

FILED by **YH** D.C.
Sep 24, 2019
ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S.D. OF FLA. - MIAMI

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
19-10016-CR-MARTINEZ/SNOW**
Case No. _____

**18 U.S.C. § 1956(h)
18 U.S.C. § 1956(a)(1)(B)(i)
18 U.S.C. § 1960
18 U.S.C. § 982**

UNITED STATES OF AMERICA

v.

SEAN KERWIN BINDRANAATH,

Defendant.

_____ /

INDICTMENT

The Grand Jury charges that:

GENERAL ALLEGATIONS

At all times relevant to this Indictment, unless otherwise specified:

1. Pursuant to Title 18, United States Code, Section 1960(b)(2), the term “money transmitting” includes transferring funds on behalf of the public by any and all means, including but not limited to, transfers within this country by wire, check, draft, facsimile, or courier.
2. Title 18, United States Code, Section 1960(b)(1)(A) required money transmitting businesses which affect interstate or foreign commerce in any manner or degree to possess an appropriate money transmitting license from the State in which they operate.
3. Money transmitters operating in the State of Florida were required to register under Florida law, and operating a money transmitting business without authorization was punishable as a felony under Florida.

4. The defendant **SEAN KERWIN BINDRANAUTH**, a resident of Monroe County, Florida, did not register with the State of Florida to obtain a license from the State of Florida to operate a money transmitting business.

COUNT 1
Conspiracy to Commit Money Laundering
(18 U.S.C. § 1956(h))

From at least as early as in or around February 2018 through in or around May 2019, in Monroe County, in the Southern District of Florida, and elsewhere, the defendant,

SEAN KERWIN BINDRANAUTH,

did willfully, that is, with the intent to further the object of the conspiracy, and knowingly combine, conspire, confederate, and agree with others known and unknown to the Grand Jury, to commit offenses against the United States, in violation of Title 18, United States Code, Section 1956, that is, to knowingly conduct a financial transaction affecting interstate and foreign commerce, which financial transaction involved the proceeds of specified unlawful activity, knowing the property involved in the financial transaction represented the proceeds of some form of unlawful activity, and knowing that such transaction was designed in whole and in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i).

It is further alleged that the specified unlawful activity is conspiracy to commit wire fraud, in violation of Title 18, United States Code, Section 1349, and wire fraud, in violation of Title 18, United States Code, Section 1343.

All in violation of Title 18, United States Code, Section 1956(h).

COUNTS 2-9
Money Laundering
(18 U.S.C. § 1956(a)(1)(B)(i))

On or about the dates specified below, in Monroe County, in the Southern District of Florida, and elsewhere, the defendant,

SEAN KERWIN BINDRANAUTH,

did knowingly conduct and attempt to conduct a financial transaction affecting interstate and foreign commerce, which financial transaction involved the proceeds of specified unlawful activity, knowing that the property involved in the financial transaction represented the proceeds of some form of unlawful activity, and knowing that the transaction was designed, in whole and in part, to conceal and disguise the nature, location, source, ownership, and control of the proceeds of specified unlawful activity, as set forth below:

Count	Approximate Date	Financial Transaction
2	March 9, 2018	MoneyGram transfer at 7:14 a.m. of approximately \$986 from SEAN KERWIN BINDRANAUTH to co-conspirator "A.E." in Abraka, Nigeria.
3	May 22, 2018	Western Union transfer at 7:16 p.m. of approximately \$984 at the direction of SEAN KERWIN BINDRANAUTH to co-conspirator "E.P." in Abraka, Nigeria.
4	June 16, 2018	MoneyGram transfer at 5:10 p.m. of approximately \$984 at the direction of SEAN KERWIN BINDRANAUTH to co-conspirator "M.E." in Abraka, Nigeria.
5	July 10, 2018	Western Union transfer at 8:11 p.m. of approximately \$984 at the direction of SEAN KERWIN BINDRANAUTH to co-conspirator "O.O." in Abraka, Nigeria.
6	September 12, 2018	Wire transfer of approximately \$5,500 from SEAN KERWIN BINDRANAUTH 's Iberia Bank account ending in 7886 to co-conspirator "O.A.M." United Bank for Africa account ending in 4012.

