

**UNITED STATES OF AMERICA
DEPARTMENT OF THE TREASURY
OFFICE OF THE COMPTROLLER OF THE CURRENCY**

In the Matter of:)	
)	
Luis Fernando Figueroa)	AA-ENF-2023-45
Former Personal Banker)	
)	
Wells Fargo Bank, N.A.)	
Sioux Falls, South Dakota)	
)	

ORDER OF PROHIBITION

WHEREAS, Wells Fargo Bank, N.A., Sioux Falls, South Dakota (“Bank”) is an “insured depository institution” as that term is defined in 12 U.S.C. § 1813(c)(2) and a national banking association within the meaning of 12 U.S.C. § 1813(q)(1)(A);

WHEREAS, Luis Fernando Figueroa (“Respondent”) was an employee of the Bank and was an “institution-affiliated party” of the Bank as that term is defined in 12 U.S.C. § 1813(u), having served in such capacity within six (6) years from the date of this Order. *See* 12 U.S.C. § 1818(i)(3);

WHEREAS, on September 3, 2019, Respondent was convicted of violating 18 U.S.C. § 1956. *See* Judgment in a Criminal Case, *United States v. Luis Fernando Figueroa*, Case Docket No. 3:17-CR-02203-WQH (S.D. Cal. Sep. 3, 2019), attached hereto as Exhibit A;

WHEREAS, 12 U.S.C. § 1818(g)(1)(C)(ii) provides that, in the case of a judgment of conviction or agreement against an institution-affiliated party in connection with a criminal violation of 18 U.S.C. §§ 1956, 1957, or 1960 or 31 U.S.C. §§ 5322 or 5324, “the appropriate Federal banking agency shall issue and serve upon such party an order removing such party from office or prohibiting such party from further participation in any manner in the conduct of the affairs of any depository institution without the prior written consent of the appropriate agency”;

WHEREAS, the Office of the Comptroller of the Currency (“OCC”) is the “appropriate Federal banking agency” as that term is defined in 12 U.S.C. § 1813(q) and is therefore required to issue and serve upon Respondent this prohibition order pursuant to 12 U.S.C. § 1818(g)(1)(C)(ii).

NOW, THEREFORE, the Comptroller of the Currency, through his duly authorized representative, hereby ORDERS that Respondent shall not, without the OCC’s prior written consent, hold any office in, or participate in any manner in the conduct of the affairs of (1) any insured depository institution; (2) any institution treated as an insured bank under 12 U.S.C. § 1818(b)(3) or (b)(4); (3) any insured credit union under the Federal Credit Union Act, 12 U.S.C. § 1751 *et seq.*; (4) any institution chartered under the Farm Credit Act of 1971, 12 U.S.C. § 2001 *et seq.*; (5) any appropriate Federal depository institution regulatory agency; and (6) the Federal Housing Finance Agency and any Federal home loan bank.

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IMMEDIATE EFFECT OF ORDER

This order shall remain effective and outstanding unless terminated by the OCC or until the completion of any hearing or appeal authorized under 12 U.S.C. § 1818(g)(3). If Respondent, without the OCC's prior written approval, knowingly participates, directly or indirectly, in any manner (including by engaging in an activity specifically prohibited by this order or in 12 U.S.C. § 1818(e)(6)) in the conduct of the affairs of (1) any insured depository institution; (2) any institution treated as an insured bank under 12 U.S.C. § 1818(b)(3) or (b)(4); (3) any insured credit union as defined in 12 U.S.C. § 1752(7); or (4) any institution chartered under the Farm Credit Act of 1971, 12 U.S.C. § 2001 *et seq.*, Respondent shall be fined not more than \$1,000,000, imprisoned for not more than 5 years, or both. *See* 12 U.S.C. § 1818(j). Violation of this order may result in additional action, including the assessment of civil money penalties, pursuant to 12 U.S.C. § 1818(i).

OPPORTUNITY TO REQUEST AN INFORMAL HEARING

Respondent has the right to request in writing, to be received by the OCC within 30 (thirty) days from the date Respondent was served with this Order, an informal hearing as provided in 12 U.S.C. § 1818(g)(3) and 12 C.F.R. § 19.111. The written request must state specifically the relief desired and the grounds on which that relief is based and be sent by certified mail to, or served personally with a signed receipt on, Michael R. Brickman, Deputy Comptroller for Specialty Supervision, Office of the Comptroller of the Currency, 400 7th Street SW, Washington, DC 20219. A copy of the request should also be sent by email to [REDACTED].

