

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 15, 2025
:
Defendant. ;
:
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REBUTTAL CLOSING ARGUMENT BY MS. GORDON

BEFORE THE HONORABLE IRENE C. BERGER
UNITED STATES DISTRICT JUDGE

APPEARANCES:

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Court Reporter: Lisa A. Cook, RPR-RMR-CRR-FCRR

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P R O C E E D I N G S

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THE COURT: Will the Government go forward with rebuttal argument?

MS. GORDON: Yes, Your Honor.

THE COURT: You have five minutes, counsel.

MS. GORDON: Thank you, Your Honor.

Ladies and gentlemen, as I told you in opening, at its heart this is a simple case. It doesn't matter -- frankly, it doesn't matter what defense counsel thinks about how the Government presented its case. What matters is what you all think of how the Government presented its case and whether you all think with the exhibits and the testimony, testimony of the, the cohorts in this scheme, the testimony of Agent Lipari, and all the documents and the summary evidence that I told you we were going to present in opening, that all that is that whether you find that the Government has proved its case beyond a reasonable doubt.

Reasonable doubt, doubt based on reason and common sense. You didn't leave your common sense when you walked through the courthouse doors. We want you to have that common sense when you're looking at this case. Ladies and gentlemen, I submit that the Government has met that burden.

Despite the defense's attempt to make this complicated, this is about Kisha Sutton and Shamiese Wright aiding and

1 abetting each other to execute a scheme against a financial
2 institution.

3 Whether Kisha Sutton knew that Benworth Capital was
4 going to be that financial institution is irrelevant.
5 Whether she knew that Benworth Capital was a mortgage
6 lending business under the Federal Code and, therefore, is
7 a -- meets the definition of a financial institution, that's
8 irrelevant.

9 She and Shamiese Wright had the intent and knowingly
10 executed this scheme to defraud a financial institution.

11 The conclusion otherwise that the defense wants you to
12 draw reaches pretty much an absurd result. Kisha Sutton
13 knowingly created the false application for Shamiese Wright
14 to obtain that PPP loan that she was not entitled to.

15 Kisha Sutton knowingly created fraudulent Schedule C
16 tax documents for the sole purpose to get that loan approved
17 for Shamiese Wright.

18 And Shamiese Wright knowingly submitted these false
19 documents that contained material representations that got
20 that loan approved. And we know that from the testimony and
21 from the document evidence, Shamiese Wright's tax records,
22 Shamiese Wright's unemployment records. Those -- that's
23 pretty much not in dispute. She did not meet the minimum
24 requirements for this loan.

25 There's plenty of evidence that this was going to be

1 funded by lenders. And you heard evidence that Kisha
2 Sutton, and you'll see it on the summary chart, that she did
3 six of these applications here in the Southern District of
4 West Virginia.

5 She knew these were loan applications that were going
6 to be funded by lenders, lenders that -- in this case,
7 Benworth Capital meets the definition of a mortgage lending
8 business. How do you know that? You saw three mortgage
9 loan documents for Benworth Capital that occurred both
10 before, during, and after the time period.

11 Defense counsel talked about interstate commerce and
12 that these mortgages were all employed by a Florida company.
13 It doesn't matter. They were a mortgage lending business
14 whose business activities affect interstate commerce. Their
15 business activities included funding PPP loans, including
16 ones here in the Southern District of West Virginia. That's
17 interstate commerce.

18 The money laundering. The defense wants to paint money
19 laundering as something that can only happen a certain way.
20 I'm going to call that the TV movie version of money
21 laundering; shell corporations, criminal enterprises, Mafia.
22 That is the only way money laundering can be, can be
23 committed.

24 Well, ladies and gentlemen, you see a lot of courtroom
25 dramas on TV and you know that the TV and the movie way that

1 things work aren't always the reality. Money laundering can
2 be concealing the true nature of the payment.

3 Shamiese Wright did not put in the transaction line
4 "payment for submitting PPP loan application." She was
5 hiding the true nature of the payment, and that is money
6 laundering. It doesn't have to be -- it doesn't have to be
7 complicated.

8 And in this case, you heard from other witnesses who
9 talked to you about the scheme, their role in the scheme,
10 and Kisha Sutton's role in the scheme, including that none
11 of them put in the note line the true nature of the payment.

12 THE COURT: Your time is up, counsel.

13 MS. GORDON: Thank you, Your Honor.

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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.

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7
8 s\Lisa A. Cook

July 28, 2025

9 Reporter

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