IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

4:22cr32-MW/MAF

UNITED STATES OF AMERICA

v. **INFORMATION**

FELICIA JACKSON STANLEY
and
WILBERT JEAN STANLEY III
_______________________________/

THE U.S. ATTORNEY CHARGES:

COUNT ONE

A. INTRODUCTION

At all times material to this Indictment:

1. The United States Small Business Administration ("SBA") was an executive-branch agency of the United States government that provides support to entrepreneurs and small businesses. 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.

2. As part of this effort, the SBA enabled and provided for loans through banks, credit unions, and other lenders. These loans had government-backed guarantees.

The Paycheck Protection Program

3. The Coronavirus Aid, Relief, and Economic Security ("CARES") Act was a federal law enacted in or around March 2020 and was designed to provide emergency financial assistance to the millions of Americans who are suffering the economic effects caused by the COVID-19 pandemic. One source of relief provided by the CARES Act was the authorization of up to $349 billion in forgivable loans to small businesses for job retention and certain other expenses, through a program referred to as the SBA Paycheck Protection Program ("PPP"). In or around April 2020, Congress authorized over $300 billion in additional PPP funding.

4. In order to obtain a PPP loan, a qualifying business was required to submit a PPP loan application, called an SBA Form 2483. 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 small business (through its authorized representative) was required to certify, among other things, its: (a) average monthly payroll expenses, 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. In addition, businesses applying for a PPP loan were required to provide documentation showing their payroll

expenses and that they were in business as of February 15, 2020. Further, businesses applying for a PPP loan were required to make good faith certifications, including that economic uncertainties had necessitated their loan requests for continued business operations, and that they intended to use loan proceeds only for the authorized, and not any duplicative, purposes.

5. PPP loan applications were required to be signed by an authorized representative of the business. By signing PPP loan applications, applicants attested that the information provided in the application and in all supporting documents and forms was true and accurate, and that the applicant understood that knowingly making a false statement to obtain a PPP loan was a crime.

6. PPP loan proceeds must have been used by the business on certain permissible expenses- payroll costs, interest on mortgages, rent, and utilities. The SBA allowed the interest and principal on the PPP loan to be entirely forgiven if the business spent the loan proceeds on these expense items within a designated period of time (usually eight weeks of receiving the proceeds) and used at least 75% of the PPP loan proceeds on payroll expenses.

7. A PPP loan application was required to be processed by a participating financial institution ("the lender"). If a PPP loan application was approved, the lender funded the PPP loan using its own monies, which were 100% guaranteed by the SBA. Data from the loan application, including information

about the borrower, the total amount of the loan, and the listed number of employees, was electronically transmitted by the lender to the SBA in the course of processing the loan.

Economic Injury Disaster Loans

8. Another related response to the COVID-19 outbreak was an expansion of an existing disaster-related program – the Economic Injury Disaster Loan ("EIDL") – to provide for loan assistance (including $10,000 advances) for small businesses and other eligible entities for loans up to $2 million. The EIDL proceeds could have been used to pay fixed debts, payroll, accounts payable, and other bills that could have been paid had the disaster not occurred; however, such loan proceeds were not intended to replace lost sales or profits, or for the expansion of a business.

9. Unlike certain other types of SBA-guaranteed loans, EIDL funds were issued directly from the United States Treasury, and applicants applied for EIDL funds directly through the SBA via an online portal and application. The EIDL application process, which also used certain outside contractors for system support, collected information concerning the business and the business owner, including information about the gross revenues for the business prior to January 31, 2020, and the cost of goods sold. Applicants electronically certified that the information provided was true and accurate and were warned that any false statement or

misrepresentation to the SBA, or any misapplication of loan proceeds may result in sanctions, including criminal penalties.

10. EIDL applications were received in and processed using computer servers located in the states of Iowa, Virginia, and Washington. EIDL disbursement payments were initiated by the SBA using computer servers located in the state of Colorado, which transmitted the payment information to the Treasury using computer servers located in the state of Virginia.

Shuttered Venue Operators Grant

11. The Shuttered Venue Operators Grant ("SVOG") program was established by the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act, and amended by the American Rescue Plan Act. The program included over $16 billion in grants to shuttered venues, to be administered by SBA's Office of Disaster Assistance.

12. Eligible applicants could qualify for grants equivalent to 45% of their gross earned revenue, with the maximum amount available for a single grant award of $10 million.

13. SVOG provided emergency assistance for eligible performing arts businesses affected by COVID-19. The SVOG program's mission is to support the ongoing operations of eligible live venues and operators, live venue promoters, theatrical producers, talent representatives, live performing arts organization

operators, museums, and motion picture theaters during the uncertain economic conditions caused by the COVID-19 pandemic.

14. SVOG applications were received in and processed using computer servers located outside of the state of Florida.

Financial Institutions and Lenders

15. First Home Bank and Cross River Bank were financial institutions, the deposits of which were federally insured by the Federal Deposit Insurance Corporation. First Home Bank and Cross River Bank offered PPP loans to its customers.

16. Fountainhead SBF, LLC ("Fountainhead"); Kabbage, Inc. ("Kabbage"); Readycap Lending, LLC ("Readycap"); BSD Capital, LLC d/b/a Lendistry ("Lendistry"); Itria Ventures, LLC ("Itria"); and Capital Plus Financial, LLC ("Capital Plus") were non-bank lenders that offered SBA PPP loans to owners of small to midsize businesses.

17. To process PPP loan applications for its clients and customers, First Home Bank, Cross River Bank, Fountainhead, Kabbage, Readycap, Lendistry, Itria, and Capital Plus used computer servers located outside of Florida and interstate wire communications.

