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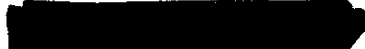
IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA


STATE OF ARIZONA,

Plaintiff,

v.

FRANCISCO AGUIRRE AKA
FRANCISCO X AGUIRRE-PROANO
AKA FRANCISCO XAVIER AGUIRRE
AKA FRANCISCO XAVIER AGUIRRE-
PROANO (001),
(Counts 1-20)

 (002),
(Counts 1-17, 19-20)

 (003),
(Counts 1-3)

 (004)
(Counts 1-3).

Case No:

80 SGJ 150

INDICTMENT

CHARGING VIOLATIONS OF:

COUNT 1: FRAUDULENT SCHEMES
AND ARTIFICES, a Class 2 Felony, in
violation of A.R.S. § 13-2310

COUNT 2: ILLEGALLY CONDUCTING
AN ENTERPRISE, a Class 3 Felony, in
violation of A.R.S. § 13-2312

COUNT 3: CONSPIRACY, a Class 2
Felony, in violation of A.R.S. § 13-1003

COUNT 4: MONEY LAUNDERING, a
Class 3 Felony, in violation of A.R.S. § 13-

Defendants.

2317(A)(1)

COUNTS 5, 7, 10, 13, 16, 19:
MORTGAGE FRAUD, Class 2 Felonies,
in violation of A.R.S. § 13-2320

COUNTS: 6, 14, 17: THEFT, Class 3
Felonies, in violation of A.R.S. § 13-
1802(A)(3)

COUNTS 8, 11, 20: THEFT, Class 2
Felonies, in violation of A.R.S. § 13-
1802(A)(3)

COUNTS 9, 12, 15, 18: FORGERY, Class
4 Felonies, in violation of A.R.S. § 13-2002

The State Grand Jury for the State of Arizona accuses FRANCISCO AGUIRRE AKA FRANCISCO X AGUIRRE-PROANO AKA FRANCISCO XAVIER AGUIRRE AKA FRANCISCO XAVIER AGUIRRE-PROANO (001) and/or [REDACTED] (002) and/or [REDACTED] (003) and/or [REDACTED] [REDACTED] charging on this 22nd day of February 2017, that in or from Maricopa County, Arizona:

COUNT 1

FRAUDULENT SCHEMES AND ARTIFICES

On or between January 1, 2013 and July 30, 2015, FRANCISCO AGUIRRE AKA FRANCISCO X AGUIRRE-PROANO AKA FRANCISCO XAVIER AGUIRRE AKA FRANCISCO XAVIER AGUIRRE-PROANO (001) and/or [REDACTED] (002) and/or [REDACTED] (003) and/or [REDACTED] [REDACTED] (004), pursuant to a scheme or artifice to defraud, knowingly obtained a benefit by means of a false or fraudulent pretense, representation, promise, or material

omission, in violation of A.R.S. §§ 13-2310, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, and 13-801.

Said conduct occurred when FRANCISCO AGUIRRE AKA FRANCISCO X AGUIRRE-PROANO AKA FRANCISCO XAVIER AGUIRRE AKA FRANCISCO XAVIER AGUIRRE-PROANO (001) and/or [REDACTED] (002) and/or [REDACTED] (003) and/or [REDACTED] (004) were associated with and/or employed by the Montecristo Properties, LLC and/or Montecristo Property Investments, LLC and/or San Marino Property Investments, LLC and/or Biltmore Property Investments, LLC and made false or fraudulent pretenses, promises, or material omissions to individuals who thought they were purchasing homes.

COUNT 2

ILLEGALLY CONDUCTING AN ENTERPRISE

On or between January 1, 2013 and July 30, 2015, FRANCISCO AGUIRRE AKA FRANCISCO X AGUIRRE-PROANO AKA FRANCISCO XAVIER AGUIRRE AKA FRANCISCO XAVIER AGUIRRE-PROANO (001) and/or [REDACTED] (002) and/or [REDACTED] (003) and/or [REDACTED] (004), were employed by or associated with an enterprise, TO WIT: Montecristo Properties, LLC and/or Montecristo Property Investments, LLC and/or San Marino Property Investments, LLC, and conducted such enterprise's affairs through racketeering or participated directly or indirectly in the conduct of any enterprise that they knew was being conducted through racketeering, in violation of A.R.S. §§13-2312(B), 13-1802, 13-2002, 13-2317(B), 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, and 13-801.

COUNT 3
CONSPIRACY

On or between January 1, 2013 and July 30, 2015, FRANCISCO AGUIRRE AKA FRANCISCO X AGUIRRE-PROANO AKA FRANCISCO XAVIER AGUIRRE AKA FRANCISCO XAVIER AGUIRRE-PROANO (001) and/or [REDACTED] (002) and/or [REDACTED] (003) and/or [REDACTED] (004), with the intent to promote or aid the commission of an offense, each agreed with one or more persons that at least one of them or another person would engage in conduct constituting the offense and one of the parties committed an overt act in furtherance of the offense, in violation of A.R.S. §§13-1003, 13-2310, 13-2320, 13-2312(B), 13-2317(B)(1), 13-1802, 13-2002, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, and 13-801.