IT IS SO ORDERED.

//s// Digitally Signed, Dated: 2023.11.08

Monica A. Freas
Deputy Comptroller
Large Bank Supervision

EXHIBIT A
Judgment in a Criminal Case

FILED

CASD Rev. 1/19) Judgment in a Criminal Case

SEP 05 2019

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY *af* DEPUTY

UNITED STATES OF AMERICA
V.
LUIS FERNANDO FIGUEROA (8)

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

Case Number: 3:17-CR-02203-WQH

Patrick Q. Hall
Defendant's Attorney

FILED
JAN 24 2020
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

USM Number 72983-298

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THE DEFENDANT:

pleaded guilty to count(s) 1 of the fourth Superseding Indictment

was found guilty on count(s) _____
after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offense(s):

Title and Section / Nature of Offense	Count
18:1956(h);18:981(a)(1)(C), 982(a)(1), 28:2461(c) - Money Laundering Conspiracy; Criminal	1s

The defendant is sentenced as provided in pages 2 through 6 of this judgment.
The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

The defendant has been found not guilty on count(s) _____

Count(s) Remaining counts are dismissed on the motion of the United States.

Assessment: \$100.00 imposed

JvTA Assessment*: \$

*Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22.

See fine page Forfeiture pursuant to order filed 6/11/2019, included herein.

IT IS ORDERED that the defendant must notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States Attorney of any material change in the defendant's economic circumstances.

I have executed within TIME SERVED
Judgement and Commitment on 1/23/2020
United States Marshal
By: Alexander Jernant
USMS Criminal Section

September 3, 2019
Date of Imposition of Sentence
[Signature]
HON. WILLIAM Q. HAYES
UNITED STATES DISTRICT JUDGE

AO 245B (CASD Rev. 1/19) Judgment in a Criminal Case

DEFENDANT: LUIS FERNANDO FIGUEROA (8)
CASE NUMBER: 3:17-CR-02203-WQH

Judgment - Page 2 of 6

IMPRISONMENT

The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of:
Time Served

- Sentence imposed pursuant to Title 8 USC Section 1326(b).
- The court makes the following recommendations to the Bureau of Prisons:

The defendant is remanded to the custody of the United States Marshal.

The defendant must surrender to the United States Marshal for this district:

- at _____ A.M. on _____
- as notified by the United States Marshal.

The defendant must surrender for service of sentence at the institution designated by the Bureau of Prisons:

- on or before
- as notified by the United States Marshal.
- as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

AO 245B (CASD Rev. 1/19) Judgment in a Criminal Case

DEFENDANT: LUIS FERNANDO FIGUEROA (8)
CASE NUMBER: 3:17-CR-02203-WQH

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SUPERVISED RELEASE

Upon release from imprisonment, the defendant will be on supervised release for a term of:
Three (3) years

MANDATORY CONDITIONS

1. The defendant must not commit another federal, state or local crime.
2. The defendant must not unlawfully possess a controlled substance.
3. The defendant must not illegally possess a controlled substance. The defendant must refrain from any unlawful use of a controlled substance. The defendant must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter as determined by the court. Testing requirements will not exceed submission of more than 4 drug tests per month during the term of supervision, unless otherwise ordered by the court.
 The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (check if applicable)
4. The defendant must make restitution in accordance with 18 U.S.C. §§ 3663 and 3663A or any other statute authorizing a sentence of restitution. (check if applicable)
5. The defendant must cooperate in the collection of DNA as directed by the probation officer. (check if applicable)
6. The defendant must comply with the requirements of the Sex Offender Registration and Notification Act (34 U.S.C. § 20901, et seq.) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in the location where the defendant resides, works, is a student, or was convicted of a qualifying offense. (check if applicable)
7. The defendant must participate in an approved program for domestic violence. (check if applicable)

The defendant must comply with the standard conditions that have been adopted by this court as well as with any other conditions on the attached page.

AO 245B (CASD Rev. 1/19) Judgment in a Criminal Case

DEFENDANT: LUIS FERNANDO FIGUEROA (8)
CASE NUMBER: 3:17-CR-02203-WQH

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STANDARD CONDITIONS OF SUPERVISION

As part of the defendant's supervised release, the defendant must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for the defendant's behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in the defendant's conduct and condition.

