

financial and social media accounts for the purpose of stealing money and data.

Background Regarding SIM Swapping

2. A Subscriber Identity Module (“SIM”) card is a chip that stores information identifying and authenticating a cell phone subscriber. When a cell phone carrier reassigns a phone number from one physical phone to another — such as when a customer purchases a new phone but wants to retain the same number — the carrier switches the assignment of the cell phone number from the SIM card in the old phone to the SIM card in the new phone, a process sometimes referred to as “porting” a number.

3. A SIM swap attack refers to the process of fraudulently inducing a carrier to reassign a cell phone number from the legitimate subscriber or user’s SIM card to a SIM card controlled by a criminal actor. SIM swap attacks are often conducted for the purpose of defeating multifactor authentication (“MFA”) and/or two-step verification. MFA and two-step verification add an additional layer of security to the authentication process for accessing online accounts, such as financial or social media accounts. A SIM swap attack allows a criminal actor to defeat the MFA and/or two-step verification process to access a victim’s account so that the criminal actor may steal money and/or data from the victim.

Co-Conspirators

4. The co-conspirators in this scheme included the defendants listed below, and others:

- a. **ROBERT POWELL**, a resident of Chicago, Illinois, was the head of a SIM swapping group (the “Powell SIM Swapping Crew”) and used the online monikers “R,” “R\$,” and “ElSwap1”;

- b. **CARTER ROHN**, a resident of Indianapolis, Indiana, among other locations, was a member of the Powell SIM Swapping Crew and used the online monikers “Carti” and “Punslayer”; and
- c. **EMILY HERNANDEZ**, a resident of Colorado Springs, Colorado, was a member of the Powell SIM Swapping Crew and was sometimes referred to as “Em.”

Purpose of the Conspiracy

5. The object of the conspiracy was for **POWELL, ROHN, HERNANDEZ**, and others (collectively, the “co-conspirators”) to unjustly enrich themselves by targeting victims for SIM swaps, creating fraudulent identification documents in victim names, performing SIM swaps in exchange for money, accessing and stealing victims’ money and data, and concealing the source of the ill-gotten money through multiple concealment techniques.

Manner and Means

6. Beginning in or around March 2021, until at least in or around April 2023, **POWELL, ROHN, HERNANDEZ**, and other co-conspirators, within the District of Columbia and elsewhere, carried out the conspiracy through the following manner and means, among others:

- a. Co-conspirators, including **POWELL**, obtained victims’ PII from other co-conspirators for the purpose of effectuating SIM swaps;
- b. Co-conspirators, including **POWELL** and **ROHN**, shared with other co-conspirators victims’ PII via in person communication and by way of SMS and encrypted messaging services;

- c. Using victims' PII, including names and dates of birth, co-conspirators, including **ROHN**, used identification card printers to create fraudulent identification documents to be used during SIM swaps;
- d. Co-conspirators travelled to retail stores throughout the United States, including, but not limited to, those in Minnesota, Illinois, Indiana, Utah, Nebraska, Colorado, Florida, Maryland, Massachusetts, Texas, New Mexico, Tennessee, Virginia, and the District of Columbia, for the purpose of conducting, or attempting to conduct, SIM swaps;
- e. Co-conspirators, including **HERNANDEZ**, effectuated and attempted to effectuate SIM swaps of victim phone numbers at mobile service provider stores, including Apple, AT&T, Verizon, and T-Mobile stores, by impersonating victims and presenting fraudulent identification documents to retail store employees;
- f. Co-conspirators caused the unauthorized transfer of account services from phones controlled by victims to phones controlled by the co-conspirators;
- g. Co-conspirators, after gaining access to victim phone numbers, generated, received, and shared with other co-conspirators various MFA methods, including access device codes, to gain unauthorized access to victims' virtual currency exchange accounts, financial institution accounts, social media accounts, and electronic communication accounts;
- h. Co-conspirators exploited the unauthorized access to victims' virtual currency exchange accounts, financial institution accounts, social media accounts, and electronic communication accounts to steal money and data,

including PII, from those victims for the purpose of unjustly enriching themselves;

