

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the
District of Puerto Rico

United States of America
v.
EVELYS MENEDEZ

24mj03850 Augustin-Birch

Case No. 24-322 (sec)

FILED BY TS D.C.
Sep 3, 2024
ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - Miami

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
(name of person to be arrested) Evelys Menendez
who is accused of an offense or violation based on the following document filed with the court:

- Indictment
Superseding Indictment
Information
Superseding Information
Complaint
Probation Violation Petition
Supervised Release Violation Petition
Violation Notice
Order of the Court

This offense is briefly described as follows:

- 18 U.S.C. § 1349- Mail Fraud Conspiracy
21 U.S.C. § 331(k) and 333(a)(1) and (2)- Misbranding of drugs with intent to mislead and defraud
18 U.S.C § 1001(a)- False Statements

Date: 08/28/2024

Issuing officer's signature

City and state: San Juan, Puerto Rico

ASR:

Honorable Magistrate Judge Marcos E. Lopez

Printed name and title

Return

This warrant was received on (date) , and the person was arrested on (date)
at (city and state) .

Date:

Arresting officer's signature

Printed name and title

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the
District of Puerto Rico

United States of America
v.

LINA MARCELA PEREZ

Defendant

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Case No. 24-322 (SCC)

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
(name of person to be arrested) Lina Marcela Perez,
who is accused of an offense or violation based on the following document filed with the court:

- Indictment Superseding Indictment Information Superseding Information Complaint
- Probation Violation Petition Supervised Release Violation Petition Violation Notice Order of the Court

This offense is briefly described as follows:

18 U.S.C. § 1349- Mail Fraud Conspiracy
21 U.S.C. § 331(k) and 333(a)(1) and (2)- Misbranding of drugs with intent to mislead and defraud

Date: 08/28/2024



Issuing officer's signature

City and state: San Juan, Puerto Rico



Honorable Magistrate Judge Marcos E. Lopez

Printed name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____.

Date: _____

Arresting officer's signature

Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,

Plaintiff,

v.

- [1] EVELYS MENENDEZ (Counts 1-6),
- [2] DAYNIS GONZALEZ (Count 1),
- [3] BRENDA CORDOVES (Count 1),
- [4] CARMEN ALVELO (Counts 1-4),
- [5] JOMAR LAZU (Counts 1-4),
- [6] LINA MARCELA PEREZ (Counts 1-5),

Defendants.

INDICTMENT

CRIMINAL NO. 24-322 (sec)

Count 1: 18 U.S.C. § 1349 (Mail Fraud Conspiracy),

Counts 2, 3, 4 and 5: 21 U.S.C. § 331(k) and 333(a)(1) and (2) (Misbranding of drugs with intent to mislead and defraud)

Count 6: 18 U.S.C. § 1001(a)(False Statements)

(6 Counts and Forfeiture Allegations)



THE GRAND JURY CHARGES:

GENERAL ALLEGATIONS

At all times material to this Indictment and within the District of Puerto Rico:

1. MUSSI KING DENTAL, LLC was a limited-liability company organized under the laws of the Commonwealth of Puerto Rico on July 5, 2022, which operated a business offering dental veneer installation service for pay and profit in Puerto Rico. Dental veneers are custom-made shells that are attached to the front of teeth to enhance their appearance.

2. Defendant [1] EVELYS MENENDEZ was President of Mussi King Dental, LLC. She was the business' organizer and received credit card and *ATH Movil* payments from MK's Puerto Rico clients.

3. Defendant [2] DAYNIS GONZALEZ was Secretary of Mussi King Dental Corp., a profit corporation organized in 2021 under the laws of the State of Florida. [2] GONZALEZ was also MK's representative in Puerto Rico until around February 2022.

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4. Defendant [3] BRENDA CORDOVES was the manager of MK's office in Puerto Rico until about August 2022.

5. Defendant [4] CARMEN ALBELO was manager of MK's Puerto Rico office from around August 2022 to March 2023.

6. Defendant [5] JOMAR LAZU was in charge of providing security and moving cash for MK in Puerto Rico.

7. Defendant [6] LINA MARCELA PEREZ was an individual who worked at MK's offices in Miami, Florida and coordinated appointment of clients for services by MK in Puerto Rico through WhatsApp.

