

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

PARTIAL TRANSCRIPT OF PROCEEDINGS

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:
UNITED STATES OF AMERICA, : CRIMINAL ACTION
:
vs. : NO. 2:24-cr-00192
:
KISHA SUTTON, : July 14, 2025
:
Defendant. ;
:
-----x

TRIAL TESTIMONY OF WILLIAM POWELL

BEFORE THE HONORABLE IRENE C. BERGER
UNITED STATES DISTRICT JUDGE

APPEARANCES:

For the United States: MR. JONATHAN TYLER STORAGE
MS. JENNIFER DOWDY GORDON
United States Attorney's Office
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For the Defendant: MR. CONNOR D. ROBERTSON
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Court Reporter: Lisa A. Cook, RPR-RMR-CRR-FCRR

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produced by computer.

I N D E XGOVERNMENT'S WITNESS:PAGE**WILLIAM POWELL**

Direct Examination (By Mr. Storage) 3

Cross Examination (By Mr. Robertson) 10

Redirect Examination (By Mr. Storage) 16

P R O C E E D I N G S

* * * * *

THE COURT: Call your next witness.

MR. STORAGE: The Government calls William Powell.

Your Honor, it's my understanding that Mr. Powell is in the elevator and is on his way.

THE COURT: All right.

MR. STORAGE: I will also note for the record, Your Honor, that Mr. Powell is under subpoena.

(Pause)

THE COURT: Mr. Storage, can you find out what the problem is?

MR. STORAGE: Thank you, Your Honor.

(Pause)

MS. GORDON: Your Honor, he's coming.

THE COURT: I'm sorry?

MS. GORDON: He's coming, Your Honor.

THE COURT: All right.

MS. GORDON: I apologize.

(Pause)

THE CLERK: Sir, would you please raise your right hand.

WILLIAM POWELL, GOVERNMENT'S WITNESS, SWORN

THE CLERK: Would you please take the stand.

DIRECT EXAMINATION

William Powell - Direct (Storage)

4

1 BY MR. STORAGE:

2 Q. Sir, will you please state and spell your name?

3 A. William Powell, W-i-l-l-i-a-m P-o-w-e-l-l.

4 Q. Have you signed a plea agreement with the United
5 States?

6 A. Yes, sir.

7 Q. Have you pleaded guilty in court in relation to that
8 plea agreement?

9 A. Yes, sir.

10 Q. Is your guilty plea related to a fraudulent PPP loan?

11 A. Yes, sir.

12 Q. Okay. Does that plea agreement require you to provide
13 testimony here today?

14 A. Yes, sir.

15 Q. Did you also receive a subpoena to testify today?

16 A. Yes, sir.

17 Q. What city and state do you currently live in?

18 A. Middletown, New York.

19 Q. Middletown, New York?

20 A. Yes, sir.

21 Q. How long have you lived there?

22 A. It will be four years in February.

23 Q. Where were you born?

24 A. Brooklyn, New York.

25 Q. Brooklyn, New York? I'm sorry. You're very

William Powell - Direct (Storage)

5

1 soft-spoken.

2 A. Brooklyn, New York.

3 Q. How long have you lived there -- how long did you live
4 there until you moved to West Virginia?

5 A. I moved in -- for 10 years. I moved here in 2000.

6 Q. When you say "here," where do you mean?

7 A. Charleston, West Virginia.

8 Q. Okay. When did you move to Charleston, West Virginia?

9 A. The year 2000.

10 Q. The year 2000. How long did you live in Charleston?

11 A. Until I was 18. I moved to Morgantown, New York -- I
12 mean, West Virginia after that.

13 Q. Okay. Did you ever come back to Charleston?

14 A. I did.

15 Q. And when did you move back to Charleston?

16 A. I believe 2012, I think, 2012.

17 Q. Okay. And then when did you leave Charleston?

18 A. 2018 I moved to Huntington, West Virginia.

19 Q. Okay. And how long did you live in Huntington, West
20 Virginia?

21 A. Until January of 2022.

22 Q. Okay.

23 A. Or February of 2022. Excuse me.

24 Q. So in the spring and early summer of 2021, where were
25 you living?

William Powell - Direct (Storage)

