee thought either of two photographs might depict the purchaser, but he leaned more toward UNITAN's photograph.

28. The second employee had delivered the pickup to the purchaser at 135 NW Ninth Avenue in Portland, Oregon. He reported the purchaser met him in the lobby to sign paperwork and informed him he was moving and needed the pickup for moving rocks and dirt at the new residence.

29. In an interview on November 17, 2020, V-1 confirmed that he knew UNITAN. When emailed a copy of the photograph cropped from the counterfeit "DANNY COHEN" California Driver's License that had been used to purchase the pickup from Dick's Mackenzie Ford, V-1 responded, "I am sure that is him," referring to UNITAN.

30. V-1 later explained that he had met UNITAN in 2014 at a self-expression leadership program. He hired UNITAN that fall to work on a promotional project for VB-1 and traveled to Paris, France, with him on a work trip. V-1 described UNITAN as unprofessional and a "mooch."

Use of V-2's Identity to Lease Englewood Drive Residence

31. A subsequent check of the aforementioned Tesla's VIN through LEDS revealed that it had been registered to "DANNY MICHAEL COHEN" at 840 SW Englewood Drive in Lake Oswego, Oregon. The owner of that property indicated the residence had been rented out with the assistance of a property management company, Bluestone & Hockley.

32. The assigned property manager from Bluestone & Hockley indicated the property had been rented to a male using the identity of a victim who will be referred to herein only as Identity Theft Victim Number 2 (V-2). She stated the tenant had moved into the residence on

September 1, 2020, and had signed a one-year lease for \$4,500 per month. She further explained that the tenant had passed a background check.

33. The Property Manager relayed the renter's disclosures that he had recently moved to Oregon from California and was employed by a lessor of shipping containers based in San Francisco. The property manager said she searched the employer online and saw V-2 listed as one of the company's executives. This satisfied her that the prospective tenant was indeed V-2, even though there was no photo of V-2 on the website to verify his identity.

34. V-2 was contacted by phone through his employer. He reported that he still lived in Palo Alto, California, and still worked for the company. V-2 explained his identity had been stolen in April 2020 and that his personal information had been used to finance the purchase of a new 2019 Ford F-350 pickup truck at a dealership in Morgan Hill, California. The vehicle had been purchased online through the Ford Store Morgan Hill. The individual purporting to be V-2 had provided the dealership via email and fax with all the necessary documentation, including what was later confirmed to be a fraudulent California driver's license bearing number A7305901. V-2 stated he had been alerted to the activity on his credit report and contacted Ford to inform them he had not been the one to purchase the vehicle.

35. V-2 reported that Ford had activated the GPS system on the vehicle and tracked it to a senior living community in Walnut Creek, California. In the course of their investigation, Morgan Hill Police Department (MHPD) and Walnut Creek Police Department (WCPD) identified UNITAN as a suspect in the identity and vehicle thefts. Reports from MHPD (Case #20000845) and WCPD (Case ##2020-10468 and -2316) indicate the stolen F-350 had been found parked near UNITAN's mother's residence at 3433 Tice Creek Dr. Apt 2 in Walnut Creek. A K9 had been used to track the scent of the driver of the F-350. The K9 led officers to

UNITAN'S mother's apartment building but was unable to determine if the scent was coming from unit 1 or 2. Neighbors told officers on scene that they had seen UNITAN driving the vehicle.

Purchase of the Tesla

36. Tesla has provided documents associated with the purchase of the Tesla Model X bearing VIN 5YJXCDE23LF283975. The purchase was booked in June 2020 under the name DANIEL MICHAEL COHEN. The vehicle was purchased for \$91,163.46 and paid for in full at the time of purchase (though that initial payment bounced). While the company was not able to positively identify UNITAN as the purchaser of the vehicle, Tesla provided a copy of the California driver's license that had been presented at the time of purchase. The driver's license was the same fraudulent ID card presented to Dick's Mackenzie Ford for the purchase of the Ford pickup truck in Hillsboro, Oregon.

37. Tesla also provided a copy of a lease agreement for the property of 840 SW Englewood Drive in Lake Oswego, Oregon. The lease agreement had been completed utilizing V-2's name and true date of birth.

38. One of the documents provided by Tesla showed three successful wire transfers to pay for the vehicle after the initial payment had failed to clear: two for \$30,000 (posted on August 4 and August 28, 2020) and a third for \$33,069.46 (posted on September 16, 2020). The three wire transfers listed the payor as ALBRIGHT LLC. According to the California Secretary of State's website, Albright LLC was registered in California on June 10, 2020 (corporation file number of 202016310071) with DANIEL M. COHEN named as the organizer and agent for service of process. The address associated with the business is 6005 Horsemans Canyon Drive in Walnut Creek, California.

39. A separate document provided by Tesla showed the customer's billing information. The car was billed to DANIEL COHEN at 1551 SW Market Street in Portland, Oregon. The Market Street address is also listed on the Oregon Secretary of State's website as the business address for an inactive entity registered in 2005 in UNITAN's own name: DAVE UNITAN CREATIVE LLC.

