UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 23-20295-CR-ALTONAGA/DAMIAN

18 U.S.C. § 1343
18 U.S.C. § 981(a)(1)(C)

UNITED STATES OF AMERICA

vs.

ARASHIO HARRIS,

Defendant.

______________________________/

INFORMATION

The United States Attorney charges that:

GENERAL ALLEGATIONS

At all times material to this Information:

1. The United States Small Business Administration ("SBA") was an agency of the executive branch of the Government of the United States. The mission of the SBA was to maintain and strengthen the nation's economy by enabling the establishment and viability of small businesses and by assisting in the economic recovery of communities after disasters.

The Paycheck Protection Program

2. The Coronavirus Aid, Relief, and Economic Security ("CARES") Act was a federal law enacted in or around March 2020 and designed to provide emergency financial assistance to the millions of Americans who were suffering the economic effects caused by the COVID-19 pandemic. One source of relief provided by the CARES Act was the authorization of forgivable

loans to small businesses for job retention and certain other expenses, through a program referred to as the Paycheck Protection Program ("PPP").

3. In order to obtain a PPP loan, a qualifying business submitted a PPP loan application (SBA Form 2483), which was signed by an authorized representative of the business. The PPP loan application required the business (through its authorized representative) to acknowledge the program rules and make certain affirmative certifications in order to be eligible to obtain the PPP loan. In the PPP loan application, the business (through its authorized representative) was required to provide, among other things, its: (a) average monthly payroll; and (b) number of employees. These figures were used to calculate the amount of money the small business was eligible to receive under the PPP. This application and the supporting documentation submitted in connection with the application were used to calculate the amount of money the applicant was entitled to receive under the PPP.

4. The PPP also allowed a qualifying business that had obtained a PPP loan in 2020 and experienced a required revenue reduction in 2020 to obtain a second PPP loan in 2021. These second PPP loans were also known as "second draw" loans. Starting on or about March 4, 2021, small businesses could apply for this second draw loan by using a PPP second draw application (SBA Form 2483-SD) that provided their average monthly payroll and their number of employees. This second draw application and the supporting documentation submitted were used to calculate the amount of second draw money the applicant was entitled to receive under the PPP.

5. A PPP loan application was processed by a participating lender. If a PPP loan application was approved, the participating lender funded the PPP loan using its own monies. While it was the participating lender that issued the PPP loan, the loan was 100% guaranteed by the SBA. Data from the application, including information about the borrower, the total amount

of the loan, and the listed number of employees, was transmitted by the lender to the SBA in the course of processing the loan.

Economic Injury Disaster Loans

6. The CARES Act also authorized and provided funding to the SBA to provide Economic Injury Disaster Loans ("EIDLs") to eligible small businesses experiencing substantial financial disruptions due to the COVID-19 pandemic to allow them to meet financial obligations and operating expenses that could have been met had the disaster not occurred. These COVID-19 EIDLs included the possibility of an advance of up to $10,000 for qualifying applicants. The applicant was not obligated to repay this advance.

7. In order to obtain a COVID-19 EIDL, a qualifying for-profit business was required to submit an EIDL application to the SBA and provide information about its operations, including its gross revenues and number of employees, for the 12-month period preceding January 31, 2020. The applicant also was required to certify under penalty of perjury that all the information in the application was true and correct.

8. EIDL applications were submitted directly to and processed by the SBA. The amount of the loan approved and any advance provided was determined based, in part, on the information provided in the application concerning the number of employees and cost of goods sold. Any EIDL funds were issued directly by the United States government to the applicant's bank account.

The Defendant and the Relevant Entities

9. Defendant **ARASHIO HARRIS** was a resident of Miami-Dade County, Florida, who at all times relevant to this Information was employed by the Miami-Dade Corrections and Rehabilitation Department as a Correctional Sergeant.

10. The Good Family Property Solutions Inc. ("Good Family") was a Nevada corporation that was registered with the State of Florida as a Foreign Profit Corporation. At all relevant times, **ARASHIO HARRIS** was the President and owner of Good Family.

11. The Flying Lions LLC ("Flying Lions") was a Nevada limited liability company that was registered with the State of Florida as a Foreign Limited Liability Company. At all relevant times, **ARASHIO HARRIS** was the President and owner of Flying Lions.

12. Lender 1 was an SBA-approved lender for PPP loans, and processed PPP loan applications from applicants located throughout the United States. Lender 1's servers were located outside the state of Florida.

13. The Financial Technology Company operated an online platform that received PPP loan applications from throughout the United States. The Financial Technology Company was not a PPP lender, but rather was a business that received and processed PPP applications for multiple SBA-approved PPP lenders. The Financial Technology Company then would make qualified PPP applications available to one of the lenders that retained its services for the lender's review, final approval, and funding of the PPP loan.

