UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 21-20415-CR-KING/BECERRA

18 U.S.C. § 1343
18 U.S.C. § 982(a)(2)

UNITED STATES OF AMERICA

vs.

WILLIE CURRY,

Defendant.
______________________________/

INFORMATION

The Acting United States Attorney charges that:

GENERAL ALLEGATIONS

At all times material to this Information:

1. The United States Small Business Administration ("SBA") was an agency of the executive branch of the Government of the United States. The mission of the SBA was to maintain and strengthen the nation's economy by enabling the establishment and viability of small businesses and by assisting in the economic recovery of communities after disasters.

2. The Coronavirus Aid, Relief, and Economic Security ("CARES") Act was a federal law enacted in or around March 2020 and designed to provide emergency financial assistance to the millions of Americans who were suffering the economic effects caused by the COVID-19 pandemic. The CARES Act authorized and provided funding to the SBA to provide Economic

Injury Disaster Loans ("EIDLs") to eligible small businesses, including sole proprietorships and independent contractors, experiencing substantial financial disruptions due to the COVID-19 pandemic to allow them to meet financial obligations and operating expenses that could have been met had the disaster not occurred.

3. In order to obtain a COVID-19 EIDL, a qualifying for-profit business was required to submit an EIDL application to the SBA and provide information about its operations, such as the number of employees, gross revenues, and the cost of goods sold for the 12-month period preceding January 31, 2020. The applicant also was required to certify under penalty of perjury that all the information in the application was true and correct.

4. EIDL applications were submitted directly to and processed by the SBA. The amount of the loan approved was determined based, in part, on the information provided in the application concerning the number of employees, gross revenues, and cost of goods sold. Any EIDL funds were issued directly by the United States government to the applicant's bank account.

5. Defendant **WILLIE CURRY** was a resident of Miami-Dade County, Florida, who was employed full-time by Miami-Dade County as a Network Manager.

6. Financial Institution 1 was a credit union based in Florida.

<u>COUNT 1</u>
Wire Fraud
(18 U.S.C. § 1343)

1. Paragraphs 1 through 6 of the General Allegations section of this Information are re-alleged and incorporated by reference as through fully set forth herein.

2. From on or about June 24, 2020, and continuing through on or about December 15,

2020, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

WILLIE CURRY,

did knowingly, and with the intent to defraud, devise, and intend to devise, a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, knowing that the pretenses, representations, and promises were false and fraudulent when made, and, for the purpose of executing the scheme and artifice, did knowingly transmit and cause to be transmitted, by means of wire communication in interstate and foreign commerce, certain writings, signs, signals, pictures and sounds, in violation of Title 18, United States Code, Section 1343.

PURPOSE OF THE SCHEME AND ARTIFICE

3. The purpose of the scheme and artifice was for **WILLIE CURRY** to unlawfully enrich himself by submitting a false and fraudulent EIDL application to obtain loan proceeds for his own use and benefit.

THE SCHEME AND ARTIFACE

The manner and means by which **WILLIE CURRY** sought to accomplish the purpose of the scheme and artifice included, among others, the following:

4. **WILLIE CURRY** submitted to the SBA, via interstate wire communications, an EIDL application stating that he was the 100% owner of a sole proprietorship operating under the name "Will Curry Computers." In that application, **CURRY** falsely and fraudulently certified that Will Curry Computers was established on January 1, 2015. He also falsely certified that for the twelve (12) month period prior to January 31, 2020, Will Curry Computers had gross revenues

of $755,416 and a cost of goods sold of $170,664.

5. In actuality, and as the defendant knew, the defendant established Will Curry Computers in 2020, and it had only minimal income and cost of goods sold during the twelve (12) period prior to January 31, 2020. Instead, throughout 2019 and 2020, **WILLIE CURRY** was a full-time employee of Miami-Dade County working as a Network Manager and receiving a full-time salary from Miami-Dade County.

6. As a result of this false and fraudulent EIDL application, the SBA disbursed a $10,000 advance via Electronic Funds Transfer to Financial Institution 1 intended for deposit to **WILLIE CURRY's** account at Financial Institution 1, and subsequently disbursed $150,000 in loan proceeds via Electronic Funds Transfer to Financial Institution 1 intended for deposit to **CURRY's** account there. These Electronic Funds Transfers involved the use of interstate wire communications.