- i. Co-conspirators used electronic communication accounts, including cellular service providers, email accounts, and messaging applications, to communicate about the SIM swapping scheme, including the transmission of victim PII, account access codes, and other fraudulently obtained information;
- j. Co-conspirators created virtual currency exchange accounts, online virtual currency gambling accounts, and other financial accounts for the purpose of receiving and transferring payments for SIM swapping services and stolen funds derived from unauthorized account intrusions;
- k. Co-conspirators employed a variety of measures to conceal their identities and the origin of the stolen funds when creating financial accounts and transmitting virtual currency, including through the use of instant exchanges and unhosted or self-hosted virtual currency wallets; and
- l. Co-conspirators recruited others to join this scheme, including **HERNANDEZ**, who joined the SIM swapping conspiracy in or around October 2022 to help the co-conspirators perform SIM swaps of female victims, and agreed to perform SIM swaps in furtherance of the conspiracy.

Acts in Furtherance of the Conspiracy

7. Beginning in or around March 2021, until at least in or around April 2023, within the District of Columbia and elsewhere, **POWELL**, **ROHN**, **HERNANDEZ**, and others, transferred and used without lawful authority victims' means of identification for the purpose of

causing victims' cellular telephone accounts to be transferred to phones in the co-conspirators' possession, and used that unlawful access to steal money and data.

8. **POWELL, ROHN, HERNANDEZ**, and others, successfully executed a SIM swap of the cellular telephone accounts associated with the following victims and unlawfully obtained money and property from those victims, among others.

a. **Victim R.H.**

- i. On or about October 28, 2022, **POWELL** instructed co-conspirators to SIM swap Victim R.H.'s cellular telephone account, which was maintained by AT&T.
- ii. On or about October 28, 2022, co-conspirators executed a SIM swap of Victim R.H.'s cellular telephone account to a physical phone in the co-conspirators' possession.
- iii. On or about October 29, 2022, co-conspirators used the security codes generated during the execution of the SIM swap to facilitate the theft of approximately \$293,000 in virtual currency from Victim R.H.

b. **Victim V.C.**

- i. On or about November 3, 2022, **POWELL** instructed co-conspirators to execute a SIM swap of Victim V.C.'s cellular telephone account, which was maintained by AT&T.
- ii. On or about November 3, 2022, co-conspirators created a fraudulent identification document in Victim V.C.'s name and impersonated Victim V.C. in a mobile service provider store in Utah.
- iii. On or about November 3, 2022, co-conspirators executed a SIM swap

of Victim V.C.'s cellular telephone account to a physical phone in the co-conspirators' possession.

- iv. On or about November 3, 4, and 6, 2022, co-conspirators used the security codes generated during the execution of the SIM swap to facilitate the theft of over \$1 million in virtual currency from Victim V.C.
- v. Co-conspirators thereafter transferred those stolen funds to accounts controlled by the co-conspirators, including some accounts controlled by **POWELL**.

c. **Victim Company-1**

- i. On or about November 11, 2022, **POWELL** instructed co-conspirators to execute a SIM swap of the cellular telephone account of an employee of Victim Company-1, which was maintained by AT&T.
- ii. On or about November 11, 2022, a co-conspirator sent **HERNANDEZ** a fraudulent identification document with the PII of Victim Company-1's employee but bearing **HERNANDEZ**'s photograph, which **HERNANDEZ** then used to impersonate that person at a mobile service provider store in Texas.
- iii. On or about November 11, 2022, after gaining access to the AT&T account of Victim Company-1's employee, co-conspirators sent to **POWELL** various authentication codes needed to access Victim Company 1's online accounts.
- iv. On or about November 11, 2022, co-conspirators gained unauthorized

access to online accounts owned by Victim Company-1.

- v. On or about November 11, 2022, and continuing into November 12, 2022, co-conspirators transferred over \$400 million in virtual currency from Victim Company-1's virtual currency wallets to virtual currency wallets controlled by the co-conspirators.

d. **Victim A.C.**

- i. On or about November 11, 2022, **POWELL** instructed co-conspirators to execute a SIM swap of Victim A.C.'s cellular telephone account, which was maintained by AT&T.
- ii. On or about November 11, 2022, co-conspirators created a fraudulent identification document in Victim A.C.'s name and impersonated Victim A.C. in a mobile service provider store in Texas.
- iii. On or about November 11, 2022, co-conspirators executed a SIM swap of Victim A.C.'s cellular telephone account to a physical phone in the co-conspirators' possession.
- iv. On or about November 13, 2022, co-conspirators used the security code generated during the execution of a SIM swap to facilitate the theft of approximately \$590,000 in virtual currency from Victim A.C.

e. **Victim A.R.**

- i. On or about April 10, 2023, **ROHN** sent to a co-conspirator a fraudulent identification document in the name of Victim A.R. for the purpose of carrying out a SIM swap of Victim A.R.'s cellular telephone account.