14. Lender 2 was an SBA-approved lender for PPP loans, and processed PPP loan applications from applicants located throughout the United States. Lender 2 contracted with the Financial Technology Company to receive PPP applications for funding by Lender 2. Lender 2's servers were located outside the state of Florida.

15. The Bank was a bank that did business throughout the United States, including maintaining branches in the Southern District of Florida.

16. Individual 1 was a resident of Miami-Dade County, Florida.

COUNT 1
Wire Fraud
(18 U.S.C. § 1343)

1. Paragraphs 1 through 16 of the General Allegations section of this Information are re-alleged and incorporated by reference as through fully set forth herein.

2. From in or around April 2020, and continuing through in or around May 2021, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

ARASHIO HARRIS,

did knowingly, and with the intent to defraud, devise, and intend to devise, a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, knowing that the pretenses, representations, and promises were false and fraudulent when made, and, for the purpose of executing the scheme and artifice, did knowingly transmit and cause to be transmitted, by means of wire communication in interstate and foreign commerce, certain writings, signs, signals, pictures and sounds, in violation of Title 18, United States Code, Section 1343.

PURPOSE OF THE SCHEME AND ARTIFICE

3. The purpose of the scheme and artifice was for **ARASHIO HARRIS** to unlawfully enrich himself by submitting false and fraudulent PPP and EIDL applications to obtain loan proceeds for his own use and benefit.

THE SCHEME AND ARTIFICE

The manner and means by which **ARASHIO HARRIS** sought to accomplish the purpose of the scheme and artifice included, among others, the following:

4. **ARASHIO HARRIS** submitted, and with the assistance of Individual 1 caused to be submitted, to the SBA, via interstate wire communications, a false and fraudulent EIDL

application claiming to be the 100% owner of Good Family. That EIDL application falsely certified that for the twelve (12) month period prior to January 31, 2020, Good Family had gross revenues of approximately $130,000 and 9 employees.

5. As a result of this false and fraudulent EIDL application, Good Family obtained from the SBA a $9,000 EIDL advance and approximately $14,500 in EIDL loan proceeds. These fraudulently obtained EIDL funds were provided via Electronic Funds Transfers to Good Family's account at the Bank. These Electronic Funds Transfers involved the use of interstate wire communications.

6. **ARASHIO HARRIS** submitted, and with the assistance of Individual 1 caused to be submitted, to the SBA, via interstate wire communications, a false and fraudulent EIDL application claiming to be the 100% owner of Flying Lions. That EIDL application falsely certified that for the twelve (12) month period prior to January 31, 2020, Flying Lions had gross revenues of approximately $480,452 and 10 employees.

7. As a result of this false and fraudulent EIDL application, Flying Lions obtained from the SBA approximately $150,000 in EIDL loan proceeds. These fraudulently obtained EIDL funds were provided via Electronic Funds Transfer to Flying Lions' account at the Bank. This Electronic Funds Transfer involved the use of interstate wire communications.

8. **ARASHIO HARRIS** submitted, and with the assistance of Individual 1 caused to be submitted, to Lender 1 a false and fraudulent PPP 2020 loan application (SBA Form 2483) claiming to be the President, Manager, and 100% owner of Good Family. That PPP loan application falsely and fraudulently represented that Good Family's monthly payroll was approximately $51,710 and that Good Family had 10 employees, and as part of the application process, **HARRIS** submitted and caused to be submitted documents including: a false and

fraudulent IRS Form 1120 for tax year 2019 claiming that Good Family had total income of approximately $1,050,152 and paid wages and salaries of approximately $768,932; numerous false and fraudulent IRS Forms W-2 showing large wage payments to supposed employees; and, false and fraudulent Good Family payroll records for those supposed employees. As part of the review and approval process for this application, Lender 1 electronically transmitted this PPP application to the SBA via interstate wire communications.

9. As a result of this false and fraudulent PPP application, Good Family obtained approximately $129,275 in PPP loan proceeds from Lender 1 that were electronically deposited by the Lender into the Good Family account at the Bank.

10. **ARASHIO HARRIS** submitted, and with the assistance of Individual 1 caused to be submitted, to the Financial Technology Company, via interstate wire communications, a false and fraudulent 2021 PPP second draw loan application (SBA Form 2483-SD) claiming to be the President and 100% owner of Good Family. That PPP loan application falsely and fraudulently represented that Good Family's monthly payroll was approximately $51,710 and that Good Family had 10 employees. As part of the application process, **HARRIS** submitted and caused to be submitted documents including: a false and fraudulent IRS Form 1120 for tax year 2019 claiming that Good Family had total income of approximately $1,050,152 and paid wages and salaries of approximately $768,932; a false and fraudulent IRS Form 940 for tax year 2019 claiming that Good Family paid approximately $620,527 to all employees; and, false and fraudulent Good Family payroll records for nine supposed employees including **HARRIS**.

