IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALETA NECOLE THOMAS,

Defendant.

Case No. 21 CR 239 GKF

INDICTMENT
[COUNTS ONE through FIVE: 18 U.S.C. § 1014 – False Statement to a Financial Institution;
Forfeiture Allegation: 18 U.S.C. § 982(a)(2) – Bank Fraud Forfeiture]

THE GRAND JURY CHARGES:

COUNT ONE
[18 U.S.C. § 1014]

On or about May 4, 2020, in the Northern District of Oklahoma, the defendant, **ALETA NECOLE THOMAS**, made false statements and reports for the purpose of influencing in any way the action of a financial institution, Tulsa Federal Credit Union, upon an application and loan, in the following manner:

1. For the purpose of securing a loan in the approximate amount of $75,000 for a company, Lead Us Kids Home Daycare ("Lead Us Kids"), that **THOMAS** claimed to own and operate, pursuant to the Paycheck Protection Program ("PPP") administered by the United States Small Business Administration ("SBA"), **THOMAS** knowingly and intentionally:

a. falsely represented in a PPP "Borrower Application Form" she submitted to Tulsa Federal Credit Union, that Lead Us Kids:

i. had an average monthly payroll of $32,000;

ii. had 15 employees;

iii. had an Employer Identification Number of 16-5462396;

iv. was in operation on February 15, 2020, and had employees for whom it paid salaries and payroll taxes or paid independent contractors, as reported on Form(s) 1099-MISC; and

v. or any owner of the Applicant did not have a common management or ownership with any other business and failed to list all such businesses and describe the relationship on a separate sheet identified as addendum A;

b. falsely certified in the PPP "Borrower Application Form" she submitted to Tulsa Federal Credit Union that the information provided in the application and supporting documents was true and accurate in all material respects.

2. The accounts of Tulsa Federal Credit Union were then insured by the National Credit Union Administration.

All in violation of Title 18, United States Code, Section 1014.

COUNT TWO
[18 U.S.C. § 1014]

On or about May 16, 2020, in the Northern District of Oklahoma, the defendant, **ALETA NECOLE THOMAS**, made false statements and reports for the purpose of influencing in any way the action of a financial institution, Arvest Bank, upon an application and loan, in the following manner:

3. For the purpose of securing a loan in the approximate amount of $55,100 for a company, Lead Us Kids II, that **THOMAS** claimed to own and operate, pursuant to the PPP administered by the SBA, **THOMAS** knowingly and intentionally:

a. falsely represented in a PPP "Borrower Application Form" she submitted to Arvest Bank that Lead Us Kids II:

i. had an average monthly payroll of $22,075;

ii. had 25 employees;

iii. had an Employer Identification Number of 78-0081492;

iv. was in operation on February 15, 2020, and had employees for whom it paid salaries and payroll taxes or paid independent contractors, as reported on Form(s) 1099-MISC; and

v. or any owner of the Applicant did not have a common management or ownership with any other business and failed to list all such businesses and describe the relationship on a separate sheet identified as addendum A;

b. falsely certified in the PPP "Borrower Application Form" she submitted to Arvest Bank that the information provided in the application and supporting documents was true and accurate in all material respects; and

c. submitted to Arvest Bank, as a supporting document for the PPP "Borrower Application Form," a false Lead Us Kids II 2019 Annual Federal Tax return dated January 29, 2020, that stated Lead Us Kids II had wages, tips, and other compensation of $264,897.00.

4. The accounts of Arvest Bank were then insured by the Federal Deposit Insurance Corporation.

All in violation of Title 18, United States Code, Section 1014.

COUNT THREE
[18 U.S.C. § 1014]

On or about May 27, 2020, in the Northern District of Oklahoma, the defendant, **ALETA NECOLE THOMAS**, made false statements and reports for the purpose of influencing in any way the action of a financial institution, Cross River Bank (Bluevine Capital Inc.), upon an application and loan, in the following manner:

5. For the purpose of securing a loan in the approximate amount of $87,500 for a company, Coming Correct Community Ministries, that **THOMAS** claimed to own and operate, pursuant to the PPP administered by the SBA, **THOMAS** knowingly and intentionally:

a. falsely represented in a PPP "Borrower Application Form" she submitted to Cross River Bank that Coming Correct Community Ministries:

i. had an average monthly payroll of $35,000;

ii. had 26 employees;

iii. had an Employer Identification Number of 10-9690847;

iv. was in operation on February 15, 2020, and had employees for whom it paid salaries and payroll taxes or paid independent contractors, as reported on Form(s) 1099-MISC; and

v. or any owner of the Applicant did not have a common management or ownership with any other business and failed to list all such businesses and describe the relationship on a separate sheet identified as addendum A;

b. falsely certified in the PPP "Borrower Application Form" she submitted to Cross River Bank that the information provided in the application and supporting documents was true and accurate in all material respects;

c. submitted to Cross River Bank as a supporting document for the PPP "Borrower Application Form," forged Tulsa Federal Credit Union bank statements for a period of December 2019 to February 2020 for an account number xxxx6599 bearing the name "Aleta Thomas DBA Coming Correct Community Min"; and

d. submitted to Cross River Bank, as a supporting document for the PPP "Borrower Application Form," a false Tax Year 2019 Internal Revenue Service Form Schedule C (Form 1040), *Profit or Loss From Business*, for Coming Correct Community Ministries that stated Coming Correct Community Ministries had gross receipts or sales of $552,689.00.

