

**AFFIDAVIT IN SUPPORT
OF INFORMATION**

Your affiant (“YA”), Jimmy Woo, is a Special Agent with the United States Department of Homeland Security (“DHS”), being duly sworn, do depose and state under oath as follows:

INTRODUCTION AND BACKGROUND

1. YA is a law enforcement officer of the United States in that YA is empowered to conduct investigations of and to make arrests for offenses in violation of the Immigration and Nationality Act, including knowingly encouraging and inducing aliens to unlawfully reside in the United States in violation of Title 8, Section 1324.
2. YA is employed as a DHS Special Agent and has been so employed for approximately 15 years, from 2005 through present, in Westview, Stetson. Prior to YA’s current employment, YA was a full-time police deputy with the Westview Sheriff’s Office for approximately four years, from 2001 through 2005.
3. YA maintains a Bachelor’s Degree in International Studies from the University of Florida and a Master’s Degree in Criminology and Sociology from Stetson State University. YA has extensive training, education, and experience in the investigation of offenses in violation of the Immigration and Nationality Act. YA’s entire tenure at DHS has been the investigation of criminal immigration offenses. Since 2010, YA has attended and presented at annual seminars educating law enforcement on the techniques used by aliens¹ to avoid detection of

¹ YA uses the legal term “alien,” defined in Title 8 Section 1101(a)(3), to refer to any person not a citizen or national of the United States when such a person is unlawfully present in the United States without the consent of the Secretary of the Department of Homeland Security.

their unlawful presence in the United States. Although YA does not have formal training or education in accounting or the investigation of financial crimes, YA has been involved in two prior investigations related to money laundering and one involving the recovery of tainted financial assets in civil forfeiture proceedings.

4. YA is familiar with one such tactic (to avoid detection) as the forgery of DHS-Form I-220B, also known as an Order of Supervision (“OSUP”). ICE will issue an OSUP to an alien who has been ordered removed from the United States, pursuant to a final order of removal, but who cannot be removed due to qualifying conditions. An alien qualifies for an OSUP, if for instance, that person is: (1) a foreign national of a country that does not have diplomatic relations with the United States; (2) a single parent of child(ren) who are United States citizens; or (3) suffering from a significant health condition. An OSUP authorizes the release of an alien to the community under prescribed reporting conditions and affords certain benefits, including the ability to apply for and receive a state Driver’s License and an Employment Authorization Card.

PROBABLE CAUSE

5. On May 3, 2018, at approximately 11:35 p.m., YA received a telephone call from Sergeant Stanley Nielson about an arrest by the Westview Sheriff’s Office for driving under the influence. Sergeant Nielson is the supervisor of Westview’s Domestic Highway Enforcement Team. Sergeant Nielson informed YA that an individual in custody, S.P., is a Guatemalan citizen and did not have authority to reside in the United States, but was concerned because she was in possession of an expired Stetson Driver’s License, issued to her on June 2, 2008.

6. YA elected to interview S.P. the next morning, while she was still in custody at the Westview Jail and awaiting her initial appearance in state court. YA arrived at the jail at 6:25 a.m. and met with S.P. in an interrogation room. YA advised S.P. of her *Miranda* rights using the card provided by the Westview Sheriff's Office. S.P., who spoke conversational English and did not ask for an interpreter, signed a *Miranda* waiver form provided by the Westview Sheriff's Office.
7. During YA's interview with S.P., she confirmed that she is a Guatemalan citizen who entered the United States unlawfully in April 2008. YA asked S.P. how she obtained a Stetson Driver's License. S.P. advised YA that her husband, H.P., purchased forged immigration documents from a woman named "Scarlet" for a total of \$10,000. S.P. said she and her husband immediately used those documents to obtain their Driver's Licenses and Employment Authorization Cards. S.P. said neither she nor her husband ever met "Scarlet" and would not be able to identify "Scarlet." When their Driver's Licenses expired in 2015, S.P. and her husband attempted to locate "Scarlet" but failed to do so. YA terminated the interview with S.P. at 7:10 a.m.
8. Later that day, at about 1:20 p.m., YA spoke by telephone with H.P. H.P. refused to answer my questions without consulting his attorney.
9. On August 10, 2018, YA received a call from H.P. H.P. said he was concerned that he could not get in touch with his immigration attorney Agatha Harkness, who he attempted to reach after our call on May 4, 2018. H.P. said that he and his wife retained Harkness after entering the United States in April 2008, and that she was supposed to assist them in applying for lawful temporary residence status so they would

