

UNITED STATES DISTRICT COURT

for the

District of Massachusetts

United States of America
v.

Case No. 23-MJ-1510-DLC

RAMBHAI PATEL and BALWINDER SINGH

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 22, 2023 to Oct. 28, 2023 in the county of Plymouth and Norfolk in the District of Massachusetts, the defendant(s) violated:

Code Section 18 U.S.C. § 371 Offense Description Conspiracy to commit visa fraud

This criminal complaint is based on these facts:

Please see the attached Affidavit of Special Agent Jason Kentros, attached hereto and incorporated herein.

Continued on the attached sheet.

Signature of Jason Kentros
Special Agent Jason Kentros, FBI

Sworn to before me and signed via telephone.

Date: 12/12/2023

Signature of Donald L. Cabell
Judge's signature

City and state: Boston, Massachusetts



Hon. Donald L. Cabell, Chief U.S. Magistrate Judge
Printed name and title

23-MJ-1510-DLC

**AFFIDAVIT OF SPECIAL AGENT JASON KENTROS IN SUPPORT OF  
AN APPLICATION FOR A COMPLAINT**

I, Special Agent Jason Kentros, being duly sworn, state as follows:

**INTRODUCTION**

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have been since January 2017. I am currently assigned to the FBI Boston Violent Crimes Task Force (“VCTF”), which is comprised of personnel of the FBI, Massachusetts State Police, and the Boston, Braintree, Malden, Somerville, and Dedham Police Departments. As a Special Agent with the VCTF, I have repeatedly responded to incidents involving violent encounters, including robberies. I have also received specialized training regarding investigative techniques including interviewing witnesses and collecting and reviewing video and other electronic evidence, evidence collection, and evidence preservation, and have experience in applying those techniques in violent crime investigations.

2. I am aware that 18 U.S.C. § 1546(a) makes it a crime to, among other things, possess, obtain, accept, or receive a visa or other document prescribed by statute or regulation for entry into or as evidence of authorized stay or employment in the United States, knowing it to have been procured by means of any false claim or statement, or to have been otherwise procured by fraud or unlawfully obtained. I also know that 18 U.S.C. § 371 makes it a crime to conspire to commit a crime against the United States, including visa fraud.

3. I submit this affidavit in support of an application for a complaint charging Rambhai PATEL (YOB 1987) and Balwinder SINGH (YOB 1984) (collectively, the “SUBJECT PERSONS”) with conspiracy to commit visa fraud, in violation of 18 U.S.C. § 371.

4. The statements in this affidavit are based in part on information provided by other law enforcement officers, including those with experience in enforcing immigration laws, statements of witnesses, information gleaned from third parties, review of records, and on other aspects of my investigation of this matter. Since this affidavit is being submitted for the limited purpose of securing a complaint, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause for the complaint.

5. Based on the facts set forth in this affidavit, I have probable cause to believe that the crime of conspiracy to commit visa fraud, in violation of 18 U.S.C. § 371, has been committed by PATEL, SINGH, and others known and unknown to investigators.<sup>1</sup>

#### **I. BACKGROUND**

6. In or around June 2023, the Boston VCTF became aware of a series of armed robberies of commercial stores – on March 22, 2023 in Hingham, MA; on June 6, 2023 in Weymouth, MA; and on June 9, 2023 in Marshfield, MA – in which all three stores were robbed at gunpoint by an individual. Based on video surveillance, witness statements, and patterns of behavior observed across the three robberies, agents believed that the robberies were connected, and that the perpetrator of each of the three robberies was likely the same person (the “Suspect”).