Said conduct occurred when the FRANCISCO AGUIRRE AKA FRANCISCO X AGUIRRE-PROANO AKA FRANCISCO XAVIER AGUIRRE AKA FRANCISCO XAVIER AGUIRRE-PROANO (001) and/or [REDACTED] (002) and/or [REDACTED] (003) and/or [REDACTED] (004), with the intent to promote or aid in the commission of an offense, did agree with one or more persons that at least one of them or another person would engage in conduct constituting the offenses of FRAUDULENT SCHEMES OR ARTIFICES and/or ILLEGAL CONDUCTING OF AN ENTERPRISE and/or MONEY LAUNDERING and/or THEFT and/or FORGERY and/or a pattern of RESIDENTIAL MORTGAGE FRAUD.

COUNT 4
MONEY LAUNDERING

On or between January 1, 2013 and July 30, 2015, FRANCISCO AGUIRRE AKA FRANCISCO X AGUIRRE-PROANO AKA FRANCISCO XAVIER AGUIRRE AKA

FRANCISCO XAVIER AGUIRRE-PROANO (001) and/or [REDACTED] (002), acquired or maintained an interest in, transacted, transferred, transported, received, or concealed the existence or nature of racketeering proceeds knowing or having reason to know that they were proceeds of an offense, TO WIT: FRAUDULENT SCHEMES OR ARTIFICES and/or THEFT and/or FORGERY, in violation of A.R.S. §§ 13-2317(B)(1), 13-1802, 13-2002, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, and 13-801.

COUNT 5

MORTGAGE FRAUD

On or between September 1, 2013 and December 31, 2013, FRANCISCO AGUIRRE AKA FRANCISCO X AGUIRRE-PROANO AKA FRANCISCO XAVIER AGUIRRE AKA FRANCISCO XAVIER AGUIRRE-PROANO (001) and/or [REDACTED] (002), engaging or participating in a pattern of residential mortgage fraud or conspiring to engage in a pattern of residential mortgage fraud, knowingly used or facilitated the use of any deliberate misstatement, misrepresentation or material omission during the mortgage lending process that was relied upon by a mortgage lender, borrower, or other party to the mortgage lending process, TO WIT: Maria Moreno regarding the property at 1828 W. Cocopah, in violation of A.R.S. §§ 13-2320, 13-2320(D), 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, and 13-801.

COUNT 6

THEFT

On or between September 1, 2013 and December 31, 2014, FRANCISCO AGUIRRE AKA FRANCISCO X AGUIRRE-PROANO AKA FRANCISCO XAVIER AGUIRRE AKA FRANCISCO XAVIER AGUIRRE-PROANO (001) and/or [REDACTED] (002), without lawful authority, knowingly obtained services or property of MARIA MORENO

by means of a material misrepresentation with the intent to deprive MARIA MORENO of such property or services, TO WIT: U.S. Currency with a value of four thousand dollars (\$4,000) or more but less than (\$25,000), in violation of A.R.S. §§ 13-1802(A)(3), 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, and 13-801.

COUNT 7

MORTGAGE FRAUD

On or between March 1, 2014 and April 30, 2014, FRANCISCO AGUIRRE AKA FRANCISCO X AGUIRRE-PROANO AKA FRANCISCO XAVIER AGUIRRE AKA FRANCISCO XAVIER AGUIRRE-PROANO (001) and/or [REDACTED] (002), engaging or participating in a pattern of residential mortgage fraud or conspiring to engage in a pattern of residential mortgage fraud, knowingly used or facilitated the use of any deliberate misstatement, misrepresentation or material omission during the mortgage lending process that was relied upon by a mortgage lender, borrower, or other party to the mortgage lending process, TO WIT: Mario Osuna regarding the property at 1727 W. North Lane, in violation of A.R.S. §§ 13-2320, 13-2320(D), 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, and 13-801.

COUNT 8

THEFT

On or between March 1, 2014 and October 31, 2014, FRANCISCO AGUIRRE AKA FRANCISCO X AGUIRRE-PROANO AKA FRANCISCO XAVIER AGUIRRE AKA FRANCISCO XAVIER AGUIRRE-PROANO (001) and/or [REDACTED] (002) without lawful authority, knowingly obtained services or property of MARIO OSUNA by means of a material misrepresentation with the intent to deprive MARIO OSUNA of such property or services, TO WIT: U.S. Currency with a value of twenty-five thousand dollars

(\$25,000) or more, in violation of A.R.S. §§ 13-1802(A)(3), 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, and 13-801.