- ii. On or about April 10, 2023, co-conspirators executed a SIM swap of Victim A.R.'s cellular telephone account to a physical phone in the co-conspirators' possession.
 - iii. On or about April 10, 2023, co-conspirators used the security codes generated during the execution of a SIM swap to facilitate the theft of approximately \$75,000 in virtual currency from Victim A.R.
- f. **Victim M.S.**
- i. On or about April 10, 2023, **ROHN** sent to a co-conspirator a fraudulent identification document in the name of Victim M.S. for the purpose of carrying out the execution of a SIM swap of Victim M.S.'s cellular telephone account.
 - ii. On or about April 10, 2023, co-conspirators executed a SIM swap of Victim M.S.'s cellular telephone account to a physical phone in the co-conspirators' possession.
 - iii. On or about April 10, 2023, co-conspirators used the security codes generated during the execution of a SIM swap to facilitate the theft of approximately \$15,000 in virtual currency from Victim M.S.
- g. **Victim A.K.**
- i. On or about April 12, 2023, **ROHN** sent to a co-conspirator a fraudulent identification document in the name of Victim A.K. for the purpose of carrying out the execution of a SIM swap of Victim A.K.'s cellular telephone account.
 - ii. On or about April 14, 2023, co-conspirators executed a SIM swap of

Victim A.K.'s cellular telephone account to a physical phone in the co-conspirators' possession.

- iii. On or about April 14, 2023, co-conspirators used the security codes generated during the execution of a SIM swap to facilitate the theft of approximately \$21,000 in virtual currency from Victim A.K.

9. In addition, during and in furtherance of the conspiracy, **POWELL, ROHN, HERNANDEZ**, and others, targeted and/or successfully executed a SIM swap of the cellular telephone accounts associated with the following victims, among others:

a. **Victim J.V.**

- i. On or about March 7, 2021, **POWELL** sent **ROHN** the mobile telephone number and PII for Victim J.V.'s for the purpose of carrying out a SIM swap of Victim J.V.'s cellular telephone accounts.
- ii. On or about March 7, 2021, co-conspirators executed a SIM swap of Victim J.V.'s cellular telephone account to a physical phone in the co-conspirators' possession.

b. **Victim K.H.**

- i. On or about November 11, 2022, **POWELL** sent to a co-conspirator the mobile telephone number and PII for Victim K.H. for the purpose of carrying out the execution of a SIM swap of Victim K.H.'s cellular telephone account.

c. **Victim R.K.**

- i. On or about November 12, 2022, **POWELL** instructed co-conspirators to execute a SIM swap of Victim R.K.'s cellular telephone account, which was maintained by Verizon.
- ii. On or about November 12, 2022, **HERNANDEZ** and a co-conspirator went to a mobile provider store in New Mexico for the purpose of carrying out the execution of SIM swaps.
- iii. On or about November 12, 2022, co-conspirators executed a SIM swap on Victim R.K.'s cellular telephone account to a physical phone in the co-conspirators' possession.

d. **Victims A.A., C.B., and J.J.**

- i. On or about November 12, 2022, **POWELL** sent to a co-conspirator the mobile telephone number and PII for victims A.A., C.B., and J.J. for the purpose of carrying out the execution of SIM swaps of those victims' cellular telephone accounts.

e. **Victims B.P., S.H., A.C.2, J.P., C.F., and A.M.**

- i. On or about November 13, 2022, **POWELL** sent to a co-conspirator the mobile telephone number and/or PII for victims B.P., S.H., A.C.2, J.P., C.F., and A.M. for the purpose of carrying out the execution of SIM swaps of those victims' cellular telephone accounts.