Count	Approximate Date	Financial Transaction
7	November 12, 2018	Western Union transfer at 4:03 p.m. of approximately \$500 at the direction of SEAN KERWIN BINDRANAUTH to co-conspirator "A.E." in Abraka, Nigeria.
8	January 9, 2019	Wire transfer of \$42,000 from SEAN KERWIN BINDRANAUTH 's Bank of America account ending in 4368 to co-conspirator "O.A.M." United Bank for Africa account ending in 4012.
9	April 3, 2019	Wire transfer of approximately \$35,000 from SEAN KERWIN BINDRANAUTH 's BB&T Bank account ending in 0502 to co-conspirator "O.A.M." United Bank for Africa account ending in 4012.

It is further alleged that the specified unlawful activity is wire fraud, in violation of Title 18, United States Code, Section 1343.

In violation of Title 18, United States Code, Sections 1956(a)(1)(B)(i) and 2.

Count 10
Unlicensed Money Transmitting Business
(18 U.S.C. § 1960)

1. The allegations set forth in paragraphs 1 through 4 of the General Allegations of this Indictment are re-alleged and by this reference fully incorporated herein.

2. From at least as early as in or around February 2018, and continuing through in and around May 2019, in Monroe County, in the Southern District of Florida, and elsewhere, the defendant,

SEAN KERWIN BINDRANAUTH,

did knowingly conduct, control, manage, supervise, direct, and own all and part of an unlicensed money transmitting business, as that term is defined in Title 18, United States Code, Section 1960(b), by transferring funds on behalf of the public, by any and all means including wire and

check, which affected interstate and foreign commerce, and which was operated without an appropriate money transmitting license in a State, that is, Florida, where such operation was punishable as a felony, and failed to comply with the money transmitting business registration requirements under Title 31, United States Code, Section 5330 of and the regulations prescribed thereunder, in violation of Title 18, United States Code, Sections 1960(a) and 2.

FORFEITURE ALLEGATIONS

1. The allegations contained in this Indictment are re-alleged and incorporated by reference as though fully set forth herein for the purpose of alleging criminal forfeiture to the United States of America of certain property in which the defendant has an interest.

2. Upon conviction of any violation of Title 18, United States Code, Section 1956, or any violation of Title 18, United States Code, Section 1960 as alleged in this Indictment, the defendant shall forfeit to the United States of America, any property, real or personal, involved in such offense, and any property traceable to such property.

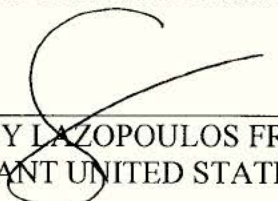
All pursuant to Title 18, United States Code, Section 982(a)(1), and the procedures set forth at Title 21, United States Code, Section 853, made applicable by Title 18, United States Code, Section 982(b).

A TRUE BILL

FOREPERSON



ARIANA FAJARDO ORSHAN
UNITED STATES ATTORNEY



LINDSEY LAZOPOULOS FRIEDMAN
ASSISTANT UNITED STATES ATTORNEY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA

CASE NO. _____

v.

CERTIFICATE OF TRIAL ATTORNEY*

SEAN KERWIN BINDRANAUTH,

Superseding Case Information:

Defendant

Court Division: (Select One)

___ Miami Key West
___ FTL ___ WPB ___ FTP

New defendant(s) Yes ___ No ___
Number of new defendants ___
Total number of counts ___

- 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.
- 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.
- Interpreter: (Yes or No) No
List language and/or dialect _____
- This case will take 6-7 days for the parties to try.
- Please check appropriate category and type of offense listed below:

(Check only one)

(Check only one)

- I 0 to 5 days _____
- II 6 to 10 days
- III 11 to 20 days _____
- IV 21 to 60 days _____
- V 61 days and over _____

- Petty _____
- Minor _____
- Misdem. _____
- Felony

6. Has this case previously been 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:

19-mj-5004-SNOW

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 Central Region of the U.S. Attorney's Office prior to August 9, 2013 (Mag. Judge Alicia O. Valle)? Yes ___ No

8. Does this case originate from a matter pending in the Northern Region U.S. Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek Maynard)? Yes ___ No



Lindsey Lazopoulos Friedman
Assistant United States Attorney
Florida Bar No. 091792

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: SEAN KERWIN BINDRANAUTH

Case No: _____

Count #: 1

Conspiracy to Commit Money Laundering

Title 18, United States Code, Section 1956(h)

***Max. Penalty:** 20 years' imprisonment

Counts #: 2-9

Money Laundering

Title 18, United States Code, Section 1956(a)(1)(B)(i)

***Max. Penalty:** 20 years' imprisonment

Count #: 10

Unlicensed Money Transmitting Business

Title 18, United States Code, Section 1960

***Max. Penalty:** 5 years' imprisonment

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