

Approved: Mitzi Steiner
MITZI S. STEINER / SAGAR K. RAVI
Assistant United States Attorneys

Before: THE HONORABLE KATHARINE H. PARKER
United States Magistrate Judge
Southern District of New York

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UNITED STATES OF AMERICA	:	<u>SEALED COMPLAINT</u>
- v. -	:	Violations of
FAISAL ALI,	:	18 U.S.C. §§ 371,
a/k/a "Clarence Gravely,"	:	1014, 1028A, and 1956
Defendant.	:	COUNTY OF OFFENSE:
	:	BRONX

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SOUTHERN DISTRICT OF NEW YORK, ss.:

WILLIAM R. MCKEEN, being duly sworn, deposes and says that he is a Special Agent with the Federal Bureau of Investigation ("FBI"), and charges as follows:

COUNT ONE
(Making False Statements to a Bank)

1. From at least in or about February 2014 through in or about October 2019, in the Southern District of New York and elsewhere, FAISAL ALI, a/k/a "Clarence Gravely," the defendant, did knowingly make a false statement and report, and the false statement and report was made for the purpose of influencing the actions of a financial institution the accounts of which were insured by the Federal Deposit Insurance Corporation, upon an application, to wit, ALI provided banks with a false name and identifying information for the purpose of influencing such banks to open and maintain multiple accounts under the false name.

(Title 18, United States Code, Section 1014.)

COUNT TWO
(Money Laundering Conspiracy)

2. From in or about February 2014 through in or about October 2019, in the Southern District of New York and elsewhere, FAISAL ALI, a/k/a "Clarence Gravely," the defendant, and others known and unknown, knowingly and intentionally did combine, conspire, confederate, and agree together and with each other to commit money laundering, in violation of Title 18, United States Code, Section 1956(a) (1) (B).

3. It was a part and object of the conspiracy that FAISAL ALI, a/k/a "Clarence Gravely," the defendant, and others known and unknown, knowing that the property involved in certain financial transactions represented proceeds of some form of unlawful activity, would and did conduct and attempt to conduct such financial transactions, which in fact involved the proceeds of specified unlawful activity, to wit, the making of false statements to a bank charged in Count One of this Complaint, in violation of Title 18, United States Code, Section 1014, and wire fraud, in violation of Title 18, United States Code, Section 1343, knowing that the transactions were 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).

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

COUNT THREE
(Conspiracy to Receive Stolen Money)

4. From at least in or about February 2014 through in or about October 2019, in the Southern District of New York and elsewhere, FAISAL ALI, a/k/a "Clarence Gravely," the defendant, and others known and unknown, willfully and knowingly combined, conspired, confederated, and agreed together and with each other to commit an offense against the United States, to wit, a violation of Title 18, United States Code, Section 2315.

5. It was a part and object of the conspiracy that FAISAL ALI, a/k/a "Clarence Gravely," the defendant, and others known and unknown, would and did receive, possess, conceal, store, barter, sell, and dispose of goods, wares, merchandise, securities, and money, of the value of \$5,000 and more, which had crossed a state boundary after being stolen, unlawfully converted, and taken, knowing the same to have been stolen,

unlawfully converted, and taken, in violation of Title 18, United States Code, Section 2315.

OVERT ACTS

6. In furtherance of said conspiracy and to effect the illegal objects thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about June 30, 2017, FAISAL ALI, a/k/a "Clarence Gravely," the defendant, opened a bank account ("Account-8"), as described below, in the Bronx, New York.

b. In or about November 2017, ALI received at least approximately \$130,000 in wire transfers from a romance scam victim ("Victim-1") into Account-8.

(Title 18, United States Code, Section 371.)

COUNT FOUR
(Aggravated Identity Theft)

7. From at least in or about February 2014 through in or about October 2019, FAISAL ALI, a/k/a "Clarence Gravely," the defendant, knowingly did transfer, possess, and use, without lawful authority, a means of identification of another person, during and in relation to a felony violation enumerated in Title 18, United States Code, Section 1028A(c), to wit, ALI used the name and identity of another person to open bank accounts in the Bronx, New York during and in relation to the false statements charged in Count One of this Complaint.

(Title 18, United States Code, Sections 1028A(a)(1) and (b), and 2.)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

8. I am a Special Agent with the FBI and I have been personally involved in the investigation of this matter. This affidavit is based upon my personal participation in the investigation of this matter, my conversations with law enforcement agents, witnesses, and others, as well as my examination of report and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned

during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated. Where figures, calculations, and dates are set forth herein, they are approximate, unless stated otherwise.