f. **Victim B.B.**

- i. In or around January 2023, **POWELL** provided a co-conspirator the name of Victim B.B. for the purpose of executing a SIM swap on Victim B.B.'s cellular telephone account.
- ii. In or around January 2023, a co-conspirator created a fraudulent identification document in the name of Victim B.B.
- iii. On or about January 7, 2023, a co-conspirator impersonated Victim B.B. at a Verizon store in the District of Columbia.
- iv. On or about January 7, 2023, a co-conspirator executed a SIM swap of Victim B.B.'s cellular telephone account to a physical phone in the co-conspirator's possession.
- v. In or around January 9, 2023, co-conspirators met in the District of Columbia to obtain an identification card printer to be used for creating fraudulent identification documents in furtherance of the conspiracy.

g. **Victim B.S.**

- i. On or about April 7, 2023, **ROHN** sent to a co-conspirator a fraudulent identification document in the name of Victim B.S. for the purpose of carrying out the execution of a SIM swap of Victim B.S.'s cellular telephone account.
- ii. On or about April 7, 2023, co-conspirators executed a SIM swap of Victim B.S.'s cellular telephone account to a physical phone in the co-conspirators' possession.

h. **Victims J.B.**

i. On or about April 10, 2023, **ROHN** sent to a co-conspirator a fraudulent identification document in the name of victim J.B. for the purpose of carrying out the execution of a SIM swap of victim J.B.'s cellular telephone accounts.

i. **Victims J.T. and B.W.**

i. On or about April 12, 2023, **ROHN** sent to a co-conspirator fraudulent identification documents in the names of victims J.T. and B.W. for the purpose of carrying out the execution of SIM swaps of those victims' cellular telephone accounts.

j. **Victim N.D.**

i. On or about April 14, 2023, **ROHN** sent to a co-conspirator a fraudulent identification document in the name of Victim N.D. for the purpose of carrying out the execution of a SIM swap of Victim N.D.'s cellular telephone account.

k. **Victim M.M.**

i. On or about April 14, 2023, **POWELL** sent to a co-conspirator the PII for Victim M.M. for the purpose of carrying out the execution of a SIM swap of Victim M.M.'s cellular telephone account.

ii. On or about April 14, 2023, **ROHN** sent to a co-conspirator a fraudulent identification document in the name of Victim M.M. for the purpose of carrying out the execution of a SIM swap of Victim M.M.'s cellular telephone account.

l. **Victim D.B.**

- i. On or about April 15, 2023, **POWELL** sent to a co-conspirator a fraudulent identification document in the name of Victim D.B. for the purpose of carrying out the execution of a SIM swap of Victim D.B.'s cellular telephone account.
- ii. On or about April 15, 2023, a co-conspirator sent the same fraudulent identification document to **ROHN** for the purpose of carrying out the execution of a SIM swap of Victim D.B.'s cellular telephone account.

m. **Victim J.C.**

- i. On or about April 15, 2023, **POWELL** sent to a co-conspirator a fraudulent identification document in the name of Victim J.C. for the purpose of carrying out the execution of a SIM swap of Victim J.C.'s cellular telephone account.
- ii. On or about April 15, 2023, a co-conspirator sent the same fraudulent identification document to **ROHN** for the purpose of carrying out the execution of a SIM swap of Victim J.C.'s cellular telephone account.

n. **Victim T.S.**

- i. On or about April 15, 2023, **POWELL** sent to a co-conspirator a fraudulent identification document in the name of Victim T.S. for the purpose of carrying out the execution of a SIM swap of Victim T.S.'s cellular telephone account.
- ii. On or about April 15, 2023, a co-conspirator sent the same fraudulent identification document to **ROHN** for the purpose of carrying out the

execution of a SIM swap of Victim T.S.'s cellular telephone account.

o. **Victim T.C.**

i. On or about April 15, 2023, **POWELL** sent to a co-conspirator a fraudulent identification document in the name of Victim T.C. for the purpose of carrying out the execution of a SIM swap of Victim T.C.'s cellular telephone account.

ii. On or about April 15, 2023, a co-conspirator sent the same fraudulent identification document to **ROHN** for the purpose of carrying out the execution of a SIM swap of Victim T.C.'s cellular telephone account.

p. **Victims M.B. and K.W.**

i. On or about April 16, 2023, **ROHN** sent to a co-conspirator a fraudulent identification document in the name of victims M.B. and K.W. for the purpose of carrying out the execution of a SIM swap of those victims' cellular telephone accounts.

