

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 21-20011-CR-COOKE

UNITED STATES OF AMERICA

vs.

DAVID TYLER HINES,

Defendant.

_____ /

**UNITED STATES' UNOPPOSED MOTION TO AMEND JUDGMENT
AND CANCEL RESTITUTION HEARING**

The United States, by and through the undersigned Assistant United States Attorney, hereby files this motion respectfully requesting an order in the above-captioned case (1) amending the judgment of the defendant David Tyler Hines to include a restitution amount of \$4,809,307.00 to be paid according to the schedule in Attachment A and (2) canceling the restitution hearing set for July 14, 2021.

As grounds in support of the United States' request, undersigned counsel states as follows:

1. On January 8, 2021, the United States charged the defendant in a one count information with one count of wire fraud (18 U.S.C. § 1343). The defendant was charged for his involvement in fraudulently obtaining loans under the Paycheck Protection Program.

2. On February 10, 2021, the defendant pled guilty to one count of wire fraud. The defendant admitted in the factual proffer to his involvement in fraudulently obtaining these loans in which banks suffered losses.

3. On May 12, 2021, this Court sentenced the defendant to 78 months in prison followed by three years of supervised release. This Court set a restitution hearing date for July 14, 2021.

4. The government has been able to identify victims in the attachment who suffered losses of \$4,809,307.00 million.

5. The undersigned has conferred with defense counsel in this case and she indicated that she has no objection to the relief requested.

WHEREFORE, the United States respectfully requests that the Court issue an order amending the judgment of the defendant to include an order of restitution in the amount of \$4,809,307.00 to be paid to the victims listed in the attachment.

Respectfully submitted,

DANIEL KAHN
ACTING CHIEF, FRAUD SECTION
U.S. Department of Justice

By: /s/ Emily Scruggs
EMILY SCRUGGS
Florida Special Bar No. A5502310
Trial Attorney
Fraud Section, Criminal Division
United States Department of Justice
1400 New York Ave. NW
Washington, DC 20530
Telephone: (202) 616-2488

JUAN ANTONIO GONZALEZ
ACTING UNITED STATES ATTORNEY
MICHAEL BERGER
Assistant United States Attorney

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing, including a proposed order was electronically filed with the Court's CM/ECF system on May 14, 2021.

By: /s/ Emily Scruggs
Trial Attorney, Department of Justice