

AO 91 (Rev. 11/11) Criminal Complaint

FILED BY JM D.C.  
FEB 02 2022  
ANGELA E. NOBLE  
CLERK U.S. DIST. CT.  
S.D. OF FLA. - W.P.B.

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

United States of America )

v. )

Herve Fils Viaud )

Case No. )

22-8036-BER )

Defendant(s)

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 February 1, 2022 in the county of Palm Beach in the Southern District of Florida, the defendant(s) violated:

Code Section

Offense Description

18 USC § 2113(a) and (d)

Bank Robbery with the Use of a Dangerous Weapon.

This criminal complaint is based on these facts:

See attached Affidavit.

Continued on the attached sheet.

*Renee Blaize*

Complainant's signature

FBI SA Renee Blaize

Printed name and title

Sworn to before me and signed in my presence.

Date: 02/02/2022

*Bruce Reinhart*

Judge's signature

City and state: West Palm Beach, Florida

Hon. Bruce E. Reinhart, United States Magistrate

Printed name and title

**AFFIDAVIT OF  
RENEE BLAIZE, SPECIAL AGENT  
FEDERAL BUREAU OF INVESTIGATION**

Your affiant, Renee Blaize, first being duly sworn, does hereby depose and state as follows:

1. I am a Special Agent (SA) with the Federal Bureau of Investigation (FBI), and I have been employed in that capacity since September 2006. I am currently assigned to PB-2, the Violent Crimes and Major Offender Squad of the Palm Beach County Resident Agency. I have primarily been assigned to investigations dealing with violent crimes to include bank robberies, and other sophisticated schemes. Based on my experience as a federal law enforcement officer, I have conducted investigations of, and have been instructed in investigative techniques concerning bank robberies and conspiracies to commit these offenses, in violation of Title 18, United States Code, Section 2113. Based upon experience, I have also become well versed in, and familiar with, the methodology used in bank robberies and the unique patterns employed by bank robbers.

2. This affidavit is based upon my own personal knowledge of the facts and circumstances surrounding the investigation and information provided to me by other law enforcement officers. This affidavit does not purport to contain all the information known to me about this case but addresses only the information necessary to support a finding of probable cause for the issuance of a criminal complaint charging HERVE FILS VIAUD (hereinafter VIAUD) with bank robbery, in violation of Title 18, United States Code, Sections 2113(a) and (d).

3. On February 1, 2021, at approximately 10:25 a.m., VIAUD entered TD Bank, located at 969 SE 5th Ave, Delray Beach, Florida 33483, which is in Palm Beach County, Southern District of Florida, and is a financial institution whose deposits are insured by the Federal Deposit Insurance Corporation. Surveillance video shows VIAUD wearing a grey long-sleeved hooded

sweatshirt, black pants with a grey marking on the upper thighs, white and black sneakers, and a mask. After entering TD Bank, VIAUD jumped over a teller door, which separated the teller section from customers, and he approached the assistant manager while brandishing a machete. VIAUD stated that he would “cut” the assistant manager if she did not give him all the money. The assistant manager was in fear and gave VIAUD bait money, which included a bank tracker, and funds from the top drawer. VIAUD also requested “hundreds,” but the assistant manager responded that she did not have any “hundreds.” VIAUD then demanded that the assistant manager open the bottom drawer, but there were no funds in the bottom drawer. VIAUD therefore approached the teller while brandishing the machete and requested “hundreds.” The teller was in fear and also informed VIAUD they did not have any hundreds in their drawer. Thereafter, VIAUD took bait money, which included another bank tracker, from the teller’s drawer and left TD Bank. As VIAUD left TD Bank, the teller activated the panic alarm. VIAUD left the bank with \$1,234.00 in a bag, which included bait money (U.S. currency with bank trackers attached).

