

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 1:25-mj-02539-Louis

UNITED STATES OF AMERICA

vs.

EDELBERTO BORGES MORALES,

Defendant.

FILED BY CB D.C.

Mar 21, 2025

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - MIAMI

CRIMINAL COVER SHEET

1. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to October 3, 2019 (Mag. Judge Jared M. Strauss)? No
2. Did this matter involve the participation of or consultation with Magistrate Judge Eduardo I. Sanchez during his tenure at the U.S. Attorney's Office, which concluded on January 22, 2023? No
3. Did this matter involve the participation of or consultation with Magistrate Judge Marty Fulgueira Elfenbein during her tenure at the U.S. Attorney's Office, which concluded on March 5, 2024? No
4. Did this matter involve the participation of or consultation with Magistrate Judge Ellen F. D'Angelo during her tenure at the U.S. Attorney's Office, which concluded on October 7, 2024? No

Respectfully submitted,

HAYDEN P. O'BYRNE
UNITED STATES ATTORNEY

By: /s/ Timothy J. Abraham
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AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

United States of America

v.

Edelberto Borges Morales,

Case No. 1:25-mj-02539-Louis

Defendant.

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 October 2024 - January 2025 in the county of Miami-Dade in the
Southern District of Florida, the defendant(s) violated:

Code Section

18 U.S.C. § 1956(h)

Offense Description

Conspiracy to commit money laundering

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT.

☒ Continued on the attached sheet.



Complainant's signature

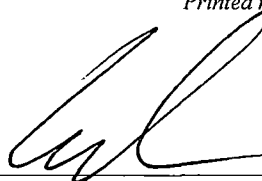
Anthony A. Lam, Special Agent HHS-OIG

Printed name and title

Sworn to before me and signed in my presence.

Date:

3/21/25



Judge's signature

City and state:

Miami, Florida

Honorable Lauren F. Louis, United States Magistrate

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Anthony A. Lam, being first duly sworn, hereby depose and state as follows:

INTRODUCTION

1. I am a Special Agent with the U.S. Department of Health and Human Services, Office of Inspector General ("HHS-OIG"), currently assigned to the HHS-OIG Miami Regional Office. I have been a Special Agent with HHS-OIG since October 2022. Previously, I was employed as an Investigative Analyst with HHS-OIG from July 2019 through July 2022. I have completed the Criminal Investigator Training Program (CITP) course at the Federal Law Enforcement Training Center (FLETC) and Special Agent Basic Training (SABT) program and Investigative Analyst Training Program (IATP) at HHS-OIG's National Training and Emergency Operations Branch. I also have a master's degree in finance from Florida International University. As a Special Agent, I have conducted many fraud investigations, including money laundering, health care fraud, and wire fraud. As such, I am an investigative or law enforcement officer of the United States within the meaning of Section 2510(7) of Title 18, United States Code, that is, an officer of the United States who is empowered by law to conduct investigations and make arrests for offenses enumerated in Title 18 of the United States Code, including, but not limited to, offenses involving health care fraud, money laundering, and conspiracies to commit those offenses.

2. This affidavit is submitted in support of a criminal complaint charging EDELBERTO BORGES MORALES ("BORGES") with conspiracy to commit money laundering, in violation of 18 United States Code, Section 1956(h). As described below, there is probable cause to believe that BORGES was the nominee owner of the companies RX Exclusive Service Corp. ("RX Exclusive"), GBT Max Service Corp. ("GBT Max"), and A&MTX Group Corp.

(“A&MTX Group”) (collectively, the “SHELL COMPANIES”), and that by his actions as a nominee owner, he knowingly and willfully joined a conspiracy to conceal and move illegal criminal proceeds from other companies through these SHELL COMPANIES and convert them into cash.

3. The information and statements contained in this affidavit are based upon my personal knowledge and investigation, as well as documents and information provided to me by other law enforcement personnel and witnesses. Since this affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included each and every fact known to me concerning this investigation.

PROBABLE CAUSE

The Medicare Program

4. The Medicare Program (“Medicare”) is a federal health care program that provides free or below-cost health care benefits to individuals who are sixty-five years of age or older or disabled. The benefits available under Medicare are governed by federal statutes and regulations. The United States Department of Health and Human Services, through its agency the Center for Medicare and Medicaid Services (“CMS”), oversees and administers Medicare. Individuals who receive benefits under Medicare are commonly referred to as Medicare “beneficiaries.”

5. Medicare is a “health care benefit program,” as defined by Title 18, United States Code, Section 24(b).

6. Medicare is subdivided into multiple program “parts.” Medicare Part B covers physician services and outpatient care, including an individual’s access to durable medical

equipment (“DME”), that is medically necessary and ordered by licensed medical doctors or other qualified health care providers.

