IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA, Plaintiff, v. DENISE SANDERS, Defendant.	Case No. 24-00029-03-CR-W-BP

GOVERNMENT'S SENTENCING MEMORANDUM

The United States of America, by and through its undersigned counsel, files its sentencing memorandum in this case. The presentence report calculated the sentencing range from zero to 6 months and mandatory restitution of $20,833. (PSR ¶¶ 64 & 76) The government recommends a sentence of three years' probation.

PROCEDURAL AND FACTUAL BACKGROUND

On December 17, 2024, Defendant Denise Sanders entered a plea of guilty to Count 1 of the indictment, conspiracy to commit wire fraud, in violation of 18 U.S.C. § 1349, before Chief U.S. District Judge Phillips. (PSR ¶ 1.) The maximum possible penalty for conspiracy to commit wire fraud is 20 years' imprisonment. The defendant's offense conduct is outlined in paragraphs 4 through 9, and 12 of the PSR.

The defendant was part of a group of individuals organized by her daughter, Daisha Sanders, to submit fraudulent Paycheck Protection Program (PPP) loans. Ms. Denise Sanders, aided by Daisha Sanders, submitted an application which claimed she was the sole proprietor of a business that had gross revenues of $144,080 and net income of $99,982 in 2019. In fact, the defendant did not have such a business, and it did not have any revenues in the year prior to the pandemic. On June 25, 2021, the defendant received a $20,832 PPP loan. On June 25 and 28, 2021, the defendant made wire transfers totally $4,000 transfer to Daisha Sanders. The defendant spent the remaining proceeds on personal expenses.

DISCUSSION

I. Sentencing Analysis

There are no outstanding objections to the presentence report and, therefore, the offense level would be 7, Criminal History Category I, resulting in a guideline range of zero to 6 months. As this Court is aware, 18 U.S.C. § 3553(a) sets forth the factors to be considered in determining an appropriate sentence. In evaluating the appropriate sentence for this defendant, the United States notes the following:

Nature of the offense:

The defendant falsely applied for and received a $20,832 pandemic relief loan. These funds were intended to assist businesses that were impacted by the pandemic. While this amount is small compared to other pandemic relief fraud, the defendant should have been aware that this scheme was unlawful.

The history and characteristics of the defendant:

The defendant has no criminal history, no pending charges, and no "Other Arrests". (PSR ¶¶ 36-42.) The defendant has a nursing degree and is employed at a rehabilitation center.

Seriousness of the Offense, Deterrence, Protection, and Rehabilitation:

This was a serious offense and there is a need to deter the defendant and others from fraudulently taking advantage of emergency relief funds.

The issue presented to the Court then is what sentence is reasonable given the need to deter others who would engage in such illegal misappropriation of government emergency monies.

The United States suggests that a reasonable sentence would be a sentence of three years' probation.

A sentence within the guideline range would deter the defendant and send a message to others that such fraud schemes are unlawful and will be dealt with seriously by the United States District Court.

Respectfully submitted,

Jeffery P. Ray
Acting United States Attorney

By: */s/ Paul S. Becker*

Paul S. Becker
Assistant United States Attorney
Fraud and Corruption Unit
Charles Evans Whittaker Courthouse
400 E. 9th Street, Suite 5510
Kansas City, Missouri 64106

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was delivered on March 27, 2025, to the Electronic Case Filing (CM-ECF) system of the United States District Court for the Western District of Missouri for electronic delivery to all counsel of record.

/s/ Paul S Becker

Paul S. Becker
Assistant United States Attorney