- not be deported. H.P. stated that on April 30, 2008, he paid Harkness a \$30,000 retainer that he borrowed from his family in the United States.
10. H.P. further advised YA that on May 7, 2008, during a conference at Harkness's office, Harkness introduced H.P. and S.P. to her law clerk, Maximoff, who Harkness described as "great with paperwork." H.P. and S.P. spent a total of 50 hours over two weeks working with Maximoff on their applications for to become lawful temporary residents.
 11. H.P. told YA that on May 23, 2008, as H.P. and S.P. were leaving Harkness's office, they found a note in their paperwork with a phone number for a woman named "Scarlet." The note advised the reader that "Scarlet" could assist them with obtaining immigration paperwork "like an OSUP" so that they could apply for a state Driver's License and an Employment Authorization Card. H.P. did not recognize the handwriting on the note and could not produce it for inspection. H.P. further admitted that he had not previously been subject to removal proceedings and did not otherwise qualify to obtain an OSUP.
 12. H.P. called the phone number for "Scarlet" that evening, and a man answered the call. The unidentified man instructed H.P. that he could get him and his wife "what they needed" for \$10,000 in cash if the cash was left in their mailbox the following day at 11:40 p.m. H.P. readily complied, after borrowing additional funds from his family. The following morning, on May 24, 2008, H.P. opened his mailbox to find the fraudulent OSUP forms, which they used to obtain Stetson Driver's Licenses and Employment Authorization Cards.
 13. H.P. advised YA that other aliens in his neighborhood paid "Scarlet" to obtain fraudulent immigration paperwork until 2010. H.P. said they

were all clients of Harkness. H.P. provided YA their contact information. Then, YA promptly terminated the call.

14. YA immediately opened an investigation file and attempted to contact Harkness at her office to no avail. YA checked the Stetson Bar website to see if Harkness was still practicing law. The Stetson Bar website stated that Harkness retired in 2015 and relocated to Salem, Massachusetts.
15. YA contacted the field office for the Department of Homeland Security in Boston, Massachusetts. YA asked the duty agent to visit Harkness's address. Two hours later, YA received a call from the duty agent informing me that Harkness no longer resided at the address and the home there was abandoned.
16. YA searched Harkness's flight records, but they did not reflect that she had traveled outside the country since her retirement in 2015.
17. YA tabled this investigation in light of an undercover task force assignment from August 15, 2018, through February 14, 2019.
18. Upon YA's return to the Westview field office, YA re-opened the investigation into the fraudulent OSUP files. YA visited the neighborhood where H.P. and S.P. lived and conducted knock-and-talk interviews with other residents. Many residents were noncompliant.
19. YA conducted a non-custodial interview of R.B., a resident, on February 19, 2019. One resident, R.B., informed YA that he unlawfully entered the United States in 2009 but gained lawful temporary residence in 2012. R.B told me that he retained Harkness to handle his immigration case. YA asked if he ever heard of a person named "Scarlet," and R.B. nervously nodded. YA advised R.B. that he would not be in trouble if he told the truth. R.B. provided a materially similar

story to H.P., that he retained Harkness, worked with Maximoff (who at that time had since been admitted to the Stetson Bar and was practicing as an associate attorney with Harkness' firm) on paperwork, and found a note telling him to contact "Scarlet." R.B. paid "Scarlet" \$10,000 in cash for a forged OSUP.