11. As a result of this false and fraudulent PPP second draw application, Good Family obtained approximately $129,276 in PPP loan proceeds from Lender 2 that were electronically deposited by Lender 2 into the Good Family account at the Bank. This electronic deposit involved

the use of interstate wire communications.

USE OF WIRES

12. On or about the date specified below, in the Southern District of Florida, and elsewhere, **ARASHIO HARRIS**, for the purpose of executing and in furtherance of the aforesaid scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, knowing that the pretenses, representations, and promises were false and fraudulent when made, did knowingly transmit and cause to be transmitted in interstate and foreign commerce, by means of wire communication, certain writings, signs, signals, pictures, and sounds, as described below:

COUNT	APPROXIMATE DATE	DESCRIPTION OF WIRE
1	April 3, 2020	Electronic transmission of an EIDL application containing false information about the gross revenues and number of employees of Good Family during the twelve (12) month period prior to January 31, 2020, causing a wire transmission from the Southern District of Florida to outside of the State of Florida

In violation of Title 18, United States Code, Sections 1343 and 2.

FORFEITURE ALLEGATIONS

1. The allegations of this Information are hereby re-alleged and by this reference fully incorporated herein for the purpose of alleging forfeiture to the United States of America of certain property in which the defendant, **ARASHIO HARRIS**, has an interest.

2. Upon conviction of a violation of Title 18, United States Code, Section 1343, as alleged in this Information, the defendant, **ARASHIO HARRIS**, shall forfeit to the United States any property, real or personal, which constitutes or is derived from proceeds traceable to such offense, pursuant to Title 18, United States Code, Section 981(a)(1)(C).

All pursuant to Title 18, United States Code, Section 981(a)(1)(C), and the procedures set forth in Title 21, United States Code, Section 853, as incorporated by Title 28, United States Code, Section 2461(c).

BA

MARKENZY LAPOINTE
UNITED STATES ATTORNEY

EDWARD N. STAMM
ASSISTANT UNITED STATES ATTORNEY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA **CASE NO.:** ______________________

v.

CERTIFICATE OF TRIAL ATTORNEY

Arashio Harris
_____________________________/
Defendant.

Court Division (select one)
☒ Miami ☐ Key West ☐ FTP
☐ FTL ☐ WPB

Superseding Case Information:
New Defendant(s) (Yes or No) ______
Number of New Defendants ______
Total number of counts ______

I do hereby certify that:

1. I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.
2. I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. §3161.
3. Interpreter: (Yes or No) No
   List language and/or dialect: ____________
4. This case will take 0 days for the parties to try.
5. Please check appropriate category and type of offense listed below:

(Check only one)		(Check only one)
I	☒ 0 to 5 days	☐ Petty
II	☐ 6 to 10 days	☐ Minor
III	☐ 11 to 20 days	☐ Misdemeanor
IV	☐ 21 to 60 days	☒ Felony
V	☐ 61 days and over	

6. Has this case been previously filed in this District Court? (Yes or No) No
   If yes, Judge ____________ Case No. ____________
7. Has a complaint been filed in this matter? (Yes or No) No
   If yes, Magistrate Case No. ____________
8. Does this case relate to a previously filed matter in this District Court? (Yes or No) No
   If yes, Judge ____________ Case No. ____________
9. Defendant(s) in federal custody as of ____________
10. Defendant(s) in state custody as of ____________
11. Rule 20 from the ________ District of ____________
12. Is this a potential death penalty case? (Yes or No) No
13. Does this case originate from a matter pending in the Northern Region of the U.S. Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek Maynard? (Yes or No) No
14. Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to October 3, 2019 (Mag. Judge Jared Strauss? (Yes or No) No
15. Did this matter involve the participation of or consultation with now Magistrate Judge Eduardo I. Sanchez during his tenure at the U.S. Attorney's Office, which concluded on January 22, 2023? No

By: ______________________
Edward N. Stamm
Assistant United States Attorney
FL Bar No. 373826

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: Arashio Harris

Case No:

Count #: 1

Wire Fraud

18 U.S.C. § 1343

*** Max. Term of Imprisonment: 20 years**
*** Mandatory Min. Term of Imprisonment (if applicable): N/A**
*** Max. Supervised Release: 5 years**
*** Max. Fine: $250,000**
*** Special Assessment: $100**

***Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.**

AO 455 (Rev. 01/09) Waiver of an Indictment

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

United States of America	)	
v.	)	Case No.
Arashio Harris	)	
	)	
Defendant	)	

WAIVER OF AN INDICTMENT

I understand that I have been accused of one or more offenses punishable by imprisonment for more than one year. I was advised in open court of my rights and the nature of the proposed charges against me.

After receiving this advice, I waive my right to prosecution by indictment and consent to prosecution by information.

Date: ________________

____
Defendant's signature

____
Signature of defendant's attorney

Mark Eiglarsh, Esq.
Printed name of defendant's attorney

____
Judge's signature

____
Judge's printed name and title