7. As the FBI learned more about the robberies and learned of other robberies apparently involving the same Suspect, as well as other individuals believed to be involved in the planning and execution of the robberies, facts emerged that suggested that the SUBJECT PERSONS were involved in conduct other than purely commercial robberies. For example, toll

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<sup>1</sup> In light of their residences in New York, I am also seeking search warrants for the persons of PATEL and SINGH, as well as premises and a vehicle related to the scheme, in the Eastern District of New York.

records analysis showed that some purported victims of the supposed robberies were in contact with PATEL before the robberies. Also, investigation revealed that one of the individuals tasked with committing the robberies had traveled via airplane to commit a robbery in circumstances where the money likely to be obtained during the robbery could reasonably be expected to have been less than the cost of the travel to commit the robbery. The FBI also learned about immigration-related activity of several store employees following their purported victimization during the robberies, as outlined below. As a result of these unusual factors, during the course of the investigation, the FBI began to suspect that the SUBJECT PERSONS and co-conspirators, both known and unknown, were engaged in a visa fraud scheme, rather than a series of Hobbs Act robberies.

8. As explained more fully below, there is now probable cause to believe that the purported robberies were staged for the purpose of supporting fraudulent visa applications.

#### **Visas Available to Victims of Violent Crimes**

9. I am aware that the U nonimmigration status (U visa) is available to victims of certain crimes who have suffered mental or physical abuse and who have been helpful to law enforcement in the investigation or prosecution of criminal activity.<sup>2</sup> Qualifying crime victims may apply for U visa status by submitting a United States Customs and Immigration Services (“USCIS”) Form I-918 petition and the Form I-918 Supplement B (“Form 918-B”). I am aware that Form 918-B must be signed by an authorized official of a certifying law enforcement agency, confirming that the individual was a victim of a qualifying crime and has been or will be helpful in the investigation or prosecution of the case.

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<sup>2</sup> See generally, [https://www.uscis.gov/humanitarian/victims-of-criminal-activity-u-nonimmigrant-status#:~:text=The%20U%20nonimmigrant%20status%20\(U,or%20prosecution%20of%20criminal%20activity](https://www.uscis.gov/humanitarian/victims-of-criminal-activity-u-nonimmigrant-status#:~:text=The%20U%20nonimmigrant%20status%20(U,or%20prosecution%20of%20criminal%20activity) (last visited December 12, 2023).

10. Extortion, false imprisonment, unlawful criminal restraint, and felonious assault are among the qualifying crimes for U visa status, and at least some of the purported victims of the robberies involved in this matter have submitted Forms 918-B to local police departments, claiming that the robbery in which they were involved qualifies as one of these crimes and requesting the local police to certify that they qualify as victims.<sup>3</sup>

## **II. PROBABLE CAUSE TO BELIEVE SUBJECT PERSONS ARE COMMITTING SUBJECT OFFENSES**

### **October 2023 Arrest of CW-1 and SINGH**

11. On October 27, 2023, at approximately 8:00 a.m., members of VCTF conducted surveillance in Worcester, MA in response to information received during the investigation that the SUBJECT PERSONS were traveling from New York to the area of Worcester, MA. Once in Worcester, agents located a vehicle (“SUBJECT VEHICLE 1”) which prior investigation revealed had been utilized by the SUBJECT PERSONS in connection with prior robberies. That day, agents observed SUBJECT VEHICLE 1 in and around the vicinity of Austin Liquors, located at 370 Park Ave., Worcester, MA (a location that would be “robbed” the next day).

12. On October 28, 2023, at approximately 9:17 a.m., an unknown male<sup>4</sup> entered Austin Liquors. According to police reports, the male went behind the store’s counter, brandished what appeared to be a firearm, and made a verbal demand for money. The male took approximately \$200 to \$300 from the store register and exited the store.

13. About 15 minutes after the Austin Liquors store robbery, a Massachusetts State Police (MSP) dispatch, monitoring local law enforcement dispatch to include Worcester Police

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<sup>3</sup> Investigators have learned that this scheme is not unique. In at least two other jurisdictions, within the past few years, individuals have staged armed robberies, with the consent of the apparent victims, so that the “victims” could later apply for U-visas.

<sup>4</sup> The perpetrator would later be identified as Cooperating Witness-1 (“CW-1”), as detailed below.

dispatch, received information of an armed robbery on Park Ave. in Worcester. Information about the robbery and the observations of SUBJECT VEHICLE 1 in the vicinity of the location from the day prior were shared with MSP troopers. MSP stopped SUBJECT VEHICLE 1 based on this information and took its two occupants—CW-1 and SINGH— into custody. They were later arrested by Worcester Police Department. In a later consent search of the car, law enforcement found a firearm covered in black tape.<sup>5</sup> Based on my experience and training with regards to the size and weight of real firearms, I do not believe it is a real firearm.