Durable Medical Equipment

7. DME is equipment that is designed for repeated use and for a medical purpose, such as orthotic devices, prosthetic limbs, wheelchairs, nebulizers, and medical supplies such as wound dressing.

8. To receive payment from Medicare, DME companies are required to submit a health insurance claim form, known as a CMS-1500. The CMS-1500 requires DME companies to provide certain important information, including: (a) the Medicare beneficiary’s name and unique Medicare identification number; (b) the unique physician identification number of the doctor or other qualified health care provider who ordered the health care benefit, item, or service that was the subject of the claim; (c) the health care benefit, item, or service that was provided or supplied to the beneficiary; (d) the billing codes for the benefit, item, or service; and the date upon which the benefit, item, or service was provided to or supplied to the beneficiary. Once claims are submitted, Medicare generally pays a substantial portion of the cost of the DME and makes those payments directly to the DME company rather than to the patient/beneficiary.

9. A claim for DME submitted to Medicare qualifies for reimbursement only if it is medically necessary for the treatment of the beneficiary’s illness or injury, prescribed by a licensed physician, and actually provided to the beneficiary as billed.

The Underlying Health Care Fraud

10. One Star Professional Services Inc (“One Star”), Med-Union Medical Center, Inc. (“Med-Union”), and Vida Med Center LLC (“Vida Med”) (collectively, the “DME

COMPANIES”) are all companies located in the Southern District of Florida that purportedly provided DME to Medicare beneficiaries.

11. Law enforcement interviewed at least four Medicare beneficiaries that were billed for DME by One Star, five beneficiaries billed by Med-Union, and five beneficiaries billed by Vida Med. None of the beneficiaries had heard of the company that had purportedly provided them with DME, nor had they heard of or had a relationship with the listed prescribing physician on the billing information provided by these companies as reflected in their Medicare claims data. Each of the beneficiaries interviewed stated that they did not need or receive the DME that was purportedly prescribed to them according to the DME COMPANIES’ claims data.

12. Over 95% of the DME COMPANIES’ Medicare billing was for procedure billing codes related to skin grafts and the application of skin substitute grafts. None of the beneficiaries of One Star interviewed by law enforcement needed or had suffered injuries requiring skin grafts. When discussing the bills submitted by One Star to Medicare for the skin grafts purportedly provided to him, Beneficiary “J.M.O.” told law enforcement, “They prescribed so many skin grafts they must think I am a whale.”

13. Law enforcement interviewed the physician who purportedly prescribed all but one of the claims billed by One Star, who told law enforcement that he had never heard of One Star, has not practiced medicine in Medley, Florida, One Star’s purported place of business, since at least 2014, and did not prescribe DME to any of the patients he purportedly treated according to One Star’s Medicare claims data.

14. Law enforcement also interviewed the physician who purportedly prescribed more than 90% of the claims billed by Med-Union and the physician who purportedly prescribed all of

the claims billed by Vida Med. They both signed attestations stating that they did not prescribe DME to any of the patients they purportedly prescribed DME to according to the DME COMPANIES' Medicare claims data.

15. According to the claims data for each of the DME COMPANIES, One Star received approximately \$18.2 million in payments from Medicare as reimbursement for DME that was never provided, Med-Union received approximately \$14.1 million in payments from Medicare as reimbursement for DME that was never provided, and Vida Med received approximately \$8.7 million in payments from Medicare as reimbursement for DME that was never provided.

16. Based on a review of travel records, I have reason to believe that the listed owners of all three of the DME COMPANIES have left to Cuba and I have no record of their return.

The SHELL COMPANIES

17. According to the Florida Division of Corporations, all three of the SHELL COMPANIES are active Florida corporations located at 1275 West 47th Place, Hialeah, Florida. RX Exclusive and GBT Max were incorporated on or about October 16, 2024, with an effective date of the same day, and A&MTX Group was incorporated on or about October 21, 2024, also with an effective date of October 16, 2024. BORGES is the sole officer of all the SHELL COMPANIES.

18. Law enforcement was able to identify corporate bank accounts for the DME COMPANIES. Records for those bank accounts show that the DME COMPANIES wrote checks to each of the SHELL COMPANIES as follows:

- Kalaly*
- a. One Star wrote at least three checks ~~for~~ *Kalaly* approximately \$144,200 to A&MTX Group, five checks for approximately \$255,000 to GBT Max, and four checks ~~for~~ *Kalaly* approximately \$223,200 to RX Exclusive;
 - b. Vida Med wrote at least 10 checks ~~for~~ *Kalaly* approximately \$500,030 to A&MTX Group, seven checks for approximately \$295,400 to GBT Max, and nine checks ~~for~~ *Kalaly* approximately \$487,160 to RX Exclusive; and
 - c. Med-Union wrote at least one check for approximately \$58,700 to A&MTX Group.