8. The practice of dentistry in Puerto Rico was regulated. Individuals in Puerto Rico were required to possess a license issued by the Puerto Rico Dentistry Board to engage in the practice of dentistry.

9. All throughout this Indictment, whenever a reference to a date is made, the reference should be understood to mean "on or about" the stated date.

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COUNT ONE
Mail and Wire Fraud Conspiracy
Title 18, United States Code, Section 1349

The General Allegations of this Indictment are re-alleged and incorporated by reference as though fully set forth herein. From April 2021 to October 2023, in the District of Puerto Rico and elsewhere, the defendants,

- [1] EVELYS MENENDEZ,**
[2] DAYNIS GONZALEZ,
[3] BRENDA CORDOVES,
[4] CARMEN ALVELO,
[5] JOMAR LAZU, and
[6] LINA MARCELA PEREZ,

and other unnamed co-conspirators, did conspire, confederate and agree with each other to commit the following offenses:

A. They devised and intended to devise a scheme and artifice to defraud another by means of false and fraudulent pretenses and for obtaining money by means of false and fraudulent pretenses, representations, and promises, and for the purpose of executing the scheme and artifice and attempting to do so caused mail matter to be sent by DHL, FedEx and the United States Postal Service, in violation of Title 18, United States Code, Section 1341; and

B. They devised and intended to devise a scheme and artifice to defraud another by means of false and fraudulent pretenses and for obtaining money by means of false and fraudulent pretenses, representations, and promises, and for the purpose of executing the scheme and artifice and attempting to do so caused to be transmitted by means of wire communication in interstate commerce signals and sounds, in violation of Title 18, United States Code, Section 1343.

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MANNERS AND MEANS

It was part of the conspiracy that members of the conspiracy operated a website, known as “Mussi King Dental”, where they advertised their services, in part, as follows:

“We are a dedicated group of dentists in Miami FL, Orlando FL, Puerto Rico, Philadelphia PA, Atlanta GA and Houston, who for 10 years have been offering high quality dental treatment at an affordable price. We do both general dentistry and specialized dental work in dental implants, veneers and cosmetic dentistry. We have some of the best professional dentists for dental implants, cosmetic dentistry and root canals. All of our dentists are certified by the American Dental Association.”

It was part of the conspiracy that members of the conspiracy conducted business in Puerto Rico in un-marked rented residences, including residences rented through the Airbnb app.

It was part of the conspiracy that members of the conspiracy conducted business in Puerto Rico using the services of aliens who were in the United States with tourist visas.

It was part of the conspiracy that members of the conspiracy conducted business in Puerto Rico using services of dentists that were not licensed to practice dentistry in Puerto Rico.

It was part of the conspiracy that Mussi King’s clients made payment for dental services by way of credit card, PayPal and ATH Movil transactions and these forms of payment generated interstate wire communications.

It was part of the conspiracy that defendants [1] EVELYS MENENDEZ and [6] LINA MARCELA PEREZ sent parcels with dental supplies via DHL, FedEx and the United States Postal Service to [2] DAYNIS GONZALEZ, [3] BRENDA CORDOVES, [4] CARMEN ALVELO and [5] JOMAR LAZU, for Mussi King’s operations in Puerto Rico.

All in violation of Title 18, United States Code, Section 1349.

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COUNTS TWO, THREE AND FOUR
Misbranding of Drugs with Intent to Defraud and Mislead
Title 21, United States Code, Sections 331(k) and 333(a)(1) and (2)

The General Allegations of this Indictment are re-alleged and incorporated by reference herein. On March 28, 2023, in the District of Puerto Rico and elsewhere, the defendants,

[1] EVELYS MENENDEZ,
[4] CARMEN ALVELO,
[5] JOMAR LAZU, and
[6] LINA MARCELA PEREZ,

while aiding and abetting each other, and aided and abetted by others not charged in this Indictment, knowingly and willfully, and with intent to defraud and mislead, did cause the misbranding of a drug, while such drug was held for sale after shipment in interstate commerce, that is, defendants caused that the following drugs:

COUNT	DESCRIPTION OF DRUG
TWO	Cook-Waite's Lidocaine HCl 2% with Epinephrine, manufactured by Novocol Pharmaceutical of Canada, Inc., in Cambridge, Ontario, Canada
THREE	Cook-Waite's Carbocaine 3% (Mepivacaine), manufactured by Novocol Pharmaceutical of Canada, Inc., in Cambridge, Ontario, Canada
FOUR	Chlorhexidine Gluconate Oral Rinse 0.12%

that had been shipped to Puerto Rico from outside thereof, be misbranded by being held for sale to be administered by an individual who was not licensed to practice dentistry nor medicine in Puerto Rico, causing said drugs to be misbranded as the term is defined in Title 21, United States Code, Section 353(b)(1), in connection with the installation of dental veneers by individuals associated to Mussi King Dental LLC in Puerto Rico.

Each count listed above constitutes a separate violation of Title 21, United States Code, Sections 331(k) and 333(a)(1) and (2) and Title 18, United States Code, Section 2.

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COUNT FIVE
Misbranding of Drugs with Intent to Defraud and Mislead
Title 21, United States Code, Sections 331(k) and 333(a)(1) and (2)

The General Allegations of this Indictment are re-alleged and incorporated by reference herein. On October 14, 2023, in the District of Puerto Rico and elsewhere, the defendants,

[1] EVELYS MENENDEZ, and
[6] LINA MARCELA PEREZ,

while aiding and abetting each other, and aided and abetted by others not charged in this Indictment, knowingly and willfully, and with intent to defraud and mislead, did cause the misbranding of a drug, while such drug was held for sale after shipment in interstate commerce, that is, defendants caused that Injection cartridges/vials of Cook-Waite's Lidocaine HCl 2% with Epinephrine, manufactured by Novocol Pharmaceutical of Canada, Inc., in Cambridge, Ontario, Canada, that had been shipped to Puerto Rico from outside thereof, to be administered by an individual who was not licensed to practice dentistry nor medicine in Puerto Rico, causing said drug to be misbranded as the term is defined in Title 21, United States Code, Section 353(b)(1), in connection with the installation of dental veneers by individuals associated to Mussi King Dental LLC in Puerto Rico, all in violation of Title 21, United States Code, Section 331(k) and 333(a)(1) and (2) and Title 18, United States Code, Section 2.

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COUNT SIX
False Statements
Title 18, United States Code, Section 1001(a)(2)

The General Allegations of this Indictment are re-alleged and incorporated by reference herein. On September 1, 2023, in the District of Puerto Rico and elsewhere, the defendant,

[1] EVELYS MENEDEZ,

in a matter within the jurisdiction of the executive, legislative, and judicial branch of the Government of the United States, did knowingly and willfully make a materially false, fictitious and fraudulent statement and representation, that is, during an interview with Federal law enforcement agents in relation to the operations of Mussi King Dental in Puerto Rico, defendant was specifically asked if she continued operations in Puerto Rico after the execution of a Federal search warrant in March 2023, to which defendant answered in the negative, when in truth and in fact, and as defendant well knew, this statement was false, since she continued with the operation of Mussi King Dental in Puerto Rico after March 2023; all in violation of Title 18, United States Code, Section 1001(a)(2).

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FORFEITURE ALLEGATIONS

Upon conviction of the offense in COUNT ONE of this Indictment, defendants [1] **EVELYS MENENDEZ**, [2] **DAYNIS GONZALEZ**, [3] **BRENDA CORDOVES**, [4] **CARMEN ALVELO**, [5] **JOMAR LAZU** and [6] **LINA MARCELA PEREZ**, shall forfeit to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c) any property constituting or derived from proceeds obtained directly or indirectly as a result of said violation. If any of the forfeitable property, 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 which cannot be divided without difficulty; it

is the intent of the United States, pursuant to Title 21, United States Code, Section 8563(p) as incorporated by Title 18, United States Code, Section 982(b), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property described above. All in accordance with Title 18, United States Code, Section 982(b), Title 28, United States Code, Section 2461(c), and Federal Rules of Criminal Procedure Rule 32.2.

TRUE BILL



FOREPERSON

8-28-2024

W. STEPHEN MULDROW
United States Attorney

Seth A. Erbe
Assistant U.S. Attorney
Chief, Financial Fraud and Public Corruption Section

José A. Ruiz-Santiago
Assistant U.S. Attorney