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FILED
CLERK, U.S. DISTRICT COURT
5/12/2021
CENTRAL DISTRICT OF CALIFORNIA
BY: eva DEPUTY

UNDER SEAL

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

April 2021 Grand Jury
8:21-cr-00084-JLS

UNITED STATES OF AMERICA,

Plaintiff,

v.

IAN R. DIAZ,

Defendant.

I N D I C T M E N T

[18 U.S.C. § 371: Conspiracy; 18
U.S.C. §§ 2261A, 2:
Cyberstalking; 18 U.S.C. § 1621:
Perjury]

The Grand Jury charges:

COUNT ONE

[18 U.S.C. § 371]

A. INTRODUCTORY ALLEGATIONS

At all times relevant to this Indictment,

1. Defendant IAN R. DIAZ ("DIAZ") lived in the Central District of California.
2. Unindicted Co-Conspirator 1 (UCC-1) intermittently lived in the Central District of California.
3. In or about June 2015, defendant DIAZ and an individual hereinafter anonymized as Jane Doe ("Jane Doe"), who were dating at

1 the time, jointly purchased a condominium (hereinafter the
2 "Property"), located in Anaheim, California, within the Central
3 District of California, with Jane Doe providing the funds for the
4 down payment.

5 4. Defendant DIAZ and Jane Doe terminated their relationship
6 in or about August 2015, and Jane Doe moved out of the Property.

7 5. In or about January 2016, defendant DIAZ and UCC-1 began
8 dating and cohabitating at the Property that defendant DIAZ still
9 jointly owned with Jane Doe.

10 6. Defendant DIAZ and UCC-1 married in or about February 2016.

11 7. Defendant DIAZ and Jane Doe were in an ongoing dispute
12 regarding the Property from in or about August 2015 until in or about
13 October 2016, when defendant DIAZ sold the Property.

14 B. OBJECT OF THE CONSPIRACY

15 8. From at least in or about May 2016, and continuing through
16 at least in or about September 2016, in the Central District of
17 California, and elsewhere, defendant DIAZ, by a variety of means and
18 together with UCC-1, knowingly and unlawfully conspired,
19 confederated, and agreed together and with each other, with the
20 intent to harass and intimidate another person, namely, Jane Doe, to
21 use the mail, interactive computer services and electronic
22 communication services and an electronic communication system of
23 interstate commerce, and other facilities of interstate and foreign
24 commerce, to engage in a course of conduct that caused, attempted to
25 cause, and would be reasonably expected to cause substantial
26 emotional distress to a person, namely, Jane Doe, in violation of
27 Title 18, United States Code, Section 2261A(2).

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1 C. PURPOSES OF THE CONSPIRACY

2 9. It was a purpose of the conspiracy to engage in a
3 cyberstalking campaign to harass and intimidate Jane Doe by framing
4 her for criminal conduct that she did not commit.

5 10. It was also a purpose of the conspiracy to interfere with
6 Jane Doe's interest in the Property.

7 11. It was also a purpose of the conspiracy for defendant DIAZ
8 and UCC-1 to hide, conceal, and cover up their involvement in the
9 conspiracy and the nature and scope of their conduct.

10 D. MANNER AND MEANS OF THE CONSPIRACY

11 12. The manner and means by which defendant DIAZ and UCC-1
12 achieved, and attempted to achieve, the object of the conspiracy,
13 included, but were not limited to, the following:

14 a. Defendant DIAZ and UCC-1 used and created multiple
15 online accounts using false names, including, but not limited to, (1)
16 accounts using Jane Doe's name, variations of her name, and names and
17 phrases associated with Jane Doe, such as "Lilithistruth;" (2) names
18 and phrases associated with defendant DIAZ; and (3) names and phrases
19 associated with others known to defendant DIAZ and UCC-1.

20 b. Defendant DIAZ and UCC-1 posed as Jane Doe and sent to
21 themselves harassing and threatening electronic communications. Some
22 of the messages contained express or implied threats to harm UCC-1.

23 c. Defendant DIAZ and UCC-1, sometimes posing as Jane
24 Doe, and based in part on defendant DIAZ's prior knowledge of, and
25 experience with, Craigslist and "personal" advertisements, used
26 Craigslist, e-mail, text messaging, and other methods to solicit, and
27 then lure, individuals found through Craigslist "personal"
28 advertisements, to come to the Property and engage in a "rape

1 fantasy" with UCC-1, in an attempt to stage a non-consensual sexual
2 assault on UCC-1, with the other party believing that the sexual
3 encounter would be consensual.

4 d. Defendant DIAZ and UCC-1 staged one or more hoax
5 sexual assaults and hoax attempted sexual assaults on UCC-1.

6 e. Defendant DIAZ and UCC-1 reported the conduct
7 described in paragraphs 12a. - 12d. to 911 operators, local law
8 enforcement, and others, and falsely claimed that Jane Doe was
9 responsible for the conduct and that Jane Doe posed a genuine and
10 serious threat to defendant DIAZ and UCC-1 and their safety.

11 f. Defendant DIAZ and UCC-1 asked and caused local law
12 enforcement to arrest, charge, and ultimately detain Jane Doe, in
13 jail, for approximately 88 days, for conduct for which they framed
14 Jane Doe and in fact perpetrated on themselves.

15 g. Defendant DIAZ and UCC-1 took steps to conceal their
16 conduct including, but not limited to, using falsely registered email
17 accounts, using virtual private networks to access the internet
18 anonymously, and communicating with one another using encrypted
19 messaging services.

20 E. OVERT ACTS IN FURTHERANCE OF THE CONSPIRACY

21 13. On or about the following dates, in furtherance of the
22 conspiracy and to accomplish its objects, defendant DIAZ, together
23 with UCC-1, committed, and willfully caused others to commit the
24 following overt acts, among others, within the Central District of
25 California, and elsewhere:

26 Overt Act No. 1: On or about May 24, 2016, using the nickname of
27 an individual associated with UCC-1, defendant DIAZ and UCC-1 created
28

1 a social media and email account that were later used in furtherance
2 of the conspiracy and cyberstalking scheme.

3 Overt Act No. 2: On or about June 1, 2016, defendant DIAZ and
4 UCC-1 created an email account using the name "Lilithistruth," and
5 later used that account to frame Jane Doe for criminal conduct she
6 did not commit.

7 Overt Act No. 3: On or about June 5 and June 6, 2016, defendant
8 DIAZ and UCC-1 used the "Lilithistruth" account to send themselves
9 harassing and threatening messages in furtherance of framing Jane Doe
10 for criminal conduct she did not commit.

11 Overt Act No. 4: On or about June 6, 2016, defendant DIAZ and
12 UCC-1 created an email account using the name "Ianrdiaz" that was
13 later used as part of the conspiracy and defendant DIAZ's
14 cyberstalking campaign against Jane Doe.

15 Overt Act No. 5: On or about June 6, 2016, defendant DIAZ, in
16 furtherance of framing Jane Doe for criminal conduct she did not
17 commit, forwarded an email from UCC-1's e-mail account, to local law
18 enforcement, that was purportedly received by UCC-1 from Jane Doe
19 using the "Lilithistruth" account, and that had threatening language
20 and photos of dead fetuses.

21 Overt Act No. 6: On or about June 13, 2016, defendant DIAZ and
22 UCC-1 used the "Lilithistruth" account to respond to multiple
23 "personal" advertisements on Craigslist posted by individuals
24 interested in a "rape fantasy" in an attempt to lure these
25 individuals to the Property and in furtherance of convincing local
26 law enforcement that Jane Doe posed a genuine and serious threat to
27 defendant DIAZ and UCC-1 and their safety.

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1 Overt Act No. 7: On or about June 13, 2016, defendant DIAZ,
2 using his personal email account, communicated with a Craigslist
3 poster to lure him to the Property, ostensibly to engage in a "rape
4 fantasy" with UCC-1 and in furtherance of convincing local law
5 enforcement that Jane Doe posed a genuine and serious threat to
6 defendant DIAZ and UCC-1 and their safety.

7 Overt Act No. 8: On or about June 13, 2016, defendant DIAZ
8 accessed UCC-1's personal email account from his workplace computer.

9 Overt Act No. 9: On or about June 13, 2016, defendant DIAZ and
10 UCC-1 called local law enforcement to the Property. When responding
11 officers were at the Property, defendant DIAZ, in furtherance of
12 falsely reporting to local law enforcement that Jane Doe posed a
13 genuine and serious threat to defendant DIAZ and UCC-1, among other
14 things:

15 i. Stated that Jane Doe "needs to be in fucking
16 cuffs and in a padded room[.]"

17 ii. Complained that no action had been taken against
18 Jane Doe.

19 iii. Referenced the fact that he investigates threats
20 made to federal judges and prosecutors as part of his work as a
21 Deputy United States Marshal and that he has "never seen anything
22 like this."

23 Overt Act No. 10: On or about June 18, 2016, defendant DIAZ
24 falsely told local law enforcement officers that Jane Doe had
25 forwarded additional emails indicating that another Craigslist user
26 was going to rape UCC-1 and, among other statements, defendant DIAZ:
27
28

1 i. Stated, "At what point does this girl get
2 arrested for sending this shit and hiring guys off Craigslist to rape
3 [UCC-1]?"

4 ii. Urged officers to arrest Jane Doe, telling them
5 that she had been "hiding out" at her parents' home in a nearby town
6 he identified.

7 iii. Stated, "We would like someone to get in touch
8 with [that town's] [police department] and maybe make a run by the
9 parents' house to see if she is there."

10 Overt Act No. 11: On or about June 19, 2016, and in furtherance
11 of convincing local law enforcement that Jane Doe posed a genuine and
12 serious threat to defendant DIAZ and UCC-1 and their safety,
13 defendant DIAZ, using his personal cell phone, communicated by text
14 with another Craigslist poster in an attempt to lure him to the
15 Property, ostensibly to engage in a "rape fantasy" with UCC-1.

16 Overt Act No. 12: On or about June 24, 2016, UCC-1 called 911 to
17 report that she had been sexually assaulted outside of the Property
18 and falsely indicated that Jane Doe was responsible, causing Jane Doe
19 to be arrested by local law enforcement.

20 Overt Act No. 13: On or about June 26, 2016, in order to
21 continue framing Jane Doe for criminal conduct she did not commit,
22 defendant DIAZ and UCC-1 used the "Lilithistruth" account to post
23 "rape fantasy" advertisements on Craigslist seeking individuals
24 interested in a "rape fantasy" with UCC-1 at the Property.

25 Overt Act No. 14: On or about June 26, 2016, defendant DIAZ used
26 his personal cell phone, with associated number ending in 0810, to
27 authenticate and approve one of the "rape fantasy" advertisements
28

1 that was posted on Craigslist by the "Lilithistruth" account and used
2 in the conspiracy and cyberstalking campaign.

3 Overt Act No. 15: On or about June 27, 2016, in an effort to
4 conceal his connection to the "rape fantasy" Craigslist
5 advertisements, defendant DIAZ canceled the cellular phone service
6 associated with the number ending in 0810 and obtained a new cell
7 phone number ending in 8868.

8 Overt Act No. 16: On or about July 12-13, 2016, defendant DIAZ
9 and UCC-1 communicated with multiple individuals who had posted or
10 responded to Craigslist "rape fantasy" advertisements, in an attempt
11 to lure these individuals to the Property.

12 Overt Act No. 17: On or about July 12-13, 2016, in furtherance
13 of convincing local law enforcement that Jane Doe posed a genuine and
14 serious threat to defendant DIAZ and UCC-1 and their safety,
15 defendant DIAZ forwarded to local law enforcement a series of
16 threatening emails that he claimed had come from Jane Doe via the
17 "Lilithistruth" account, including claiming that Jane Doe had posted
18 another "rape fantasy" targeting UCC-1.

19 Overt Act No. 18: On or about July 13, 2016, defendant DIAZ and
20 UCC-1 communicated with a Craigslist poster regarding a sexual
21 encounter, lured them to the property, and then contacted local law
22 enforcement and reported that individual's presence at the Property.

23 Overt Act No. 19: On or about July 14, 2016, defendant DIAZ and
24 UCC-1, as a result of their actions framing Jane Doe, and in order to
25 harass and intimidate Jane Doe and interfere with Jane Doe's interest
26 in the Property, caused Jane Doe to be arrested for a second time and
27 placed in custody until in or about October 2016.

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1 A. Additional Conduct by Defendant DIAZ

2 15. On or about September 24, 2016, defendant DIAZ spoke to
3 local law enforcement via telephone and indicated that he believed
4 UCC-1 was solely responsible for framing Jane Doe and concealed his
5 involvement in the conspiracy.

6 16. On or about September 30, 2016, in order to conceal his
7 involvement in the conspiracy and cyberstalking campaign, defendant
8 DIAZ spoke in person with local law enforcement and stated that he
9 believed UCC-1 may have framed Jane Doe. DIAZ represented to local
10 law enforcement officials that he initially became suspicious of UCC-
11 1 in or about early August 2016, when he received emails from the
12 account he in fact created on July 31, 2016, and that he previously
13 accessed using his work phone.

14 17. Beginning in or about May 2016, and continuing through in
15 or about September 2016, defendant Diaz took steps to hide his course
16 of conduct utilized in the cyberstalking campaign including, but not
17 limited to, by using encrypted text communications methods to
18 communicate with UCC-1, using overseas encrypted e-mail providers,
19 deleting his personal e-mail accounts, and changing his cell phone
20 numbers.

21 B. The Charge

22 18. From at least in or about May 2016 through at least in or
23 about September 2016, in the Central District of California and
24 elsewhere, IAN R. DIAZ, the defendant, with the intent to harass and
25 intimidate another person, namely, Jane Doe, used the mail, an
26 interactive computer service and electronic communication service and
27 electronic communication system of interstate commerce, and other
28 facilities of interstate and foreign commerce, to engage in a course

1 of conduct that caused, attempted to cause, and would be reasonably
2 expected to cause substantial emotional distress to a person, namely,
3 Jane Doe.

4 All in violation of 18 U.S.C. §§ 2261A(2) and 2.

5
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7 COUNT THREE

8 [18 U.S.C. § 1621]

9 19. On or about September 30, 2019, in the Central District of
10 California, IAN R. DIAZ, the defendant, having taken an oath before a
11 competent tribunal, officer, and person, in any case in which a law
12 of the United States authorized an oath to be administered, that he
13 would testify, declare, depose, and certify truly, and that any
14 written testimony, declaration, deposition, and certificate by him
15 subscribed, was true, willfully and contrary to such oath stated and
16 subscribed any material matter which he did not believe to be true,
17 specifically, during his sworn deposition testimony, taken on
18 September 30, 2019, in the Central District of California in
19 connection with [Jane Doe] v. City of Anaheim, et al, SA CV 18-1831-
20 DOC-KES, defendant DIAZ, when asked about whether he had access to
21 UCC-1's online accounts, stated (underlined portions alleged false):

22 Attorney: "What about during your relationship with [UCC-1]? Did
23 you ever access [UCC-1]'s accounts?"

24 Defendant DIAZ: "No."

25 Attorney: "Did you ever send any e-mails from her account?"

26 Defendant DIAZ: "No."

27 Attorney: "Did you ever forward any e-mails to APD [Anaheim
28 Police Department] from her account?"

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Defendant DIAZ: "No. Correction. I would forward e-mails that she had already forwarded to me."

Attorney: "So you would forward them from your account?"

Defendant DIAZ: "Yes. If I received something from her that I thought was relevant to Detective Cunha and that she had not cc'd him already on it, I would send it."

Attorney: "So were there ever situations where you would see an e-mail arrive into [UCC-1]'s account before she would?"

Defendant DIAZ: "No, no."

Attorney: "So any e-mail that she forwarded to APD - or any e-mail that was forwarded through her accounts through -- to APD was sent from her?"

Defendant DIAZ: "Yes."

In truth and in fact, as DIAZ well knew at the time that he gave his sworn testimony, his statements were false, in that DIAZ repeatedly accessed UCC-1's online accounts and sent e-mails from

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1 UCC-1's e-mail account, including in connection with the
2 cyberstalking scheme.

3 All in violation of 18 U.S.C. § 1621.

6 A TRUE BILL

8
9 Foreperson /s/

10
11 Corey R. Amundson
12 Chief
13 Public Integrity Section, USDOJ

14 By: /s/
15 MARCO A. PALMIERI
16 Senior Litigation Counsel
17 Public Integrity Section, USDOJ

18 By: /s/
19 REBECCA G. ROSS
20 Trial Attorney
21 Public Integrity Section, USDOJ

22 John Lynch
23 Chief
24 Computer Crime & Intellectual
25 Property Section, USDOJ

26 By: /s/
27 MONA SEDKY
28 Senior Trial Attorney
Computer Crime & IP Section,
USDOJ