

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

USA ,

Case No: 2:24-CR-00091-TLN \*SEALED\*

v.

24-2809-MJ-LOUIS

CARLOS LUIS VERA LA CRUZ ,

FILED BY MP D.C.  
  
Apr 24, 2024  
  
ANGELA E. NOBLE  
CLERK U.S. DIST. CT.  
S. D. OF FLA. - MIAMI

WARRANT FOR ARREST

TO: THE UNITED STATES MARSHAL  
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED TO ARREST: Carlos Luis Vera La Cruz

and bring him or her forthwith to the nearest United States magistrate judge to answer a(n)

Indictment

charging him or her with (brief description of offense)

Conspiracy

in violation of Title 18 United States Code, Section(s) 371

V. Licea Chavez  
Name of Issuing Officer

Deputy Clerk  
Title of Issuing Officer

Signature of Issuing Officer

4/19/24 Sacramento, CA  
Date and Location

Bail fixed at NO BAIL

by Magistrate Judge Chi Soo Kim

RETURN

This warrant was received and executed with the arrest of the above-named defendant \_\_\_\_\_

\_\_\_\_\_  
Date Received

\_\_\_\_\_  
Name and Title of Arresting Officer

\_\_\_\_\_  
Date of Arrest

\_\_\_\_\_  
Signature of Arresting Officer

# 24-2809-MJ-LOUIS

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United States Attorney  
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FILED BY MP D.C.  
  
Apr 24, 2024  
  
ANGELA E. NOBLE  
CLERK U.S. DIST. CT.  
S. D. OF FLA. - MIAMI

ORIGINAL  
FILED  
Apr 18, 2024  
CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

# SEALED

5 Attorneys for Plaintiff  
6 United States of America

7  
8 IN THE UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,  
11  
12 Plaintiff,  
13 v.  
14 CARLOS LUIS VERA LA CRUZ, and  
DANAIL KONSTANTINOV DAMOV,  
15 Defendants.

CASE NO. 2:24-cr-0091 TLN  
  
18 U.S.C. § 371– Conspiracy; 18 U.S.C. § 2113(b) – Bank Larceny; 18 U.S.C. § 1030(a)(4) – Accessing a Protected Computer in Furtherance of Fraud (6 counts); 18 U.S.C. § 1030(a)(4) & (b) – Attempting to Access a Protected Computer in Furtherance of Fraud; 18 U.S.C. §§ 981(a)(1)(C), 982(a)(2)(B), 1030(i)(1), and 28 U.S.C. § 2461(c) – Criminal Forfeiture

## 17 INDICTMENT

18 COUNT ONE: [18 U.S.C. § 371 – Conspiracy]

19 The Grand Jury charges:

20  
21 CARLOS LUIS VERA LA CRUZ, and  
DANAIL KONSTANTINOV DAMOV,  
22 defendants herein, as follows:

### 23 I. INTRODUCTION

24 1. VERA LA CRUZ, DAMOV, and others working with them and at their direction and  
25 control, engaged in a “jackpotting” conspiracy, wherein they conducted malware attacks on Automated  
26 Teller Machines (“ATMs”) belonging to banks and credit unions. The members of the conspiracy  
27 introduced malware to the ATMs by attaching a foreign device, which, when activated, caused the  
28 ATMs to dispense cash directly to members of the conspiracy. Members of the conspiracy typically

1 caused the ATMs to dispense cash until they were depleted.

2 2. VERA LA CRUZ, DAMOV, and their co-conspirators conducted these jackpotting  
3 attacks across the country. In addition to conducting jackpotting attacks in the Eastern District of  
4 California, members of the conspiracy conducted jackpotting attacks in Connecticut, Georgia, New  
5 York, Pennsylvania, West Virginia, and elsewhere.

6 II. THE CONSPIRACY

7 3. Beginning no later than on or about April 8, 2023, and continuing to at least on or about  
8 February 19, 2024, in the Counties of Shasta and Butte, State and Eastern District of California, and  
9 elsewhere, defendants VERA LA CRUZ and DAMOV did knowingly and intentionally combine,  
10 conspire, confederate, and agree with each other and with others known and unknown to the Grand Jury  
11 to commit offenses against the United States of America, to wit:

- 12 a. to take and carry away, with intent to steal and purloin, property and money and any  
13 other thing of value exceeding \$1,000 belonging to, and in the care, custody, control,  
14 management, and possession of a bank, credit union, and savings and loan association, in  
15 violation of Title 18, United States Code, Section 2113(b);
- 16 b. to knowingly and with the intent to defraud, access a protected computer without  
17 authorization and by means of such conduct further the intended fraud and obtain United  
18 States currency, in violation of Title 18, United States Code, Section 1030(a)(4).

19 III. MANNER AND MEANS

20 In furtherance of the conspiracy, VERA LA CRUZ and DAMOV employed, among others, the  
21 following manner and means:

22 4. VERA LA CRUZ, DAMOV, and others working with them and at their direction and  
23 control, typically began a jackpotting attack by first removing the covering or housing of an ATM  
24 belonging to a bank, credit union, and savings and loan association, as defined in 18 U.S.C. § 2113(f)-  
25 (h), thereby exposing the internal components, and then introducing malware to the ATM via a foreign  
26 device.