#### Interview of CW-1

14. Subsequent to the arrest of CW-1 and SINGH on state charges for the Austin Liquors robbery, CW-1 participated in a post-*Miranda* recorded interview in which CW-1 stated the following, among other things:<sup>6</sup>

a. Initially, CW-1 stated that he was in Massachusetts for a construction job that day and denied robbing a store or any knowledge of SINGH robbing a store. After further questioning, CW-1 recanted his initial statement and stated that he committed the Worcester robbery earlier that day. (As outlined below, SINGH also claimed he was in Worcester that day for a construction job and that he was unaware of any robbery.)

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<sup>5</sup> During the initial vehicle stop, a cursory search of SUBJECT VEHICLE 1 did not locate the firearm.

<sup>6</sup>



b. Since early 2023, CW-1 had participated in a scheme involving PATEL, SINGH, and others known and unknown to investigators, that involved setting up and carrying out staged robberies of pre-determined commercial businesses for the purpose of rendering employees present during the purported robberies to be “victims of a violent crime” such that they would be seemingly qualified to apply for U visa status. CW-1 identified PATEL in a photograph and confirmed that he is the person charged by this complaint.

c. In early 2023, PATEL hired CW-1 to do construction at PATEL’s home in New York, which CW-1 did. Soon thereafter, PATEL told CW-1 that he had a job that would pay \$1,500. PATEL explained to CW-1 that he would be going into stores to commit robberies and that the people inside the stores would be aware that they were going to be robbed. Furthermore, PATEL advised CW-1 that some of the people who acted as victims did not work at the store and traveled from out of state to take part in the staged robbery. CW-1 explained that those people posing as victims were doing so to “get papers” to allow them to stay in the country. PATEL told CW-1 that the victims would not call the police when CW-1 committed the robberies, but CW-1 later saw on the news that victims were in fact calling police after the robberies. At least initially, CW-1 had not expected the police to be called at all.

d. CW-1 said that each victim paid PATEL \$10,000 to take part in the staged robberies for the purpose of receiving “papers.”<sup>7</sup> PATEL knew the store owners and the store owners allowed their respective stores to be used for the staged robberies. CW-1 understood that the store owners were fully aware of the robberies. PATEL paid each

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<sup>7</sup> CW-1 later clarified that by “papers” he meant green cards or visas.

owner \$1,500 to \$2,000 to use the store for a robbery.

e. CW-1 said that during most of the robberies, CW-1 communicated with PATEL via a Bluetooth headset.<sup>8</sup> During the staged robberies, PATEL would be in contact with the target store's owner or an employee who would notify PATEL when the store was empty. PATEL would in turn instruct CW-1 to go inside to "commit" the robbery.<sup>9</sup>

f. On October 27, 2023, the day before the Worcester "robbery" leading to arrests, CW-1 was positioned outside the Austin Liquors in Worcester in SUBJECT VEHICLE 1. CW-1 indicated that PATEL was in real-time communication with an individual CW-1 later identified as the "owner" of the store.<sup>10</sup> PATEL was informed by the owner (who was parked outside the store conducting surveillance), that people kept coming into the store and that an employee who was not involved would be starting a shift. As a result, PATEL instructed CW-1 to leave Worcester and return home.

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<sup>8</sup> Investigators had previously observed individuals involved in some of the robberies detailed herein wearing what appeared to be headphones draped around their neck in surveillance footage. The headphones had a distinct beige-colored box on the wire.

<sup>9</sup> Agents have not yet located such real-time communications about robberies on the CW-1 PHONE (described below) for robberies prior to October 27, 2023. Based on information from CW-1, agents believe that this is because PATEL likely set those messages to be deleted after being read or because these communications were done via WhatsApp audio.

