FILED

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Mark C. McCartt, Clerk
U.S. DISTRICT COURT

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

UNITED STATES OF AMERICA, Plaintiff, v. ALETA NECOLE THOMAS, PEPPER JONES, and KATRINA WEST, a/k/a "Katrina Knights," Defendants.	**Case No. 21-CR-239-GKF** **SUPERSEDING INDICTMENT** **[COUNTS ONE through FIFTEEN: 18 U.S.C. § 1014 – False Statement to a Financial Institution; COUNTS SIXTEEN and SEVENTEEN: 18 U.S.C. § 1028A(a)(1) – Aggravated Identity Theft; Forfeiture Allegation: 18 U.S.C. § 982(a)(2) and 18 U.S.C. § 1028(b)(5) – Bank Fraud and Identity Theft 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. 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. 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. 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. 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. 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.

COUNTS SIX THROUGH THIRTEEN
[18 U.S.C. § 1014]

11. On or about the dates alleged below, in the Northern District of Oklahoma, the defendants, **ALETA NECOLE THOMAS**, **PEPPER JONES**, and **KATRINA WEST**, a/k/a "Katrina Knights," identified below made false statements and reports for the purpose of influencing in any way financial institutions identified below upon applications and loans pursuant to the PPP administered by the SBA in the approximate amount of $20,833 each for small businesses the defendants claimed to own and operate as self-employed individuals by knowingly and intentionally:

a. falsely representing in a PPP "Borrower Application Form" the defendant(s) submitted to a financial institution that the small business:

i. had an annual gross income of $100,000 for 2019;

ii. 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

iii. 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 certifying in the PPP "Borrower Application Form" submitted to the financial institution that the information provided in the application and supporting documents was true and accurate in all material respects; and

c. submitting to the financial institution, as a supporting document for the PPP "Borrower Application Form," false Tax Year 2019 Internal Revenue Service Form Schedule C (Form 1040), *Profit or Loss From Business*, for the small business that stated the small business had gross receipts or sales of $100,000.

Count	Date	Financial Institution	Defendant(s)	Small Business
6	3/10/2021	Fountainhead Commercial Capital	**ALETA NECOLE THOMAS**	"Aleta Thomas"
7	3/31/2021	Fountainhead Commercial Capital	**ALETA NECOLE THOMAS**	"Aleta Thomas"
8	3/25/2021	Fountainhead Commercial Capital	**KATRINA WEST**, a/k/a "Katrina Knights"	"Katrina West"
9	4/12/2021	Fountainhead Commercial Capital	**KATRINA WEST**, a/k/a "Katrina Knights"	"Katrina West"
10	3/16/2021	Harvest Small Business Finance, LLC	**ALETA NECOLE THOMAS** and **PEPPER JONES**	"Pepper Jones"
11	4/9/2021	Harvest Small Business Finance, LLC	**ALETA NECOLE THOMAS** and **PEPPER JONES**	"Pepper Jones"
12	3/17/2021	Harvest Small Business Finance, LLC	**ALETA NECOLE THOMAS** and "Person A," a person known to the grand jury,	"Person A"
13	4/9/2021	Harvest Small Business Finance, LLC	**ALETA NECOLE THOMAS** and "Person A," a person known to the grand jury,	"Person A"

12. The accounts of Fountainhead Commercial Capital were then insured by the Federal Deposit Insurance Corporation.

13. The accounts of Harvest Small Business Finance, LLC, were then insured by the Federal Deposit Insurance Corporation.

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

COUNTS FOURTEEN AND FIFTEEN
[18 U.S.C. § 1014]

14. On or about the dates alleged below, in the Northern District of Oklahoma, the defendant identified below made false statements and reports for the purpose of influencing in any way financial institutions identified below upon applications and loans pursuant to the PPP administered by the SBA in the approximate amount of $20,833 each for small businesses the defendant claimed to own and operate as self-employed individuals by knowingly and intentionally:

a. falsely representing in a PPP "Borrower Application Form" the defendant submitted to a financial institution that the small business:

i. had an annual gross income of $100,000 for 2019;

ii. 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

iii. 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 certifying in the PPP "Borrower Application Form" submitted to the financial institution that the information provided in the application and supporting documents was true and accurate in all material respects; and

Count	Date	Financial Institution	Defendant	Small Business
14	4/2/2021	Harvest Small Business Finance, LLC	**ALETA NECOLE THOMAS** and "Person B," a person known to the grand jury,	"Person B"
15	4/7/2021	Harvest Small Business Finance, LLC	**ALETA NECOLE THOMAS** and "Person B," a person known to the grand jury,	"Person B

15. The accounts of Harvest Small Business Finance, LLC, were then insured by the Federal Deposit Insurance Corporation.

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

COUNT SIXTEEN
[18 U.S.C. § 1028A(a)(1)]

16. The allegations of Counts Fourteen and Fifteen of this Superseding Indictment are fully incorporated into this Count.

17. On or about April 2, 2021, in the Northern District of Oklahoma, Defendant **ALETA NECOLE THOMAS** did knowingly transfer, use, and possess, without lawful authority, a means of identification of another person known to the Grand Jury and designated herein as "Person B," a person known to the grand jury, during and in relation to a felony violation enumerated in Title 18, United States Code, Section § 1028A(c), that is, Title 18, United States Code, Section 1014, knowing that the means of identification belonged to another actual person.

All in violation of Title 18, United States Code, Section 1028A(a)(1).

COUNT SEVENTEEN
[18 U.S.C. § 1028A(a)(1)]

18. The allegations of Counts Fourteen and Fifteen of this Superseding Indictment are fully incorporated into this Count.

19. On or about April 9, 2021, in the Northern District of Oklahoma, Defendant **ALETA NECOLE THOMAS** did knowingly transfer, use, and possess, without lawful authority, a means of identification of another person known to the Grand Jury and designated herein as "Person B," a person known to the grand jury, during and in relation to a felony violation enumerated in Title 18, United States Code, Section § 1028A(c), that is, Title 18, United States Code, Section 1014, knowing that the means of identification belonged to another actual person.

All in violation of Title 18, United States Code, Section 1028A(a)(1).

FORFEITURE ALLEGATION
[18 U.S.C. § 982(a)(2) and 18 U.S.C. § 1028(b)(5)]

The allegations contained in this Superseding 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) and Title 18, United States Code, Section 1028(b)(5).

Upon conviction of the offenses alleged in this Superseding Indictment, as a part of their sentences, the defendants, **ALETA NECOLE THOMAS**, **PEPPER JONES,** and **KATRINA WEST**, a/k/a "Katrina Knights", 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 $795,158,50, representing proceeds obtained by **ALETA NECOLE THOMAS** as a result of the offenses;

2. A money judgment in an amount of at least $41,666, representing proceeds obtained by **PEPPER JONES** as a result of the offenses;

3. A money judgment in an amount of at least $41,666, representing proceeds obtained by **KATRINA WEST** as a result of the offenses;

ACCOUNTS

2. $170,744.05 in funds, seized from Tulsa Federal Credit Union account number xxx5999;

3. $20,100.52 in funds, seized from Tulsa Federal Credit Union account number xxx6774; and

4. $19,146.54 in funds, seized from Tulsa Federal Credit Union account number xx7049.

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 defendants shall forfeit substitute property, up to the value of the property described above if, by any act or omission of the defendants, 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) and Title 18, United States Code, Section 1028(b)(5).

CLINTON J. JOHNSON
Acting United States Attorney

A TRUE BILL

KRISTIN F. HARRINGTON
Assistant United States Attorney

/s/ Grand Jury Foreperson
Grand Jury Foreperson