27 5. Once the foreign device was attached and the ATM had been infected with the malware,  
28 VERA LA CRUZ, DAMOV, and others working with them and at their direction and control, typically

1 activated the malware and caused the ATM to dispense cash without linking the withdrawals to a valid  
2 customer account.

3 6. After obtaining U.S. currency from the ATM, VERA LA CRUZ, DAMOV, and others  
4 working with them and at their direction and control, typically retrieved the foreign device.

5 7. As a result of the scheme, VERA LA CRUZ, DAMOV, and others working with them  
6 and at their direction and control, obtained more than approximately \$2.6 million.

7 8. OVERT ACTS

8 In furtherance of the conspiracy and to accomplish its objects, the following overt acts, among  
9 others, were committed in the State and Eastern District of California:

10 8. On or about June 10, 2023, VERA LA CRUZ and DAMOV opened an ATM belonging  
11 to BANK 1, located on Hilltop Drive in Redding, California, and introduced malware via a foreign  
12 device. VERA LA CRUZ and DAMOV subsequently activated the malware and caused the ATM to  
13 dispense approximately \$20,800 in U.S. currency in increments of about \$800. VERA LA CRUZ and  
14 DAMOV then retrieved the foreign device.

15 9. On or about June 10, 2023, VERA LA CRUZ and DAMOV opened an ATM belonging  
16 to BANK 1, located on Gateway Drive in Anderson, California, and introduced malware via a foreign  
17 device. VERA LA CRUZ and DAMOV subsequently activated the malware and caused the ATM to  
18 dispense approximately \$25,600 in U.S. currency in increments of about \$800. VERA LA CRUZ and  
19 DAMOV then retrieved the foreign device.

20 10. On or about June 10, 2023, VERA LA CRUZ and DAMOV opened an ATM belonging  
21 to BANK 1, located on South Street in Redding, California, and introduced malware via a foreign  
22 device. VERA LA CRUZ and DAMOV were unsuccessful in causing the ATM to dispense U.S.  
23 currency. VERA LA CRUZ and DAMOV then retrieved the foreign device.

24 11. On or about June 10, 2023, VERA LA CRUZ and DAMOV opened an ATM belonging  
25 to BANK 1, located on Main Street in Cottonwood, California, and introduced malware via a foreign  
26 device. VERA LA CRUZ and DAMOV subsequently activated the malware and caused the ATM to  
27 dispense approximately \$63,820 in U.S. currency in increments of about \$800. VERA LA CRUZ and  
28 DAMOV then retrieved the foreign device.

1 12. On or about June 10, 2023, VERA LA CRUZ and DAMOV opened an ATM belonging  
2 to BANK 1, located on East Cyprus Avenue in Redding, California, and introduced malware via a  
3 foreign device. VERA LA CRUZ and DAMOV subsequently activated the malware and caused the  
4 ATM to dispense approximately \$80,800 in U.S. currency in increments of about \$800. VERA LA  
5 CRUZ and DAMOV then retrieved the foreign device.

6 13. On or about June 11, 2023, VERA LA CRUZ and DAMOV opened an ATM belonging  
7 to BANK 1, located on Pillsbury Road in Chico, California, and introduced malware via a foreign  
8 device. VERA LA CRUZ and DAMOV subsequently activated the malware and caused the ATM to  
9 dispense approximately \$74,400 in U.S. currency in increments of about \$800. VERA LA CRUZ and  
10 DAMOV then retrieved the foreign device.

11 14. On or about June 11, 2023, VERA LA CRUZ and DAMOV opened an ATM belonging  
12 to BANK 1, located on Mangrove Avenue in Chico, California, and introduced malware via a foreign  
13 device. VERA LA CRUZ and DAMOV subsequently activated the malware and caused the ATM to  
14 dispense approximately \$26,400 in U.S. currency in increments of about \$800. VERA LA CRUZ and  
15 DAMOV then retrieved the foreign device.

16 15. BANK 1 is a financial institution serving customers in multiple counties in the State and  
17 Eastern District of California. At all times relevant to this indictment, BANK 1 was a member of the  
18 Federal Reserve System, was organized and operating under the laws of the United States, and was a  
19 bank within the meaning of 18 U.S.C. § 2113(f).

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

21 COUNT TWO [18 U.S.C. § 2113(b) – Bank Larceny]

22  
23 The Grand Jury further charges T H A T:

24 CARLOS LUIS VERA LA CRUZ, and  
DANAIL KONSTANTINOV DAMOV,

25 defendants herein, on or about June 10 and 11, 2023, in the State and Eastern District of California, did  
26 take and carry away, with intent to steal and purloin, property and money and any other thing of value  
27 exceeding \$1,000 belonging to, and in the care, custody, control, management, and possession of BANK  
28 1, in violation of Title 18, United States Code, Sections 2 and 2113(b).