1. The defendant must report to the probation office in the federal judicial district where they are authorized to reside within 72 hours of their release from imprisonment, unless the probation officer instructs the defendant to report to a different probation office or within a different time frame.
2. After initially reporting to the probation office, the defendant will receive instructions from the court or the probation officer about how and when the defendant must report to the probation officer, and the defendant must report to the probation officer as instructed.
3. The defendant must not knowingly leave the federal judicial district where the defendant is authorized to reside without first getting permission from the court or the probation officer.
4. The defendant must answer truthfully the questions asked by their probation officer.
5. The defendant must live at a place approved by the probation officer. If the defendant plans to change where they live or anything about their living arrangements (such as the people living with the defendant), the defendant must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, the defendant must notify the probation officer within 72 hours of becoming aware of a change or expected change.
6. The defendant must allow the probation officer to visit them at any time at their home or elsewhere, and the defendant must permit the probation officer to take any items prohibited by the conditions of their supervision that he or she observes in plain view.
7. The defendant must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses the defendant from doing so. If the defendant does not have full-time employment the defendant must try to find full-time employment, unless the probation officer excuses the defendant from doing so. If the defendant plans to change where the defendant works or anything about their work (such as their position or their job responsibilities), the defendant must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, the defendant must notify the probation officer within 72 hours of becoming aware of a change or expected change.
8. The defendant must not communicate or interact with someone they know is engaged in criminal activity. If the defendant knows someone has been convicted of a felony, they must not knowingly communicate or interact with that person without first getting the permission of the probation officer.
9. If the defendant is arrested or questioned by a law enforcement officer, the defendant must notify the probation officer within 72 hours.
10. The defendant must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
11. The defendant must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
12. If the probation officer determines the defendant poses a risk to another person (including an organization), the probation officer may require the defendant to notify the person about the risk and the defendant must comply with that instruction. The probation officer may contact the person and confirm that the defendant notified the person about the risk.
13. The defendant must follow the instructions of the probation officer related to the conditions of supervision.

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AO 245B (CASD Rev. 1/19) Judgment in a Criminal Case

DEFENDANT: LUIS FERNANDO FIGUEROA (8)
CASE NUMBER: 3:17-CR-02203-WQH

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SPECIAL CONDITIONS OF SUPERVISION

1. Not enter or reside in the Republic of Mexico without permission of the court or probation officer, and comply with both United States and Mexican immigration law requirements.
2. Submit your person, property, house, residence, vehicle, papers, computers (as defined in 18 U.S.C. § 1030(e)(1)), other electronic communications or data storage devices or media, or office, to a search conducted by a United States probation officer. Failure to submit to a search may be grounds for revocation of release. The offender must warn any other occupants that the premises may be subject to searches pursuant to this condition.

An officer may conduct a search pursuant to this condition only when reasonable suspicion exists that the offender has violated a condition of his supervision and that the areas to be searched contain evidence of this violation. Any search must be conducted at a reasonable time and in a reasonable manner.

3. Not engage in the employment or profession of fiduciary responsibility.
4. Provide complete disclosure of personal and business financial records to the probation officer as requested.
5. Be prohibited from opening checking accounts or incurring new credit charges or opening additional lines of credit without approval of the probation officer.

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AO 245B (CASD Rev. 1/19) Judgment in a Criminal Case

DEFENDANT: LUIS FERNANDO FIGUEROA (8)
CASE NUMBER: 3:17-CR-02203-WQH

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FINE

The defendant shall pay a fine in the amount of \$2,000.00 unto the United States of America.

Pay a fine in the amount of \$2,000.00 through the Clerk, U. S. District Court. Payment of fine shall be forthwith. During any period of incarceration the defendant shall pay fine through the Inmate Financial Responsibility Program at the rate of 50% of the defendant's income, or \$25.00 per quarter, whichever is greater. The defendant shall pay the fine during his supervised release at the rate of \$250 per month. These payment schedules do not foreclose the United States from exercising all legal actions, remedies, and process available to it to collect the fine judgment at any time.

Until fine has been paid, the defendant shall notify the Clerk of the Court and the United States Attorney's Office of any change in the defendant's mailing or residence address, no later than thirty (30) days after the change occurs.