10. At all relevant times, **POWELL**, **ROHN**, **HERNANDEZ**, and other co-conspirators received money for their participation in the conspiracy through payments of fiat and/or virtual currency.

11. At all relevant times, **POWELL**, **ROHN**, and other co-conspirators paid members of the conspiracy for their participation in acts in furtherance of the conspiracy via fiat currency and/or virtual currency.

COUNT ONE
(18 U.S.C. § 1349)
(Conspiracy to Commit Wire Fraud)

12. Paragraphs 1 through 11 are re-alleged herein.

13. Beginning on a date unknown, but no later than in or around March 2021, and continuing until in or around at least April 2023, within the District of Columbia and elsewhere, the defendants,

ROBERT POWELL,
CARTER ROHN, and
EMILY HERNANDEZ,

did knowingly and willfully conspire, confederate, and agree, with each other and with other persons, to commit wire fraud by devising, intending to devise, and engaging in a scheme to defraud and to obtain money and property from victims throughout the United States by means of materially false and fraudulent pretenses, representations, and promises, and for the purpose of executing and attempting to execute the scheme to defraud, did knowingly cause to be transmitted by means of wire communications in interstate commerce, writings, signs, signals, pictures, and sounds, in violation of Title 18, United States Code, Section 1349.

14. At all times relevant to the conspiracy, **POWELL, ROHN, HERNANDEZ,** and others knowingly transmitted and caused to be transmitted wire communications operating in interstate commerce, for the purpose of executing and attempting to execute the scheme to defraud, including: (a) wire and electronic transmissions among the co-conspirators sharing PII to be utilized in connection with the execution of SIM swaps; (b) knowingly caused to be transmitted wire communications in interstate commerce, including wire communications from retail service providers effectuating SIM swaps, (c) wire and electronic transmissions of codes sent by the co-conspirators to defeat multifactor authentication features; (d) wire and electronic communications

relating to the unauthorized access to victim virtual currency accounts, financial institution accounts, social media accounts, and electronic communication accounts, including those described above; and (e) wire and electronic communications to receive payment for services rendered and to transfer stolen assets to various virtual currency accounts controlled by co-conspirators.

(In violation of Title 18, United States Code, Section 1349)

COUNT TWO

(18 U.S.C. §§ 371, 1028A(a)(1), and 1029(a)(1))

(Conspiracy to Commit Aggravated Identity Theft and Access Device Fraud)

15. Paragraphs 1 through 11 are re-alleged herein.

16. Beginning on a date unknown, but no later than in or around March 2021, and continuing until in or around at least April 2023, within the District of Columbia and elsewhere, the defendants,

**ROBERT POWELL,
CARTER ROHN, and
EMILY HERNANDEZ,**

did knowingly and willfully conspire and agree, with each other and with other persons, to commit offenses against the United States, that is, (a) knowingly transfer, possess, and use, without lawful authority, a means of identification of another person during and in relation to an enumerated felony violation as defined by Title 18, United States Code, Section 1028A(c), in violation of Title 18, United States Code, Section 1028A(a)(1) (Aggravated Identity Theft), and (b) knowingly produce, use, or traffic in counterfeit access devices with the intent to defraud, in violation of Title 18, United States Code, Section 1029(a)(1) (Access Device Fraud).

(In violation of Title 18, United States Code, Sections 371, 1028A(a)(1), and 1029(a)(1))

FORFEITURE ALLEGATION

1. Upon conviction of the offense alleged in Count One or Count Two of this Indictment, the defendants shall forfeit to the United States any property, real or personal, which constitutes or is derived from proceeds traceable to this offense, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

2. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property that cannot be divided without difficulty;

the defendant shall forfeit to the United States any other property of the defendant, up to the value of the property described above, pursuant to Title 21, United States Code, Section 853(p).

(Criminal Forfeiture, pursuant to Title 18, United States Code, Section 981(a)(1)(C), Title 28, United States Code, Section 2461(c), and Title 21, United States Code, Section 853(p)).

A TRUE BILL

FOREPERSON



MATTHEW M. GRAVES
ATTORNEY FOR THE UNITED STATES
IN AND FOR THE DISTRICT OF COLUMBIA