<sup>10</sup> CW-1 communicated with PATEL via what will be identified herein as the PATEL PHONE. The PATEL PHONE is provided service by T-Mobile, is subscribed in the name of PATEL, and is assigned phone number xxx-xxx-0246. During his October 28, 2023 interview, CW-1 confirmed that PATEL utilized the PATEL PHONE, which CW-1 used to communicate with PATEL regularly. In addition, location information obtained through prior search warrants has placed the PATEL PHONE in the general area of the June 6 and June 9 robberies in MA and an August 8 robbery in TN. The PATEL PHONE is linked to a WhatsApp account detailed below.



g. CW-1 stated that SINGH has minimal knowledge about the robbery scheme.<sup>11</sup> CW-1 said CW-1 used SINGH as CW-1's driver for robberies out of state and paid SINGH \$500 per robbery. However, CW-1 also stated that SINGH asked CW-1 what happened to the gun (which CW-1 described as fake), suggesting that SINGH knew at least that whatever he was driving to involved a firearm.

15. On October 31, 2023, CW-1 consented to a search of their phone (hereinafter "CW-1 PHONE").<sup>12</sup> CW-1 described the CW-1 PHONE as a Cricket Phone that CW-1 started using in or around August 2023. During the search of the CW-1 PHONE pursuant to CW-1's consent, agents identified WhatsApp communications extracted between a WhatsApp account associated with the CW-1 PHONE and the PATEL PHONE. On October 27, 2023, the CW-1 PHONE sent PATEL PHONE a message that read "When go tell me" and PATEL PHONE replied "Ok." About three hours later, the following exchange ensued,

CW-1 PHONE to PATEL PHONE: "No one inside how many people"

CW-1 PHONE to PATEL PHONE: "Check that"

PATEL PHONE to CW-1 PHONE: "One old lady and 1 guy inside"

CW-1 PHONE to PATEL PHONE: "Soon they leave tell me"

PATEL PHONE to CW-1 PHONE: "Lady leaving"

PATEL PHONE to CW-1 PHONE: "Ok"

PATEL PHONE to CW-1 PHONE: "Leaving soon both"

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<sup>11</sup> CW-1 stated that SINGH was not fully knowledgeable about the scheme. However, based on what investigators know from the investigation, investigators believe that CW-1 was minimizing SINGH's involvement because of their friendship.

<sup>12</sup> The phone number assigned is known to agents. On November 6, 2023, CW-1 consented to a consensual Title III for the purposes of law enforcement to retain and monitor all telephonic communications on the CW-1 PHONE.

CW-1 PHONE to PATEL PHONE: “Soon leave I go”

PATEL PHONE to CW-1 PHONE: “Ok”

16. Based on my training and experience, as well as my knowledge of the investigation, I believe that this October 27, 2023 WhatsApp exchange between the PATEL PHONE and the CW-1 PHONE reflects PATEL relaying real-time information to CW-1 of who was in the store for the purposes of coordinating the timing of robbing the store. Furthermore, investigators believe that PATEL had direct access to a store insider and/or the store’s video surveillance system to coordinate the timing of the prospective robbery.

### **Consensual Recordings**

17. On November 15, 2023, at approximately 12:50 p.m., CW-1 and an FBI Undercover Employee (hereinafter “UCE”) conducted a consensually recorded telephone conversation with PATEL via the WhatsApp account linked to the PATEL PHONE. Prior to the call, CW-1 told PATEL that the UCE was someone he knew who might be interested in helping with the scheme. The following are excerpts in which PATEL explained what the UCE’s role may be:

PATEL: Just you will go inside, I will let you know what time you need to go, like, like, give exact times, and stuff like that, so it’s no one inside in the store, the store is empty, there’s a guy, like two guys inside, just so, and like hands up, give me money, and just you know come back from that, nothing else.

UCE: You say I say that to a guy, are these guys like your people? Like you know these people?

PATEL: Uh, I know that peoples, but you know the customers, whenever the customer doesn’t have in the store, that time you can go inside

.....

UCE: Ok, now now how does it go down? Do I got to hop the counter, do I need to pull the gun out, what do you need me to do?