1 A. Huntington, West Virginia.

2 THE COURT: I'm sorry. Repeat your question,
3 please.

4 BY MR. STORAGE:

5 Q. During the spring and summer of 2021, where were you
6 living?

7 A. Huntington, West Virginia.

8 THE COURT: All right. Thank you.

9 BY MR. STORAGE:

10 Q. During that period, that meaning the spring and summer
11 of 2021, did you own a business?

12 A. No, sir, I did not.

13 Q. During that period, were you an independent contractor?

14 A. No, sir, I was not.

15 Q. During that period, were you associated with any sole
16 proprietorship?

17 A. No, sir.

18 Q. Have you ever been a barber?

19 A. No, sir.

20 Q. Did you earn \$75,000 in gross income in tax year 2020?

21 A. No, sir.

22 Q. Are you familiar with a person named Kisha Sutton?

23 A. Yes, sir.

24 Q. And how are you familiar with Kisha Sutton?

25 A. She's like a family friend. I've grown up with her my

William Powell - Direct (Storage)

7

1 whole life.

2 Q. Grown up with her your whole life. How old are you?

3 A. 35.

4 Q. Okay. And you were born in Brooklyn?

5 A. Yes.

6 Q. So did you know her when you lived in Brooklyn?

7 A. Yes, sir.

8 Q. Is Kisha Sutton in this room?

9 A. Yes, sir.

10 Q. Where is she seated and what is she wearing?

11 A. She's behind you in a black jacket.

12 MR. STORAGE: Will the record please reflect that
13 the witness has identified the defendant?

14 THE COURT: The record will so reflect.

15 BY MR. STORAGE:

16 Q. During the spring and early summer of 2021, did you
17 communicate with Kisha?

18 A. Yes, sir.

19 Q. I'm sorry. What was that?

20 A. Yes, sir.

21 Q. How would you describe your relationship with Kisha
22 Sutton at that period?

23 A. Like family.

24 Q. Like family. Where was Kisha Sutton living when you
25 were in Huntington?

William Powell - Direct (Storage)

8

1 A. I believe in New York or New Jersey, New Jersey.

2 Q. In 2021, specifically June, did you receive \$15,625
3 from a PPP loan?

4 A. Yes, sir.

5 Q. Were you eligible for a PPP loan in June of 2021?

6 A. No, sir.

7 Q. Did anyone help you apply for that PPP loan?

8 A. Yes, sir.

9 Q. Who helped you?

10 A. Kisha Sutton.

11 Q. How did she help you?

12 A. I gave her my information and she applied for it for
13 me.

14 Q. Did you ever tell Kisha that you were a barber?

15 A. No, sir.

16 Q. Did you ever tell Kisha that you earned \$75,000 in
17 2020?

18 A. No, sir.

19 Q. Did you put that information on the PPP loan
20 application yourself?

21 A. No, sir.

22 Q. What, if anything, did Kisha Sutton get out of helping
23 you apply for the PPP loan?

24 A. Money.

25 Q. Money?

William Powell - Direct (Storage)

9

1 A. Uh-huh.

2 Q. How did you pay her?

3 A. Through CashApp.

4 Q. Do you know if you made one or multiple payments to
5 Kisha?

6 A. I made multiple.

7 Q. How many?

8 A. I don't recall exactly how many, but I think it
9 amounted to \$2,000.

10 Q. Okay. And was that your -- did you have an agreement
11 with Kisha to pay her \$2,000?

12 A. Yes, sir.

13 Q. Why did you break up a two-thousand-dollar payment to
14 Kisha Sutton over multiple transactions?

15 A. So it didn't get flagged.

16 Q. Sorry?

17 A. So -- I thought it would be easier and that it wouldn't
18 get flagged.

19 Q. So it wouldn't get flagged? I just didn't hear the
20 word you said. Was it "flagged"?

21 A. Yeah. I thought a bigger payment would look more
22 suspicious.

23 Q. Where did you get the \$2,000 to pay for -- to pay
24 Kisha?

25 A. From the money that I got from the PPP loan.

William Powell - Cross (Robertson)