Overview of the Conspiracy

9. The FBI has been investigating a criminal enterprise (the "Enterprise") based in Ghana that committed a series of frauds against individuals and businesses located across the United States, including in the Southern District of New York. The frauds perpetrated by the Enterprise consisted of, among other frauds, business email compromises and romance scams.

a. The Enterprise conducted the business email compromises through the spoofing of email accounts. Specifically, the Enterprise used slight variations on legitimate email addresses of employees of a company or third parties engaged in business with the company to trick other employees of the company with access to the company's finances into thinking the fake email accounts were authentic. The fake email accounts were then used to send instructions to wire money to certain bank accounts and also included fake authorization letters for the wire transfers that contained forged signatures of company employees. By using this method of deception, the Enterprise sought to trick the victims into transferring hundreds of thousands of dollars to bank accounts the victims believed were under the control of legitimate recipients of the funds as part of normal business operations, when in fact the bank accounts were under the control of members of the Enterprise.

b. The Enterprise conducted the romance scams by using electronic messages sent via email, text messaging, or online dating websites that tricked the victims, many of whom were vulnerable, older men and women who lived alone, into believing the victim was in a romantic relationship with a fake identity assumed by members of the Enterprise. Once members of the Enterprise had gained the trust of the victims using the fake identity, they used false pretenses such as a shipment of gold or the return on an investment to cause the victims to wire money to bank accounts the victims believed were controlled by their romantic interests, when in fact the bank accounts were controlled by members of the Enterprise. At times, the members of the Enterprise also used false pretenses to cause the victims

to receive funds in the victims' bank accounts, which, unbeknownst to the victims, were fraud proceeds, and to transfer those funds to accounts under the control of members of the Enterprise. The members of the Enterprise, posing as the romantic interest of the victims, also introduced the victims to other individuals purporting to be, for example, consultants, lawyers, or bank employees, who then used false pretenses to cause the victims to wire money to bank accounts controlled by members of the Enterprise.

c. FAISAL ALI, a/k/a "Clarence Gravely," the defendant, is a citizen of Ghana who has no legal status in the United States. ALI, and other known and unknown members of the Enterprise, received fraud proceeds from victims, most of whom lived outside of New York State, into a series of at least thirteen bank accounts at six different banks, that ALI controlled in the Bronx, New York (the "Ali Accounts"), as further described below. ALI used the name and identity of another person to open several of the Ali Accounts in order to further conceal the proceeds of the fraud scheme. Once ALI received the fraud proceeds in bank accounts under his control, he withdrew, transported, and laundered those fraud proceeds to other members of the Enterprise.

Scheme to Defraud Victim-1

10. Based on the FBI's investigation of a romance scam involving Victim-1, a 57-year-old woman, as well as my conversations with Victim-1, I have learned the following, in substance and in part:

a. Victim-1 entered into an online relationship with a purported male individual ("Individual-1") who claimed to be a diamond realtor and needed money to pay taxes on diamonds that he had purchased.

b. From on or about November 3, 2017 through on or about November 27, 2017, based upon the above representations made by Individual-1, and other purported individuals that worked with Individual-1, Victim-1 wired approximately \$130,000 to FAISAL ALI, a/k/a "Clarence Gravely," the defendant, through the Ali Accounts.

Scheme to Defraud Victim-2

11. Based on the FBI's investigation of a romance scam involving a 64-year-old man ("Victim-2"), as well as my

conversations with Victim-2, I have learned the following, in substance and in part:

a. Victim-2 entered into an online relationship with a purported female individual ("Individual-2") who claimed to be a Ghanaian model.

b. Individual-2 told Victim-2, in substance and in part, that Individual-2 required funds to leave Ghana and to receive an inheritance.

c. From on or about October 11, 2017 through on or about January 5, 2018, based upon the above representations made by Individual-2, Victim-2 wired over approximately \$39,000 to FAISAL ALI, a/k/a "Clarence Gravely," through the Ali Accounts.

Scheme to Defraud Victim-3

12. Based on the FBI's investigation of a scam involving a 71-year-old man ("Victim-3"), as well as my conversations with Victim-3, I have learned the following, in substance and in part:

a. Victim-3 developed an association with a male individual online ("Individual-3") who told Victim-3, in substance and in part, that Individual-3 had gold in Ghana that Individual-3 intended to send to the United States. Individual-3 requested Victim-3's financial assistance in securing the gold and told Victim-3, in substance and in part, that Victim-3 would receive \$6.5 million in gold as a result of his investment.

b. From on or about September 17, 2015 through on or about December 3, 2015, based upon the above representations made by Individual-3, and other purported individuals that worked with Individual-3, Victim-3 wired over approximately \$88,000 to FAISAL ALI, a/k/a "Clarence Gravely," the defendant, through the Ali Accounts.