PATEL: Just show the gun, that’s it, just [unintelligible] hands up, just you know, just take it up from the register, the money, and just give it to me, that’s it.

.....

UCE: So you sure they don't call the police, man? This shit sound a little too good to be true, man. You know what I mean, like, are you sure?

PATEL: Yeah, he can call like after fifteen minutes, don't worry.

UCE: And, and what about for, like how I look and shit, they're not going to tell how I look or nothing close to how I look, how does that work?

PATEL: No, they, they, they doesn't tell, don't worry.

**Staged Robberies Committed in Furtherance of the Visa Fraud Scheme**<sup>13</sup>

18. During the course of the investigation, investigators have identified the following robberies, occurring throughout the eastern United States, for which there is probable cause to believe PATEL and his associates, including CW-1 and SINGH, staged the robberies in furtherance of a visa fraud scheme:

<b><u>Robbery</u></b>	<b><u>Date</u></b>	<b><u>Commercial Store</u></b>	<b><u>Location</u></b>
1	3/22/23	Richdale Food Shops	Hingham, MA
2	6/6/23	Michael's Wine & Spirits	Weymouth, MA
3	6/9/23	Yogi's Liquors	Marshfield, MA
4	7/6/23	A1 Smoke Shop	Upper Darby, PA
5	7/14/23	SK's Quick Stop	West Pittston, PA
6	7/26/23	Subway	Louisville, KY
7	8/8/23	Kingspoint Shell Gas Station	Bean Station, TN
8	9/11/23	Jimmy's Market & Liquors	Randolph, MA

19. In each robbery, video surveillance depicts a male suspect "robbing" the store with what appears to be a firearm. CW-1 has identified himself as the perpetrator of these "robberies" and explained, in sum and substance, that these were "robberies" committed in furtherance of the scheme. Among other additional facts, for the robberies in Louisville, KY and Bean Station, TN, airplane records indicate that CW-1 travelled from New York to those locations on the dates that the robberies occurred.

20. In six robberies, the PATEL PHONE connected with a cell tower in or near the

<sup>13</sup> There are an approximately 11 additional robberies, beyond those listed, under investigation as potentially being linked to the SUBJECT PERSONS and the scheme outlined herein.

town in which the robbery took place in or around the time of the robbery. The PATEL PHONE was also in contact with the owner of the Hingham and Marshfield stores months after the robberies.

21. When filling out a police report, a purported victim of the West Pittston, PA robbery provided an address that is the residence of PATEL in Farmingdale, New York.

22. With respect to the robberies in the chart and U visas, in seven of the eight robberies, law firms representing purported victim(s) submitted U visa Form 918-B to the relevant local police department, requesting certification.<sup>14</sup> Forms 918-B have been submitted for purported victims of four of the eight robberies. Further, the PATEL PHONE was in contact with a telephone number that record checks indicated was associated with that attorney.

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<sup>14</sup>Authorities have not yet learned of any Form 918-B being submitted for certification by, or on behalf of, any victim in the Subway Louisville, KY robbery.

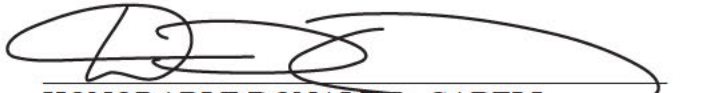
**CONCLUSION**

23. Based on the foregoing, there is probable cause to believe that from at least March 22, 2023 to October 28, 2023, PATEL and SINGH, along with others known and unknown to investigators, conspired to commit visa fraud and one or more of such persons committed at least one act in furtherance of the conspiracy.

24. I therefore respectfully request that the Court issue a criminal complaint charging PATEL and SINGH with violating 18 U.S.C. § 371(a) (conspiracy to commit visa fraud) and issue warrants for their arrests.

  
JASON KENTROS  
Special Agent  
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by phone, on this 12th day of December 2023, at Boston, MA.

  
HONORABLE DONALD L. CABELL  
CHIEF UNITED STATES MAGISTRATE JUDGE