1 MR. STORAGE: May I have a moment, Your Honor?

2 THE COURT: Yes, sir.

3 (Pause)

4 MR. STORAGE: No further questions, Your Honor.

5 THE COURT: Cross-examination, Mr. Robertson?

6 MR. ROBERTSON: Thank you, Your Honor.

7 CROSS EXAMINATION

8 BY MR. ROBERTSON:

9 Q. Mr. Powell, my name is Connor Robertson. I represent
10 Ms. Sutton. I have some questions for you. If I ask you a
11 bad one or confusing one, just let me know and I'll try to
12 do my best to rephrase. Fair?

13 A. Fair.

14 Q. Okay. Picking up from your tone, you don't want to be
15 here; right?

16 A. No.

17 Q. You and Kisha were friends?

18 A. Yes.

19 Q. The sole reason you're here is because you pled guilty
20 and you have to cooperate with the Government; right?

21 A. Yes.

22 Q. You wouldn't be here if they didn't require you to be
23 here; right?

24 A. No.

25 Q. And before this case even started, investigators came

William Powell - Cross (Robertson)

11

1 to try to talk to you; right?

2 A. Yes.

3 Q. But you didn't talk to them?

4 A. No.

5 Q. But now that you've pled guilty, you actually talked to
6 the FBI and the prosecutors; right?

7 A. I did reach out to investigators. They -- I left them
8 messages, but they did call me multiple times and I didn't
9 answer.

10 Q. Right. It's an unfortunate situation you're in and I
11 respect that. But more to the point, you and Kisha talked
12 about submitting PPP loans; right?

13 A. Yes.

14 Q. And you gave her your information; correct?

15 A. Yes.

16 Q. And when she filled out your loan application, she used
17 your name; right?

18 A. Yes.

19 Q. She used your email address; right?

20 A. Yes.

21 Q. She used your address; correct?

22 A. Yes.

23 Q. She used your date of birth?

24 A. Yes.

25 Q. She used all your personal information; right?

William Powell - Cross (Robertson)

12

1 A. Yes.

2 Q. She didn't make up any names; correct?

3 A. No.

4 Q. And the money went into your account and you signed for
5 it; correct?

6 A. Yes.

7 Q. You didn't sign somebody else's name, did you?

8 A. No.

9 Q. Okay. And you have a bank, I assume. What bank do you
10 have?

11 A. At the time, it was Chime.

12 Q. Chime? Like an on-line bank?

13 A. Uh-huh.

14 Q. Okay. When you set up your Chime account, did you use
15 your information?

16 A. Yes.

17 Q. Okay. Your Social Security, your date of birth,
18 everything that could be traceable to you on that Chime
19 account; right?

20 A. Yes.

21 Q. And then I assume you have a cell phone or an app on
22 the computer called CashApp; right?

23 A. Yes.

24 Q. You linked CashApp to Chime; right?

25 A. Yes.

William Powell - Cross (Robertson)

13

1 Q. And have you ever used CashApp other than to pay
2 Ms. Sutton?

3 A. Yes.

4 Q. You've used it probably a lot; right?

5 A. Yes.

6 Q. When you used CashApp, did you know that you were
7 structuring funds? Did you have any idea about that?

8 A. No.

9 Q. You just used it because you linked it to your account
10 and it was easy; right?

11 A. Yes.

12 Q. Okay. You said that you thought it would look
13 better -- your direct testimony, I believe, was you split up
14 the payments from you to Kisha because you thought it would
15 look better and it wouldn't get flagged; right?

16 A. Yes.

17 Q. You; right?

18 A. Yes.

19 Q. Okay, not Kisha. You just testified that you decided
20 to do that; correct?

21 A. It was definitely like a joint thing. It wasn't just
22 me. We both talked about it.

23 Q. Okay. So you talked about it?

24 A. Uh-huh.

25 Q. Okay. CashApp doesn't allow large transfers of money,

William Powell - Cross (Robertson)

14

1 does it?