Scheme to Defraud Victim-4

13. Based on the FBI's investigation of a romance scam involving a 71-year-old man ("Victim-4"), as well as my conversations with Victim-4, I have learned the following, in substance and in part:

a. Victim-4 entered into an online relationship with a purported female individual ("Individual-4") who stated, in substance and in part, that she needed funds to access gold.

b. From on or about April 15, 2014 through on or about June 2, 2014, based upon the above representations made by Individual-4, Victim-4 wired approximately \$149,130 to FAISAL ALI, a/k/a "Clarence Gravely," the defendant, through the Ali Accounts.

Scheme to Defraud Victim-5

14. Based on the FBI's investigation of a romance scam involving a 61-year-old woman ("Victim-5"), as well as my review of a law enforcement complaint filed by Victim-5, I have learned the following, in substance and in part:

a. Victim-5 entered into an online relationship with a purported male individual ("Individual-5") who stated, in substance and in part, that he had traveled to Ghana to purchase gold and required funds to access the gold and transfer it to the United States. Individual-5 further stated, in substance and in part, that he would give Victim-5 forty percent of the profit of the sale of gold in exchange for Victim-5's contribution of funds.

b. On or about November 12, 2015, based upon the above representations made by Individual-5, Victim-5 sent approximately \$30,000 to FAISAL ALI, a/k/a "Clarence Gravely," the defendant, through the Ali Accounts.

Summary of the Ali Accounts

15. Based on my review of bank records regarding the Ali Accounts, as described below, I have learned the following, in substance and in part:

a. From in or about February 2014 through in or about October 2019, FAISAL ALI, a/k/a "Clarence Gravely," the defendant, held at least thirteen bank accounts at six different banks in the Bronx, New York (collectively, the "Ali Accounts").

b. Seven of the Ali Accounts ("Account-1" through Account-7) were opened using the name and identity of another person (the "ID Theft Victim") at banks insured by the Federal Deposit Insurance Corporation. The sole signatory on Account-1

through Account-7 was purportedly the ID Theft Victim. Victim-3 and Victim-5 both sent funds to Account-1.

c. Six of the accounts ("Account-8" through "Account-13") were held in ALI's true name of "Faisal Ali." The sole signatory on Account-8 through Account-13 was ALI.

d. Between on or about February 11, 2014 and on or about October 1, 2019, the Ali Accounts had deposits greater than approximately \$500 that totaled approximately \$2 million, and withdrawals greater than approximately \$500 that totaled approximately \$1.85 million. A majority of the deposits consisted of large wire transfers from various individuals, including Victim-1 through Victim-5, and the withdrawals were largely in cash.

16. Based on my review of passport records and social media images of FAISAL ALI, a/k/a "Clarence Gravely," the defendant, I have learned the following, in substance and in part:

a. On or about October 19, 2012, a passport (the "Passport") was issued in the name of the ID Theft Victim. The Passport listed the ID Theft Victim's date and place of birth. The Passport contains a photograph (the "Photograph") of the alleged passport holder. Based on my review of publicly available images of ALI, I have identified the individual depicted in the Photograph as ALI, and not the person I know to be the ID Theft Victim.

b. From on or about February 11, 2014 through on or about April 13, 2018, ALI opened Account-1 through Account-7 in the name of the ID Theft Victim. ALI used the Passport in the name of the ID Theft Victim as the primary source of identification for each account.

17. Based on law enforcement officers' interview of the ID Theft Victim, a resident of Massachusetts, on or about February 11, 2020, I have learned that the ID Theft Victim stated, in substance and in part, that the ID Theft Victim has never opened a bank account in his own name, or on behalf of any other parties, including Account-1 through Account-7. The ID Theft Victim further stated, in substance and in part, that he does not travel to or have associates in New York where Account-1 through Account-7 were opened.

WHEREFORE, I respectfully request that a warrant be issued for the arrest of FAISAL ALI, a/k/a "Clarence Gravely," the defendant, and that he be arrested and imprisoned or bailed, as the case may be.

/s/ William McKeen

WILLIAM R. MCKEEN
Special Agent
Federal Bureau of Investigation

Sworn to me through the transmission of this Complaint by reliable electronic means, pursuant to Federal Rules of Criminal Procedure 41(d)(3) and 4.1, this 16 day of February, 2021

Katharine H Parker
THE HONORABLE KATHARINE H. PARKER
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK