UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON GRAND JURY 2024
JUNE 10, 2025 SESSION

UNITED STATES OF AMERICA

v. **CRIMINAL NO. 2:24-cr-00192**
18 U.S.C. § 1344
18 U.S.C. § 1956(a)(1)(B)(i)
18 U.S.C. § 2

KISHA SUTTON
SHAMIESE WRIGHT

SECOND SUPERSEDING INDICTMENT

The Grand Jury Charges:

Background

At all times relevant to this Second Superseding Indictment:

1. Financial Institution 1 was a non-bank financial institution, as defined by 18 U.S.C. § 20, headquartered in Coral Gables, Florida. Financial Institution 1 participated in the United States Small Business Administration's ("SBA") Paycheck Protection Program ("PPP") as a lender, and as such, was authorized to lend funds to eligible borrowers under the terms of the PPP.

2. Defendant KISHA SUTTON was a resident of Jersey City, Hudson County, New Jersey.

3. Defendant SHAMIESE WRIGHT was a resident of Charleston, Kanawha County, West Virginia.

The Scheme to Defraud

4. From no later than on or about April 19, 2021, and continuing until at least on or about May 21, 2021, at or near Charleston, Kanawha County, West Virginia, within the Southern District of West Virginia and elsewhere, defendants KISHA SUTTON and SHAMIESE WRIGHT, aided and abetting by each other, did knowingly execute and attempt to execute a scheme to defraud Financial Institution 1 and obtain money owned by and under the custody and control of Financial Institution 1 by means of materially false and fraudulent pretenses, representations, and promises.

Manner and Means for Carrying Out the Scheme

5. Defendant KISHA SUTTON caused the creation and submission of a PPP loan application on behalf of defendant SHAMIESE WRIGHT and with defendant SHAMIESE WRIGHT's authorization in exchange for payment from the fraudulent PPP loan proceeds.

6. In the application, defendant KISHA SUTTON falsely stated the existence of a sole proprietorship that generated $75,000 in gross income.

7. Defendant KISHA SUTTON also caused the creation of a fictitious IRS Form 1040 Schedule C to support the fraudulent PPP loan application that would be submitted to Financial Institution 1. The Schedule C falsely stated that defendant SHAMIESE WRIGHT

had operated a sole proprietorship in 2020 that had $75,000 in gross receipts or sales.

8. Financial Institution 1 received the application and Schedule C, and Financial Institution 1 funded the PPP loan.

9. Once the PPP loan was funded, defendant SHAMIESE WRIGHT paid defendant KISHA SUTTON a portion of the loan proceeds as compensation for her assistance. Defendant SHAMIESE WRIGHT kept the remainder of the funds and spent the money on ineligible expenses.

Execution of the Scheme

10. On or about April 19, 2021, defendant KISHA SUTTON caused the submission of a PPP loan application and a Schedule C to Financial Institution 1 on behalf of defendant SHAMIESE WRIGHT and with defendant SHAMIESE WRIGHT's authorization.

11. The application and the Schedule C stated that defendant SHAMIESE WRIGHT was a sole proprietor of a business that was established on January 1, 2017. The application stated that in 2020, the business had a gross income of $75,000. As part of the application, a 2020 Schedule C was submitted listing gross receipts of $75,000 and a net profit of $48,750.

12. In fact, defendant SHAMIESE WRIGHT did not have a business in 2020 with those gross receipts and profit. Defendant SHAMIESE WRIGHT's 2020 tax return listed $21,716 in wages and no business income or expenses. Defendant SHAMIESE WRIGHT applied for

unemployment compensation throughout 2020 and stated, several times, that she was not self-employed.

13. On or about May 7, 2021, Financial Institution 1 funded defendant SHAMIESE WRIGHT's PPP loan for $15,625.

14. Between on or about May 7, 2021, and on or about May 21, 2021, defendant SHAMIESE WRIGHT, within the Southern District of West Virginia, remitted $3,000 of the fraudulent PPP loan proceeds to defendant KISHA SUTTON. Defendant SHAMIESE WRIGHT spent the remainder of the PPP loan proceeds on personal, ineligible expenses.

All in violation of Title 18, United States Code, Sections 1344 and 2.

COUNT TWO

On or about May 14, 2021, at or near Charleston, Kanawha County, West Virginia, within the Southern District of West Virginia and elsewhere, defendants SHAMIESE WRIGHT and KISHA SUTTON, aided and abetted by each other, did knowingly conduct and attempt to conduct a financial transaction affecting interstate and foreign commerce, to wit, defendant SHAMIESE WRIGHT transferred $1,000 in United States currency from her CashApp account to defendant KISHA SUTTON's CashApp account, which involved the proceeds of a specified unlawful activity, that is bank fraud, in violation of 18 U.S.C. § 1344, knowing that the transaction was designed in whole or in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of said specified unlawful activity and that while conducting and attempting to conduct such financial transaction, defendants SHAMIESE WRIGHT and KISHA SUTTON knew that the property involved in the financial transaction represented the proceeds of some form of unlawful activity.

In violation of Title 18, United States Code, Sections 1956(a)(1)(B)(i) and 2.

NOTICE OF FORFEITURE

The allegations contained in this Second Superseding Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeiture pursuant to 18 U.S.C. §§ 982(a)(1) and 982(a)(2), 28 U.S.C. 2461(c) and Rule 32.2 of the Federal Rules of Criminal Procedure.

Upon conviction of the offense in violation of 18 U.S.C. § 1344 and 2, the defendants SHAMISE WRIGHT and KISHA SUTTON shall forfeit to the United States of America, pursuant to 18 U.S.C. § 982(a)(2), 28 U.S.C. § 2461(c) and Rule 32.2 of the Federal Rules of Criminal Procedure, any property, real or personal, which constitutes or is derived from proceeds traceable to the offense(s).

Pursuant to 18 U.S.C. § 982(a)(1), 28 U.S.C. § 2461(c) and Rule 32.2 of the Rules of Criminal Procedure, upon conviction of an offense in violation of 18 U.S.C. § 1956, the defendants SHAMIESE WRIGHT and KISHA SUTTON shall forfeit to the United States of America any property, real or personal, involved in such offense, and any property traceable to such property.

The property to be forfeited includes, but is not limited to:

a. a money judgment in the amount of at least $3,000.00, such amount constituting the proceeds of the violations set forth in this second superseding indictment regarding KISHA SUTTON;

b. a money judgment in the amount of at least $12,625.00, such amount constituting the proceeds of the violations set forth in this second superseding indictment regarding SHAMISE WRIGHT;

If any of the property described above, as a result of any act or omission of the defendant[s]:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third party;

c. has been placed beyond the jurisdiction of the court;

d. has been substantially diminished in value; or

e. has been commingled with other property, which cannot be divided without difficulty.

The United States of America shall be entitled to forfeiture of substitute property pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c).

All pursuant to 18 U.S.C. §§ 982(a)(1) and 982(a)(2), and 28 U.S.C. § 2461(c).

LISA G. JOHNSTON
Acting United States Attorney

By: ______________________________
JONATHAN T. STORAGE
Assistant United States Attorney