19. Each of the checks described above were for similar, substantial, five-figure amounts between approximately \$15,000 and \$60,000 and were all written in November and December 2024. In total, bank records for the DME COMPANIES show that they transferred approximately \$1.96 million to the SHELL COMPANIES.

20. Each of the checks described above was stamped as having been cashed by a particular non-bank check cashing institution ("COMPANY-1"). Law enforcement obtained records from COMPANY-1 showing that, from in or around November 2024 until in or around December 2024, COMPANY-1 cashed numerous checks on behalf of the SHELL COMPANIES. The checks contained a thumbprint on the front and were purportedly endorsed by BORGES on the back.

21. COMPANY-1 provided to law enforcement three documents titled "Certificate of Corporate Resolution Authorizing the Cashing of Checks Made Payable to the Corporation at Non-Bank Retail Locations" for the SHELL COMPANIES. All three documents were purportedly executed in November 2024 by BORGES and indicated that he was the sole officer authorized to cash checks with COMPANY-1. The forms also included BORGES's correct social security number. These forms indicated that GBT Max was a company related to "organic food products, brokers [sic] supply" and that RX Exclusive was a "sales of organic food product

broker.” These purported business operations are inconsistent with receiving and cashing nearly \$2 million from the DME COMPANIES.

22. COMPANY-1 also produced from their records a photograph of BORGES holding his driver’s license and a color photocopy of BORGES’s social security card.

BORGES’s Travel and Arrest

23. According to travel records, between April 2023 and the present, BORGES appears to have traveled frequently between Cuba and Miami. During that two-year period, BORGES flew to Cuba approximately 35 times. And it appears that some of the SHELL COMPANIES’ checks cashed at COMPANY-1 were cashed while BORGES was in Cuba.

24. On December 30, 2024, BORGES flew from Miami to Havana, Cuba. BORGES did not return to the United States until flying on a roundtrip ticket arriving in Miami from Varadero, Cuba on March 16, 2025 with a scheduled return flight from Miami to Varadero on March 20, 2025.

25. On March 20, 2025, when BORGES arrived at the airport to board the return flight to Varadero, Cuba, law enforcement detained BORGES and questioned him about the ongoing money laundering investigation. BORGES claimed that an individual approached him and offered him money to be the listed owner of two unrelated businesses.¹

¹ These businesses are separate from the DME COMPANIES or the SHELL COMPANIES. A search of Florida corporate records reveals that BORGES was, in fact, a prior owner of at least two other companies.

26. According to BORGES, he provided to this individual his identification and social security card and was taken to a corporate office to sign the papers to be an officer of these companies and BORGES also visited banks to open corporate bank accounts for these businesses. BORGES indicated that the individual provided him with a couple thousand dollars on various occasions for completing these tasks. In addition, BORGES claimed that the individual provided him with a large stack of blank unsigned checks that were not filled out and that the individual asked BORGES to put his thumbprint repeatedly on each check.

27. Law enforcement searched BORGES's cell phone, which revealed photographs of such blank checks drawn on One Star's corporate bank account which were imprinted with BORGES's thumbprint. As discussed above, One Star is one of the DME COMPANIES. When asked why he took these photos, BORGES claimed that he took the photos because he suspected that the individual was asking him to do could someday get him in trouble. Law enforcement determined that the specific checks in these photographs were in fact filled out and cashed as part of the money laundering conspiracy.

28. When law enforcement asked BORGES about the SHELL COMPANIES, he denied any knowledge of being the listed owner and denied cashing any of the approximately \$2 million in checks cashed for the SHELL COMPANIES at COMPANY-1. BORGES also denied endorsing the backs of the checks. When I showed BORGES the photograph COMPANY-1 had on file of him (described above in paragraph 22), BORGES admitted that it was him in the picture but denied any dealings with COMPANY-1. BORGES could not provide further information about the circumstances surrounding that photograph including why it was taken.

29. When asked about his country of residence, BORGES claimed that he lives in the United States but that he was spending significant time in Cuba due to the need to assist a family member.

CONCLUSION

30. Based on the facts set forth above, I respectfully submit that probable cause exists to charge BORGES with conspiracy to commit money laundering, in violation of Title 18, United States Code, Section 1956(h).

FURTHER AFFIANT SAYETH NAUGHT.



ANTHONY A. LAM
SPECIAL AGENT
HEALTH AND HUMAN SERVICES
OFFICE OF THE INSPECTOR GENERAL

Sworn to before me and signed in my presence
this 21 day of March 2025.



HONORABLE LAUREN F. LOUIS
UNITED STATES MAGISTRATE JUDGE