COUNT 9

FORGERY

On or between March 26, 2014, FRANCISCO AGUIRRE AKA FRANCISCO X AGUIRRE-PROANO AKA FRANCISCO XAVIER AGUIRRE AKA FRANCISCO XAVIER AGUIRRE-PROANO (001) and/or [REDACTED] (002) with the intent to defraud, offered or presented, whether accepted or not, a forged instrument or one that contains false information, TO WIT: HUD-1 Settlement Statement, in violation of A.R.S. §§ 13-2002, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, and 13-801.

COUNT 10

MORTGAGE FRAUD

On or between January 1, 2015 and February 30, 2015, FRANCISCO AGUIRRE AKA FRANCISCO X AGUIRRE-PROANO AKA FRANCISCO XAVIER AGUIRRE AKA FRANCISCO XAVIER AGUIRRE-PROANO (001) and/or [REDACTED] (002), engaging or participating in a pattern of residential mortgage fraud or conspiring to engage in a pattern of residential mortgage fraud, knowingly used or facilitated the use of any deliberate misstatement, misrepresentation or material omission during the mortgage lending process that was relied upon by a mortgage lender, borrower, or other party to the mortgage lending process, TO WIT: Brenda Valdez regarding the property at 1548 W. Atlanta Ave, in violation of A.R.S. §§ 13-2320, 13-2320(D), 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, and 13-801.

COUNT 11

THEFT

On or between January 1, 2015 and February 30, 2015, FRANCISCO AGUIRRE AKA FRANCISCO X AGUIRRE-PROANO AKA FRANCISCO XAVIER AGUIRRE AKA FRANCISCO XAVIER AGUIRRE-PROANO (001) and/or [REDACTED] without lawful authority, knowingly obtained services or property of BRENDA VALDEZ by means of a material misrepresentation with the intent to deprive BRENDA VALDEZ of such property or services, TO WIT: U.S. Currency with a value of twenty-five thousand dollars (\$25,000) or more, in violation of A.R.S. §§ 13-1802(A)(3), 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, and 13-801

COUNT 12

FORGERY

On or between February 4, 2014, FRANCISCO AGUIRRE AKA FRANCISCO X AGUIRRE-PROANO AKA FRANCISCO XAVIER AGUIRRE AKA FRANCISCO XAVIER AGUIRRE-PROANO (001) and/or [REDACTED] (002) with the intent to defraud, offered or presented, whether accepted or not, a forged instrument or one that contains false information, TO WIT: HUD-1 Settlement Statement, in violation of A.R.S. §§ 13-2002, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, and 13-801.

COUNT 13

MORTGAGE FRAUD

On or between January 1, 2015 and February 30, 2015, FRANCISCO AGUIRRE AKA FRANCISCO X AGUIRRE-PROANO AKA FRANCISCO XAVIER AGUIRRE AKA FRANCISCO XAVIER AGUIRRE-PROANO (001) and/or [REDACTED] (002), engaging or participating in a pattern of residential mortgage fraud or conspiring to

engage in a pattern of residential mortgage fraud, knowingly used or facilitated the use of any deliberate misstatement, misrepresentation or material omission during the mortgage lending process that was relied upon by a mortgage lender, borrower, or other party to the mortgage lending process, TO WIT: Pedro Garcia regarding the property at 5941 W. Marlette Ave, in violation of A.R.S. §§ 13-2320, 13-2320(D), 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, and 13-801.

COUNT 14

THEFT

On or between January 1, 2015 and July 30, 2015, FRANCISCO AGUIRRE AKA FRANCISCO X AGUIRRE-PROANO AKA FRANCISCO XAVIER AGUIRRE AKA FRANCISCO XAVIER AGUIRRE-PROANO (001) and/or [REDACTED] (02) without lawful authority, knowingly obtained services or property of PEDRO GARCIA by means of a material misrepresentation with the intent to deprive PEDRO GARCIA of such property or services, TO WIT: U.S. Currency with a value of four thousand dollars (\$4,000) or more but less than twenty-five thousand dollars (\$25,000), in violation of A.R.S. §§ 13-1802(A)(3), 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, and 13-801

COUNT 15

FORGERY

On or between February 20, 2015, FRANCISCO AGUIRRE AKA FRANCISCO X AGUIRRE-PROANO AKA FRANCISCO XAVIER AGUIRRE AKA FRANCISCO XAVIER AGUIRRE-PROANO (001) and/or [REDACTED] (002) with the intent to defraud, offered or presented, whether accepted or not, a forged instrument or one that contains false information, TO WIT: HUD-1 Settlement Statement, in violation of A.R.S. §§ 13-2002, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, and 13-801.