6. The accounts of Cross River Bank were then insured by the Federal Deposit Insurance Corporation.

All in violation of Title 18, United States Code, Section 1014.

COUNT FOUR
[18 U.S.C. § 1014]

On or about June 16, 2020, in the Northern District of Oklahoma, the defendant, **ALETA NECOLE THOMAS**, made false statements and reports for the purpose of influencing in any way the action of First Electronic Bank (Fundbox), a financial institution, upon an application and loan, in the following manner:

7. For the purpose of securing a loan in the approximate amount of $241,169.50 for a company, Coming Correct Community Ministries II, that **THOMAS** claimed to own and operate, pursuant to the PPP administered by the SBA, **THOMAS** knowingly and intentionally:

a. falsely represented in a PPP "Borrower Application Form" she submitted to First Electronic Bank that Coming Correct Community Ministries II:

i. had an average monthly payroll of $45,500;

ii. had 25 employees;

iii. was in operation on February 15, 2020, and had employees for whom it paid salaries and payroll taxes or paid independent contractors, as reported on Form(s) 1099-MISC; and

vi. or any owner of the Applicant did not have a common management or ownership with any other business and failed to list all such businesses and describe the relationship on a separate sheet identified as addendum A;

b. falsely certified in the PPP "Borrower Application Form" she submitted to First Electronic Bank that the information provided in the application and supporting documents was true and accurate in all material respects;

c. submitted to First Electronic Bank, as a supporting document for the PPP "Borrower Application Form," a false "Report generated by Gusto Payroll Aleta Thomas DBA Coming Correct Community Ministries;" and

d. submitted to First Electronic Bank, as a supporting document for the PPP "Borrower Application Form," a false Tax Year 2019 Internal Revenue Service Form Schedule C (Form 1040), *Profit or Loss From Business*, for Coming Correct Community Ministries II that stated Coming Correct Community Ministries had gross receipts or sales of $652,689.00.

8. The accounts of First Electronic Bank were then insured by the Federal Deposit Insurance Corporation.

All in violation of Title 18, United States Code, Section 1014.

COUNT FIVE
[18 U.S.C. § 1014]

On or about April 1, 2021, in the Northern District of Oklahoma, the defendant, **ALETA NECOLE THOMAS**, made false statements and reports for the purpose of influencing in any way the action of a financial institution, Arvest Bank, upon an application and loan, in the following manner:

9. For the purpose of securing a loan in the approximate amount of $120,717.00 for a company, Lead Us Kids II, that **THOMAS** claimed to own and operate, pursuant to the PPP administered by the SBA, **THOMAS** knowingly and intentionally:

a. falsely represented in a PPP "Borrower Application Form" she submitted to Arvest Bank that Lead Us Kids II:

i. had an average monthly payroll of $48,287.00;

ii. had 25 employees;

iii. had an Employer Identification Number of 78-0081492;

iv. was in operation on February 15, 2020, had not permanently closed, and was either an eligible self-employed individual, independent contractor, or sole proprietorship with no employees, or had employees for whom it paid salaries and payroll taxes or paid independent contractors, as reported on Form(s) 1099-MISC; and

v. or any owner of the Applicant did not have a common management or ownership with any other business and failed to list all such businesses and describe the relationship on a separate sheet identified as addendum A;

b. falsely certified in the PPP "Borrower Application Form" she submitted to Arvest Bank that the information provided in the application and supporting documents was true and accurate in all material respects; and

c. submitted to Arvest Bank, as a supporting document for the PPP "Borrower Application Form," a false Lead Us Kids II 2019 Annual Federal Tax Return dated January 29, 2020, that stated Lead Us Kids II had wages, tips, and other compensation of $264,897.00.

10. The accounts of Arvest Bank were then insured by the Federal Deposit Insurance Corporation.

All in violation of Title 18, United States Code, Section 1014.

FORFEITURE ALLEGATION
[18 U.S.C. § 982(a)(2)]

The allegations contained in this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 982(a)(2).

Upon conviction of the offenses alleged in this Indictment, as a part of her sentence, the defendant, **ALETA NECOLE THOMAS**, shall forfeit to the United States, any property constituting, or derived from, or traceable to, the proceeds obtained, directly or indirectly, as a result of such violations, and any property, real or personal, that was used or intended to be used to commit or to facilitate the violation of federal law. The property to be forfeited includes, but is not limited to:

MONEY JUDGMENT

1. A money judgment in an amount of at least $641,885.50, representing proceeds obtained by the Defendant as a result of the offenses.

ACCOUNTS

2. $170,744.05 in funds, seized from Tulsa Federal Credit Union account number 265999;

3. $20,100.52 in funds, seized from Tulsa Federal Credit Union account number 266774; and

4. $19,146.54 in funds, seized from Tulsa Federal Credit Union account number 267049.

Pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Sections 982(b)(1) and 1028(g), and Title 28, United States Code, Section 2461(c), the defendant shall forfeit substitute property, up to the value of the property described above if, by any act or omission of the defendant, the property described above, or any portion thereof, cannot be located upon the exercise of due diligence; has been transferred or sold to, or deposited with, a third party; has been placed beyond the jurisdiction of the court; has been substantially diminished in value; or has been commingled with other property which cannot be divided without difficulty.

All pursuant to Title 18, United States Code, Section 982(a)(2).

CLINTON J. JOHNSON
Acting United States Attorney

A TRUE BILL

KRISTIN F. HARRINGTON
Assistant United States Attorney

/s/ Grand Jury Foreperson
Grand Jury Foreperson