Information Pertaining to Azlo Bank

40. On May 8, 2020, a business checking account (number 6784384584) with Azlo Bank was opened under the business name ALBRIGHT LLC. The business purported to operate out of 1551 SW Market Street in Portland, Oregon. The registered agent for the corporation was listed as DANIEL COHEN, and the business was reinstated with the Oregon Secretary of State on March 23, 2020. It had originally been registered with the Oregon Secretary of State on October 30, 2018, and was administratively dissolved on December 26, 2019. On the initial Articles of Organization, DANIEL COHEN is listed as the manager for ALBRIGHT LLC; on the reinstatement, DANIEL COHEN is listed as the founder. Based on UNITAN's repeated association with the 1551 SW Market Street address and frequent use of the DANIEL COHEN alias, I believe UNITAN fraudulently opened and controlled this Azlo account. According to onboarding documents obtained from Azlo Bank, the account had been opened for the purpose of depositing EIDL and PPP loan proceeds. DANNY COHEN (DOB 11/01/1974) was listed as the sole owner of the business and was the authorized representative on the account.

41. On May 19, 2020, a PPP loan from Cross River Bank of New Jersey for the amount of \$108,211.00 was deposited into the account. An EIDL (SBA Loan Number 5785447805) was deposited into the account on June 9, 2020, in the amount of \$30,400. On June 12, 2020, \$3,000 was also deposited as an advance on the EIDL. This loan was approved

for the benefit of Albright LLC and the loan agreement was signed by DAN COHEN. On June 22, 2020, two separate deposits in the amount of \$10,000 were transferred into the account from North One Bank. I believe these loans were fraudulently obtained by UNITAN, posing as DANNY MICHAEL COHEN. A total of \$166,611 of ill-gotten funds were deposited into the account.

42. UNITAN proceeded to transfer the funds into several other accounts which he controlled, including Poppy Bank account number 05-1001106-1. Over the course of several transactions which took place between May 22, 2020, and May 26, 2020, UNITAN transferred approximately \$13,101.58 from Azlo Bank to Poppy Bank. On June 17, 2020, an additional \$3,000 was transferred into the Poppy Bank account. A total of \$16,101.58 was transferred from the Azlo Bank account into the Poppy Bank account.

Information Pertaining to Poppy Bank

43. On May 11, 2020, a business checking account (number 05-1001106-1) was opened with Poppy Bank in Walnut Creek, California, also under the business name Albright LLC. The business was purported to operate out of 6005 Horsemans Canyon Drive in Walnut Creek, California. The sole owner and signer on the account was purported to be DANNY MICHAEL COHEN (DOB 11/01/1974), whose identity was verified by the same counterfeit California driver's license (number V3375283) UNITAN used to purchase the above-described Tesla Model X and the pickup from Dick's Mackenzie Ford.

44. On May 28, 2020, the proceeds of a PPP loan from Cache Valley Bank (SBA Loan Number 90405874-02) was deposited into the Poppy Bank account in the amount of \$83,100. According to loan documents, the loan had been applied for in the name of DANIEL COHEN for the benefit of Albright LLC. The same counterfeit California driver's license

number was listed on the loan documents. On July 13, 2020, an EIDL loan in the amount of \$144,900 was also deposited into the account. I believe all the funds that were deposited into the Poppy Bank account were the proceeds of fraudulent loan applications.

45. On June 19, 2020, bank records showed UNITAN spent \$1000 from the Poppy Bank account at the Dick's Mackenzie Ford dealership in Hillsboro, Oregon. Documents from the Ford dealership showed these funds were used as a down payment on a Ford F-350 Super Duty Lariat pickup truck. On August 4, 2020, and August 28, 2020, two separate transactions of \$30,000 were wired from this account to Tesla for UNITAN's above-described purchase of the 2020 Tesla Model X.

Information Pertaining to Wells Fargo

46. UNITAN fraudulently opened Wells Fargo account 5225001626 on May 9, 2020, under the name DANIEL COHEN. The address associated with the account was 6005 Horsemans Canyon Drive in Walnut Creek, California, but bank statements reflect a change of address to 819 SW 3rd Ave, 209, Portland, Oregon. According to the signature card, a name change request was made on July 7, 2020 to change the customer name to DANNY M. COHEN from DANIEL COHEN. The signature card lists a phone number of 503-225-3395 as the banker phone number. That phone number belongs to a Wells Fargo branch located at 5615 S Macadam Avenue in Portland, Oregon. Bank records show UNITAN had sole control over the funds deposited into and withdrawn from this account. According to the signature card from Wells Fargo, UNITAN provided the same fake Social Security Number (ending in 9912) he has used on numerous other documents. I have confirmed with the Social Security Administration that this social security number does not belong to a true person.

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47. The Wells Fargo account was funded by transfers from the above-described Azlo and Poppy Bank accounts, as well as a few cash deposits. Approximately \$59,496.42 was transferred from Azlo Bank. \$94,350 was transferred from Poppy Bank. These two deposits total \$153,846.42 and constitute proceeds of fraudulent loan applications for which I seek a seizure warrant by way of this affidavit.