2 A. I'm not sure how much is like a max amount or anything.

3 Q. Okay. CashApp you have like a, for lack of a better
4 term, like a handle, like a, kind of like an mail address to
5 identify it's you; right?

6 A. Yes.

7 Q. And to create an account on CashApp, you have to put
8 all your information in?

9 A. Yes.

10 Q. And presumably to receive money through CashApp, you
11 have to send it to whatever the handle is that you're
12 sending it to, the information; right?

13 A. Yes.

14 Q. Okay. And, so, when you did that from CashApp to
15 Kisha, did it go to Kisha's account?

16 A. Yes.

17 Q. Did she try to tell you to send it to this fictitious
18 burner account?

19 A. No.

20 Q. And you know that on-line transactions are traceable;
21 right?

22 A. Yes.

23 Q. When you made that payment, did you do that with the
24 specific intent to conceal the money from anybody?

25 A. I don't know if it was a specific attempt but like

William Powell - Redirect (Storage)

15

1 we -- I mean, I -- yes.

2 Q. You didn't want it to get flagged?

3 A. Yeah.

4 Q. Okay. Even though it was coming from your account?

5 A. Yes.

6 Q. Right after you got money from PPP into your account?

7 A. Uh-huh.

8 Q. And it went from your account to Kisha's account?

9 A. Yes.

10 Q. Okay. So you didn't do anything to like -- other than
11 make multiple payments, you didn't do anything to conceal --

12 A. No.

13 Q. -- where it was going; right?

14 A. No, not at all.

15 Q. Okay. When -- you testified that you think Kisha lived
16 in New York or New Jersey; right?

17 A. Yes.

18 Q. Okay. When she hit "send" on your application, was she
19 in New Jersey?

20 A. Yes.

21 Q. Okay. And you were in Huntington when you got the
22 money; right?

23 A. Yes.

24 Q. Okay. What about Benworth Capital? What's that?

25 A. That was -- at the time, I didn't know what it was, but

William Powell - Redirect (Storage)

1 that was the email that I got from -- I don't know if that's
2 the bank or the, the, whatever company that the PPP loan was
3 through.

4 Q. Did you intend to defraud them, Benworth?

5 A. Not Benworth. I just thought I was just getting a
6 loan. I didn't know exactly where it was coming from.

7 Q. Did you -- at the time Kisha applied under your name
8 for a loan, did you know that Benworth Capital or any bank
9 was going to do it or did you think it was coming from the
10 Government?

11 A. I honestly don't -- I mean, I assumed that it was
12 coming from the Government.

13 MR. ROBERTSON: Nothing further.

14 THE COURT: Any redirect of this witness?

15 MR. STORAGE: Yes, Your Honor.

16 REDIRECT EXAMINATION

17 BY MR. STORAGE:

18 Q. Sir, didn't you tell the Government when you met with
19 them that Kisha told you how to make the payments?

20 A. We talked about it together. So that was --

21 Q. Okay. Did you also tell agents that you would have
22 just paid Kisha the \$2,000 in one lump sum?

23 A. I don't really recall exactly what was said but, I
24 mean, I didn't --

25 Q. Okay. And you were never charged with money

William Powell - Redirect (Storage)

17

1 laundering, were you?

2 A. Not -- no.

3 Q. That's not what you pled guilty to, is it?

4 A. No.

5 Q. Okay.

6 MR. STORAGE: No further questions.

7 THE COURT: You can step down.

8 (Witness stood aside)

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1 I, Lisa A. Cook, Official Reporter of the United
2 States District Court for the Southern District of West
3 Virginia, do hereby certify that the foregoing is a true and
4 correct transcript, to the best of my ability, from the
5 record of proceedings in the above-entitled matter.

6
7
8 s\Lisa A. Cook

July 25, 2025

9 Reporter

Date

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