COUNT 16
MORTGAGE FRAUD

On or between April 1, 2015 and June 30, 2015, FRANCISCO AGUIRRE AKA FRANCISCO X AGUIRRE-PROANO AKA FRANCISCO XAVIER AGUIRRE AKA FRANCISCO XAVIER AGUIRRE-PROANO (001) and/or [REDACTED] (002), engaging or participating in a pattern of residential mortgage fraud or conspiring to engage in a pattern of residential mortgage fraud, knowingly used or facilitated the use of any deliberate misstatement, misrepresentation or material omission during the mortgage lending process that was relied upon by a mortgage lender, borrower, or other party to the mortgage lending process, TO WIT: Raul Sandoval Martinez regarding the property at 218 W. Roeser Rd., in violation of A.R.S. §§ 13-2320, 13-2320(D), 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, and 13-801.

COUNT 17
THEFT

On or between April 1, 2015 and July 30, 2015, FRANCISCO AGUIRRE AKA FRANCISCO X AGUIRRE-PROANO AKA FRANCISCO XAVIER AGUIRRE AKA FRANCISCO XAVIER AGUIRRE-PROANO (001) and/or [REDACTED] (002) without lawful authority, knowingly obtained services or property of RAUL SANDOVAL MARTINEZ by means of a material misrepresentation with the intent to deprive RAUL SANDOVAL MARTINEZ of such property or services, TO WIT: U.S. Currency with a value of four thousand dollars (\$4,000) or more but less than twenty-five thousand dollars (\$25,000), in violation of A.R.S. §§ 13-1802(A)(3), 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, and 13-801.

COUNT 18

FORGERY

On or between June 24, 2015, FRANCISCO AGUIRRE AKA FRANCISCO X AGUIRRE-PROANO AKA FRANCISCO XAVIER AGUIRRE AKA FRANCISCO XAVIER AGUIRRE-PROANO (001), with the intent to defraud, offered or presented, whether accepted or not, a forged instrument or one that contains false information, TO WIT: Addendum to Contract for Conveyance of Real Property, in violation of A.R.S. §§ 13-2002, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, and 13-801.

COUNT 19

MORTGAGE FRAUD

On or between October 1, 2014 and November 30, 2014, FRANCISCO AGUIRRE AKA FRANCISCO X AGUIRRE-PROANO AKA FRANCISCO XAVIER AGUIRRE AKA FRANCISCO XAVIER AGUIRRE-PROANO (001) and/or [REDACTED] (002), engaging or participating in a pattern of residential mortgage fraud or conspiring to engage in a pattern of residential mortgage fraud, knowingly used or facilitated the use of any deliberate misstatement, misrepresentation or material omission during the mortgage lending process that was relied upon by a mortgage lender, borrower, or other party to the mortgage lending process, TO WIT: Jose Mendez and/or Vanessa Mendez regarding the property at 6218 S. 20th Street., in violation of A.R.S. §§ 13-2320, 13-2320(D), 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, and 13-801.

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COUNT 20

THEFT

On or between October 1, 2014 and November 30, 2014, FRANCISCO AGUIRRE AKA FRANCISCO X AGUIRRE-PROANO AKA FRANCISCO XAVIER AGUIRRE AKA FRANCISCO XAVIER AGUIRRE-PROANO (001) and/or [REDACTED] (002) without lawful authority, knowingly obtained services or property of RAUL SANDOVAL MARTINEZ by means of a material misrepresentation with the intent to deprive RAUL SANDOVAL MARTINEZ of such property or services, TO WIT: U.S. Currency with a value of four thousand dollars (\$4,000) or more but less than twenty-five thousand dollars (\$25,000), in violation of A.R.S. §§ 13-1802(A)(3), 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, and 13-801.

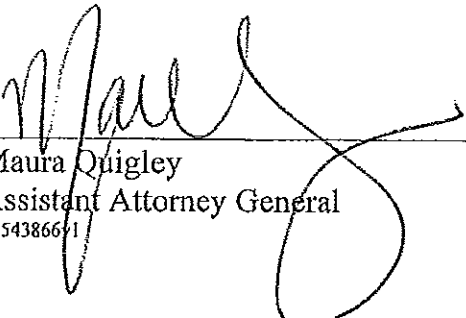
Pursuant to A.R.S. § 21-425, the State Grand Jurors find that the offenses described above were committed in Maricopa County, Arizona.

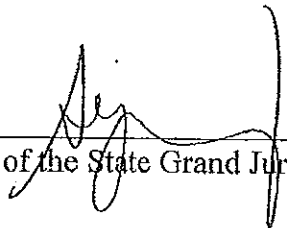
A True Bill

(A "True Bill")

MARK BRNOVICH
ATTORNEY GENERAL
STATE OF ARIZONA

Dated: Feb 22, 2017


Maura Quigley
Assistant Attorney General
#554386671


Foreperson of the State Grand Jury