20. YA asked R.B. if he still had the note, which R.B. produced from a file labeled "Immigration Stuff." The note included a telephone number.
21. YA returned to the field office and attempted to call the telephone number on a recorded line, but it had been disconnected.
22. YA learned that the telephone number previously corresponded to a cell phone serviced by Verizon Wireless. YA subpoenaed phone records for the telephone number and learned that the subscriber to the number was The Law Office of Agatha Harkness.
23. An internet search revealed that the number did not belong to Harkness herself, but rather was used as an "emergency contact" for Harkness' staff.
24. Upon consideration of the evidence, YA opened an investigation into Maximoff as "Scarlet" for the alleged offense of encouraging or inducing aliens to reside in the United States.
25. On March 18, 2019, YA subpoenaed Maximoff's available phone records, financial records, and flight records.
26. Maximoff's domestic bank records revealed substantial verifiable income from her work as an attorney, at least \$250,000 annually between 2011 and 2019. Harkness employed Maximoff from 2007 through 2010, at which time she only claimed income between \$40,000 and \$65,000 annually on her tax returns. Her bank records for that earlier period (2007 through 2010), however, reflected 24 substantial

cash deposits in a total amount of \$220,000 over the course of four years.

27. YA's flight records revealed substantial international travel by Maximoff in the last 20 years, which YA believes was, at one time, funded by the proceeds of the offense(s) alleged in this affidavit.
28. YA further investigated the cases handled by Harkness and Maximoff during Maximoff's employment. A search of court records revealed that Maximoff appeared as counsel of record or a "certified legal intern" on 40 cases.
29. YA attempted to interview each of Maximoff's former clients to determine if they paid for fraudulent immigration documentation provided by Maximoff. YA successfully interviewed 24 of Maximoff's clients and determined Maximoff conspired with at least eight (I.M., T.D., S.D., H.P., S.P., A.T., J.C., and R.B.) to provide them a forged OSUP. The earliest payment, by T.D., was made to Maximoff on May 31, 2007, and the latest payment was made to Maximoff on July 24, 2010. This coincides with Maximoff's termination from her employment by Harkness in late 2010.
30. YA was advised by one client, I.M., that he observed the "drop off" of the documents in his mailbox. I.M. stated that he believed the person providing the forged document was his attorney, Harkness, and not Maximoff. YA did not find this information credible based on the totality of the investigation described in this affidavit. This interview was conducted on October 28, 2019.
31. YA concluded that the remaining 15 former clients were no longer in the United States (likely due to deportation) or deceased. YA believes that some, if not all, of these former clients also paid Maximoff for

forged documentation because there were more than eight substantial and unverifiable cash deposits in Maximoff's primary bank account from 2007 through 2010 during her employment by Harkness.

32. YA determined that Maximoff is currently employed as "Policy Counsel" by Oscorp Industries, a multinational biomedical corporation with business offices and research facilities in New York, Argentina, Switzerland, Germany, and other European or South American countries. She claimed on her federal tax return that her income from Oscorp in 2019 was \$350,000.
33. YA reviewed Maximoff's recent bank records for her primary checking and savings accounts with Meridian Bank. Her 2019 records reflect numerous wire transfers to two bank accounts in Germany and Switzerland. YA learned that Maximoff jointly holds those accounts with a person by the name of Jarvis Odinson, but YA has been unable to obtain the bank records for international accounts.
34. Additionally, Maximoff has made almost weekly cash withdrawals from her checking account at Meridian Bank in the precise amount of \$1,650 since January 2017 through present, except when her flight records show she is traveling abroad. YA estimates that Maximoff's weekly withdrawals amount to more than \$200,000 in cash that cannot be accounted for.
35. Based on the foregoing, YA has reason to believe Maximoff has committed a violation of 8 U.S.C. § 1324(a)(1)(A)(iv) and (v), namely by engaging in a conspiracy to encourage and induce aliens to unlawfully reside in the United States. Maximoff committed acts in furtherance of this conspiracy within the jurisdiction of the District of Stetson, Westview Division.

Respectfully Submitted,

Jimmy Woo _____

Jimmy Woo
Special Agent
Department of Homeland Security

Sworn and subscribed to before me this 22nd day of July, 2020, by
Special Agent Jimmy Woo.

Isiah Bradley _____

Isiah Bradley
United States District Judge