48. The vast majority of transactions from the Wells Fargo account appear to be personal transactions (such as payments for DoorDash, groceries, and fuel) by or for UNITAN. It appears UNITAN also spent approximately \$17,678.64 on cryptocurrency through Cex.io. UNITAN made \$33,106 in cash withdrawals from the account. He spent approximately \$25,118.20 on hotels and \$9,100 as a deposit on the Englewood Drive residence UNITAN currently occupies in Lake Oswego, Oregon.

49. UNITAN used \$3,000 from the Wells Fargo account to retain an attorney, Vincent Bernabei, who represented him in a contempt-of-court case in Clackamas County (Case 19CN04735).

50. On June 26, 2020, UNITAN transferred \$15,000 from the Wells Fargo account, ending in 1626, to a WELLSTRADE investment account, number 8418-3371. I believe these funds were fraudulently obtained through loans that had been originally deposited into Azlo Bank and Poppy Bank accounts UNITAN controlled. I therefore seek authorization to seize these funds.

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Conclusion

51. I believe that UNITAN has applied for EIDLs using the identity of V-1, a real person known to UNITAN, and V-1's businesses. I believe the evidence shows that UNITAN opened a bank account at Radius Bank in the names of V-1 and VB-1 and caused fraudulently obtained funds to be wired to Oregon in violation of Title 18, United States Code, §§ 1028A and 1343.

52. I believe that UNITAN, purporting to be V-1, caused funds to be transferred by wire from that Radius Bank account in Boston, Massachusetts, to a Mackenzie Motor Co. bank account at Heritage Bank in Hillsboro, Oregon, on June 24, 2020, in violation of Title 18, United States Code § 1343.

53. I believe that UNITAN, with funds from the Radius Bank account ending in 4544 and using the DANIEL COHEN alias, purchased a 2020 Ford F-350 Super Duty Lariat truck for \$77,898.11, in violation of Title 18, United States Code § 1957.

54. Based on the foregoing facts and evidence, there is probable cause to believe, and I do believe, that DAVID ROGER UNITAN committed aggravated identity theft in violation of 18 U.S.C. § 1028A, wire fraud in violation of 18 U.S.C. § 1343, and money laundering in violation of 18 U.S.C. § 1957. I therefore request that the Court issue a criminal complaint and arrest warrant for DAVID ROGER UNITAN, and seizure warrants for the vehicles and moneys outlined above.

55. Based on the information contained in this affidavit and my investigation to date, there is probable cause to believe, and I do believe, that the 2020 Ford F-350 pickup, the 2020 Tesla Model X, and funds transferred to the Wells Fargo accounts were involved in or are traceable to property involved in money laundering offenses in violation of Title 18, United

States Code, Section 1957 and are property, real or personal, that constitutes or is derived from proceeds traceable to a violation of Title 18, United States Code, Section 1343.

56. The vehicles and funds in the Wells Fargo accounts described above are therefore subject to seizure pursuant to 18 U.S.C. § 981(b) and 21 U.S.C. § 853(f), and are forfeitable pursuant to 18 U.S.C. §§ 981(a)(1)(A), (a)(1)(C), 982(a)(1), 984, and 28 U.S.C. § 2461.

57. In addition, an order issued under 21 U.S.C. § 853(e) may not suffice to assure the availability of the property for forfeiture upon the conclusion of this uncharged case because the vehicles may be moved, sold or transferred to other parties, and the funds in the Wells Fargo accounts may be covertly transferred or withdrawn.

58. By reason above, I respectfully request that the Court issue seizure warrants for:

- A white 2020 Tesla Model X with vehicle identification number (VIN) 5YJXCDE23LF283975, believed to be located outside the residence of 840 SW Englewood Drive, Lake Oswego, Oregon, 97034;
- A dark blue 2020 Ford F-350 Super Duty Lariat pickup truck with VIN 1FT8W3BT2LED22219, believed to be located outside the residence of 840 SW Englewood Drive, Lake Oswego, Oregon, 97034;
- Funds, up to the amount of \$153,846.42, associated with Wells Fargo Bank Account Number 5225001626, in the name of DANNY M. COHEN, with an address of 818 SW 3rd Ave #209, Portland, Oregon.
- Funds, up to the amount of \$15,000, associated with Wells Fargo Bank-WELLSTRADE Account Number 8418-3371, in the name of DANIEL M. COHEN, with an address of 818 SW 3rd Ave #209, Portland, Oregon.

59. Prior to being submitted to the Court, this affidavit was reviewed by Assistant United States Attorney Ryan W. Bounds, who advised me that, in his opinion, the affidavit is legally and factually sufficient to establish probable cause to support the issuance of the requested criminal complaint, arrest warrant and seizure warrants.

Sworn by Phone IAW Fed. R. Crim. P. 4.1
Special Agent Christopher Mar
Internal Revenue Service-
Criminal Investigation

Sworn in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone at 4:13 PM
~~XXXX~~ on December 21, 2020.



HONORABLE YOULEE YIM YOU
United States Magistrate Judge