1 COUNTS THREE THROUGH EIGHT [18 U.S.C. § 1030(a)(4) – Accessing a Protected Computer in  
2 Furtherance of Fraud]

3 The Grand Jury further charges T H A T:

4 CARLOS LUIS VERA LA CRUZ, and  
5 DANAIL KONSTANTINOV DAMOV,

6 defendants herein, on or about the dates set forth below, in the State and Eastern District of California,  
7 did knowingly and with the intent to defraud, access a protected computer without authorization and by  
8 means of such conduct further the intended fraud and obtain United States currency, as specified below:

Count	On or About Date	Description of Protected Computer
3	June 10, 2023	An ATM belonging to BANK 1, located on Hilltop Drive in Redding, California.
4	June 10, 2023	An ATM belonging to BANK 1, located Gateway Drive in Anderson, California.
5	June 10, 2023	An ATM belonging to BANK 1, located on Main Street in Cottonwood, California.
6	June 10, 2023	An ATM belonging to BANK 1, located on East Cyprus Avenue in Redding, California.
7	June 11, 2023	An ATM belonging to BANK 1, located on Pillsbury Road in Chico, California.
8	June 11, 2023	An ATM belonging to BANK 1, located on Mangrove Avenue in Chico, California.

17 All in violation of Title 18, United States Code, Sections 2 and 1030(a)(4).

18 COUNT NINE [18 U.S.C. § 1030(a)(4) & (b) – Attempted Access of a Protected Computer in  
19 Furtherance of Fraud]

20 The Grand Jury further charges T H A T:

21 CARLOS LUIS VERA LA CRUZ, and  
22 DANAIL KONSTANTINOV DAMOV,

23 defendants herein, on or about June 10, 2023, in the State and Eastern District of California, did  
24 knowingly and with the intent to defraud, attempt to access a protected computer without authorization  
25 and by means of such conduct attempted to further the intended fraud and obtain United States currency,  
26 to wit: an ATM belonging to BANK 1, located on South Street in Redding, California, in violation of  
27 Title 18, United States Code, Sections 2 and 1030(a)(4) & (b).

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1 FORFEITURE ALLEGATION: [18 U.S.C. §§ 981(a)(1)(C), 982(a)(2), 1030(i)(1), and 28 U.S.C. §  
2 2461(c) – Criminal Forfeiture]

3 1. Upon conviction of one or more of the offenses alleged in Counts One and Two of this  
4 Indictment, defendants CARLOS LUIS VERA LA CRUZ and DANAIL KONSTANTINOV DAMOV  
5 shall forfeit to the United States pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), all  
6 property, real and personal, which constitutes or is derived from proceeds traceable to such violations,  
7 including but not limited to, the following:

8 a. A sum of money equal to the total amount of proceeds traceable to such offenses,  
9 for which defendants are convicted.

10 2. Upon conviction of one or more of the offenses alleged in Counts Three through Nine of  
11 this Indictment, defendants CARLOS LUIS VERA LA CRUZ and DANAIL KONSTANTINOV  
12 DAMOV shall forfeit to the United States, pursuant to 18 U.S.C. § 982(a)(2)(B), any property  
13 constituting or derived from proceeds obtained directly or indirectly, as a result of said violations,  
14 including but not limited to:

15 a. A sum of money equal to the amount of proceeds obtained directly or indirectly,  
16 as a result of such offenses, for which defendants are convicted.

17 3. Upon conviction of one or more of the offenses alleged in Counts Three through Nine of  
18 this Indictment, defendants CARLOS LUIS VERA LA CRUZ and DANAIL KONSTANTINOV  
19 DAMOV shall forfeit to the United States, pursuant to 18 U.S.C. § 1030(i)(1), any personal property  
20 used or intended to be used to commit or to facilitate the commission of the offenses.

21 4. If any property subject to forfeiture, as a result of the offenses alleged in Counts One  
22 through Nine of this Indictment, for which defendants are convicted:

23 a. cannot be located upon the exercise of due diligence;

24 b. has been transferred or sold to, or deposited with, a third party;

25 c. has been placed beyond the jurisdiction of the court;

26 d. has been substantially diminished in value; or

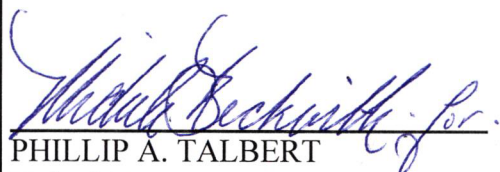
27 ///

1 e. has been commingled with other property which cannot be divided without  
2 difficulty;

3 it is the intent of the United States, pursuant to 18 U.S.C. § 982(b)(1) and 28 U.S.C. § 2461(c),  
4 incorporating 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendants, up to the  
5 value of the property subject to forfeiture.

6  
7 A TRUE BILL.

8  
9   
10 FOREPERSON

11   
12 PHILLIP A. TALBERT  
United States Attorney