

Lawyer: agents manufactured ID theft deal Naples man arrested in Key West in alleged refund check scheme

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The lawyer for a Naples man arrested last month in Key West by the FBI for allegedly using dead people's identification information to cash income-tax refund checks has accused undercover agents of "manufacturing crime."

"Because that's how confidential informants get paid money," Marc Seitles, a Miami-based lawyer representing 22-year-old Victor Martinez Pantoja, said in an e-mail this week.

Pantoja pleaded not guilty. He was arraigned on Tuesday.

According to an FBI arrest affidavit, Pantoja met two undercover agents at the Marriott Courtyard Hotel in Key West on Nov. 21 to negotiate a deal to cash fraudulently obtained refund checks. The meeting was recorded by video and audio.

Special Agent John Gill said in his report that Pantoja gave the undercover agents three Treasury checks totaling \$27,263. He also gave the agents a copy of a counterfeit driver's license and Social Security card for each corresponding refund check so they could be cashed, according to the arrest report.

He told the agents that he and an "unknown co-conspirator" had access to hundreds of federal income-tax refund checks that were obtained by using the identities of people who had died during the previous tax year. These identities were obtained over the Internet, Pantoja allegedly told the agents.

Pantoja reportedly told the undercover agents that he made the driver's licenses and Social Security cards on his computer using the fraudulently obtained ID information. He said he would make more for the agents, according to Gill's report.

The undercover agents agreed to cash the refund checks in three business days and return \$20,500 to Pantoja. Pantoja forged signatures on the backs of the checks, according to the arrest report. He also allegedly agreed to bring more checks, totaling \$100,00, to another meeting scheduled for Nov. 26 in Davie.

During that meeting, the undercover agents paid Pantoja the \$20,500 they promised him at the Key West meeting.

Pantoja then gave the agents six more refund checks for a total of \$35,547. Federal agents arrested him later that day. He was released from custody after posting a \$75,000 bond on Dec. 6.

It is unclear why the original meeting took place in Key West. Pantoja's lawyer, Seitles, said his client has never lived in Key West and has no connections there.

"He is not from Key West and was lured there by a confidential informant working for the FBI," Seitles said.

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