USE OF WIRES

7. On or about the date specified below, in the Southern District of Florida, and elsewhere, **WILLIE CURRY**, for the purpose of executing and in furtherance of the aforesaid scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, knowing that the pretenses, representations, and promises were false and fraudulent when made, did knowingly transmit and cause to be transmitted in interstate and foreign commerce, by means of wire communication, certain writings, signs, signals, pictures, and sounds, as described below:

COUNT	APPROXIMATE DATE	DESCRIPTION OF WIRE
1	June 24, 2020	Electronic transmission of an EIDL application containing false information about the gross revenues and cost of goods sold of Will Curry Computers, causing a wire transmission from the Southern District of Florida to outside of the State of Florida

In violation of Title 18, United States Code, Sections 1343 and 2.

FORFEITURE ALLEGATIONS

1. The allegations of this Indictment are hereby re-alleged and by this reference fully incorporated herein for the purpose of alleging forfeiture to the United States of America of certain property in which the defendant, **WILLIE CURRY**, has an interest.

2. Upon conviction of a violation of Title 18, United States Code, Section 1343, as alleged in this Indictment, the defendant, **WILLIE CURRY**, shall forfeit to the United States any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of such violation, pursuant to Title 18, United States Code, Section 982(a)(2)(A).

All pursuant to Title 18, United States Code, Section 982(a)(2)(A), and the procedures set forth in Title 21, United States Code, Section 853, as incorporated by Title 18, United States Code, Section 982(b)(1).

JUAN ANTONIO GONZALEZ
ACTING UNITED STATES ATTORNEY

Edward N. Stamm

EDWARD N. STAMM
ASSISTANT UNITED STATES ATTORNEY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA

v.

Willie Curry

Defendant. /

CASE NO.

CERTIFICATE OF TRIAL ATTORNEY*

Superseding Case Information:

Court Division: (Select One)
☑ Miami ☐ Key West ☐ FTL
☐ WPB ☐ FTP

New defendant(s) ☐ Yes ☐ No
Number of new defendants
Total number of counts

1. I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.
2. I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. Section 3161.
3. Interpreter: (Yes or No) No
   List language and/or dialect
4. This case will take 0 days for the parties to try.
5. Please check appropriate category and type of offense listed below:

	(Check only one)		(Check only one)	
I	0 to 5 days	☑	Petty	☐
II	6 to 10 days	☐	Minor	☐
III	11 to 20 days	☐	Misdemeanor	☐
IV	21 to 60 days	☐	Felony	☑
V	61 days and over	☐		

6. Has this case previously been filed in this District Court? (Yes or No) No
   If yes: Judge Case No.
   (Attach copy of dispositive order)
   Has a complaint been filed in this matter? (Yes or No) No
   If yes: Magistrate Case No.
   Related miscellaneous numbers:
   Defendant(s) in federal custody as of
   Defendant(s) in state custody as of
   Rule 20 from the District of
   Is this a potential death penalty case? (Yes or No) No
7. Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to August 9, 2013 (Mag. Judge Alicia O. Valle)? (Yes or No) No
8. Does this case originate from a matter pending in the Northern Region of the U.S. Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek Maynard? (Yes or No) No
9. Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to October 3, 2019 (Mag. Judge Jared Strauss)? (Yes or No) No

Edward N. Stamm

Edward N. Stamm
Assistant United States Attorney
FLA Bar No. 373826

*Penalty Sheet(s) attached

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: Willie Curry

Case No: ______________________________

Count 1

Wire Fraud

18 U.S.C. §1343

Max. Penalty: Twenty years imprisonment; five years supervised release; $250,000 fine

AO 455 (Rev. 01/09) Waiver of an Indictment

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

United States of America
v.
Willie Curry
____
Defendant

Case No.

WAIVER OF AN INDICTMENT

I understand that I have been accused of one or more offenses punishable by imprisonment for more than one year. I was advised in open court of my rights and the nature of the proposed charges against me.

After receiving this advice, I waive my right to prosecution by indictment and consent to prosecution by information.

Date: _______________

____
Defendant's signature

____
Signature of defendant's attorney

Rey Dorta, Esq.
Printed name of defendant's attorney

____
Judge's signature

____
Judge's printed name and title