4. Two witnesses identified the vehicle VIAUD used to drive to and away from TD Bank. Specifically, a TD Bank customer left the bank when VIAUD arrived and called 911. During the 911 call, the customer explained that TD Bank was robbed at knifepoint. While the customer was still on the 911 call, he observed VIAUD leave TD Bank. The customer explained that VIAUD was a black male, wearing a mask, and driving a black SUV, bearing Michigan license plate number EGP2579. Additionally, a TD Bank employee saw VIAUD drive away in a dark blue or black Ford SUV with blue and white plates.

5. Subsequently, Delray Beach Police Department (DBPD), Road Patrol Officers and Broward County Sheriff’s Office (BSO) pursued VIAUD using the bank trackers located in the bait money as well as a vehicle tracker, which had been previously placed on VIAUD’s vehicle.

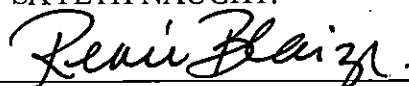
Initially, DBPD officers pursued VIAUD using the bank trackers, but VIAUD eluded them. Thereafter, BSO officers were able to track VIAUD's vehicle using the vehicle tracker, which had been previously authorized because VIAUD's vehicle was part of a separate Palm Beach County Sheriff's Office (PBSO) investigation in reference to ATM thefts (Search Warrant No.: PBSO\_2021\_004593, approved by the Honorable Carolyn Bell, Fifteenth Judicial Circuit in and for Palm Beach County, Florida, on December 20, 2021). BSO officers continued to pursue VIAUD's vehicle during a chase. In Miami Gardens, Dade County, Florida, officers were able to stop his vehicle, which led to a standoff. At this time, he threw money out of his vehicle. VIAUD was eventually detained, and the money was recovered on scene. Officers placed the money back inside the vehicle, and the vehicle was sealed.

6. Vehicle GPS Tracking data reviewed by PBSO shows VIAUD's vehicle at TD Bank, 969 SE 5th Ave, Delray Beach, Florida 33483 at 10:25 a.m., and that his route ended in Miami Gardens, where officers arrested VIAUD.

7. At the time of VIAUD's arrest, he was wearing clothing and shoes consistent with what VIAUD wore during the bank robbery. Officers further observed in plain view inside VIAUD's vehicle a grey sweatshirt consistent with the sweatshirt worn by VIAUD at the time of the robbery. VIAUD's vehicle also matched the vehicle and plate descriptions given by witnesses.

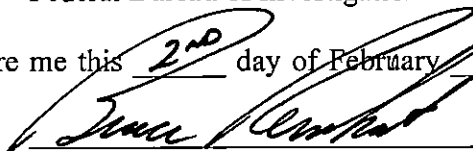
8. Based on the above information, there is probable cause to believe that VIAUD, by threat of force and violence, or by intimidation, did take money belonging to TD Bank while wielding a machete, in violation of Title 18, United States Code, Section 2113(a) and (d).

FURTHER YOUR AFFLIANT SAYETH NAUGHT.



S/A RENEE BLAIZE,  
Federal Bureau of Investigation

Sworn to me and subscribed before me this 2<sup>nd</sup> day of February, 2022 at West Palm Beach, Florida.



BRUCE E. REINHART  
United States Magistrate Judge

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: Herve Fils Viaud

Case No: \_\_\_\_\_

Count #: 1

Bank Robbery with the Use of a Dangerous Weapon

18 U.S.C. § 2113(a) and (d)

\* **Max. Penalty:** 25 years' imprisonment; \$250,000 fine; maximum five-year term  
of supervised release; and a \$100.00 special assessment

**\*Refers only to possible term of incarceration, does not include possible fines, restitution,  
special assessments, parole terms, or forfeitures that may be applicable.**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 22-8036-BER

UNITED STATES OF AMERICA

vs.

HERVE FILS VIAUD,

Defendant.

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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 August 9, 2013 (Mag. Judge Alicia Valle)?  Yes  No
2. Did this matter originate from a matter pending in the Northern Region of the United States Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek Maynard)?  Yes  No
3. 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 Strauss)?  Yes  No

Respectfully submitted,

JUAN ANTONIO GONZALEZ  
UNITED STATES ATTORNEY

BY:

  
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