B. THE CHARGE

Between on or about March 1, 2020, and on or about September 1, 2021, in the Northern District of Florida and elsewhere, the defendants,

FELICIA JACKSON STANLEY
and
WILBERT JEAN STANLEY III,

did knowingly and willfully combine, conspire, confederate, and agree with other persons to devise, and intend to devise, a scheme to defraud and for obtaining money and property by means of materially false and fraudulent pretenses, representations, and promises, and to cause wire communications to be transmitted in interstate commerce for the purpose of executing such scheme, in violation of Title 18, United States Code, Section 1343.

C. MANNER AND MEANS

The manner and means by which this conspiracy was committed included the following:

1. **FELICIA JACKSON STANLEY** and **WILBERT JEAN STANLEY III** used the Internal Revenue Service's (IRS) Modernized Internet Employer Identification Number (EIN) system to obtain EINs for business entities which were later fraudulently used in applications for SBA benefit programs. For some of the business entities, such as Scream Loud, Inc. and Nationwide Law

Consulting Firm, LLC, the EINs that were obtained from the IRS helped create the appearance of legitimacy in the SBA benefit applications.

2. **FELICIA JACKSON STANLEY** and **WILBERT JEAN STANLEY III** made and caused to be made false and fraudulent representations in SBA PPP loan applications and in supporting loan documents submitted to First Home Bank, Cross River Bank, Fountainhead, Kabbage, Readycap, Lendistry, Itria, and Capital Plus in the names of business entities, namely, Yep We Kan Promotions, Inc.; A Call Away Transportation, LLC; PlaySports Bar, LLC; You Hurt, Inc.; and of individuals, in order to falsely qualify for SBA PPP loans.

3. **FELICIA JACKSON STANLEY** and **WILBERT JEAN STANLEY III** specifically attempted to cause and caused First Home Bank, Cross River Bank, Fountainhead, Kabbage, Readycap, Lendistry, Itria, and Capital Plus to issue SBA PPP loans and disburse SBA PPP loan proceeds to them based upon loan applications, loan documents, and emails that falsely represented the number of employees and average monthly payroll expenses for Yep We Kan Promotions, Inc.; A Call Away Transportation, LLC; PlaySports Bar, LLC; You Hurt, Inc.; and of individuals.

4. **FELICIA JACKSON STANLEY** and **WILBERT JEAN STANLEY III** electronically mailed and submitted, and caused to be electronically mailed and submitted, false and fraudulent documentation to First

Home Bank, Cross River Bank, Fountainhead, Kabbage, Readycap, Lendistry, Itria, and Capital Plus for the SBA PPP loan applications.

5. **FELICIA JACKSON STANLEY** and **WILBERT JEAN STANLEY III** communicated, via email and telephone, with First Home Bank, Cross River Bank, Fountainhead, Kabbage, Readycap, Lendistry, Itria, and Capital Plus at which they applied for SBA PPP loans about the loan applications and their status, and the funding of such loans.

6. **FELICIA JACKSON STANLEY** and **WILBERT JEAN STANLEY III** made and caused to be made false and fraudulent representations in EIDL applications and in supporting loan documents submitted to the SBA in the names of business entities, namely, Yep We Kan Promotions, Inc.; A Call Away Transportation, LLC; PlaySports Bar, LLC; Yep She Kan Network; Island Daiquiris Bar & Grill, LLC; USA United Law Firm, LLC; Unique Xpressions; Scream Loud, Inc.; Jackson Family Produce; Credit Repair & Tradelines, LLC; Aldrena Jackson Health; Family First Assisted Living, LLC; Zelific, LLC; Richanti Jefferson Care; Tanisha Hampton Care; and Porter Cleaning Service; and of individuals, in order to falsely qualify for EIDL funds.

7. **FELICIA JACKSON STANLEY** and **WILBERT JEAN STANLEY III** specifically attempted to cause and caused the SBA to issue EIDLs and disburse EIDL proceeds to them based upon loan applications, loan

documents, and emails that falsely represented the number of employees, revenue, and expenses for Yep We Kan Promotions, Inc.; A Call Away Transportation, LLC; PlaySports Bar, LLC; Yep She Kan Network; Island Daiquiris Bar & Grill, LLC; USA United Law Firm, LLC; Unique Xpressions; Scream Loud, Inc.; Jackson Family Produce; Credit Repair & Tradelines, LLC; Aldrena Jackson Health; Family First Assisted Living, LLC; Zelific, LLC; Richanti Jefferson Care; Tanisha Hampton Care; and Porter Cleaning Service; and of individuals.

8. **FELICIA JACKSON STANLEY** and **WILBERT JEAN STANLEY III** electronically mailed and submitted, and caused to be electronically mailed and submitted, false and fraudulent documentation to the SBA for the EIDL applications.

9. **FELICIA JACKSON STANLEY** and **WILBERT JEAN STANLEY III** made and caused to be made false and fraudulent representations in EIDL applications and in supporting loan documents submitted to the SBA in the names of business entities, namely, Yep We Kan Promotions, Inc.; A Call Away Transportation, LLC; PlaySports Bar, LLC; Yep She Kan Network; Island Daiquiris Bar & Grill, LLC; USA United Law Firm, LLC; Unique Xpressions; Scream Loud, Inc.; Jackson Family Produce; Credit Repair & Tradelines, LLC; Aldrena Jackson Health; Family First Assisted Living, LLC; Zelific, LLC;

Richanti Jefferson Care; Tanisha Hampton Care; and Porter Cleaning Service; and of individuals, in order to falsely qualify for EIDL funds.

10. **FELICIA JACKSON STANLEY** and **WILBERT JEAN STANLEY III** received as a fee, by cash, check, and wire transfer, a portion of PPP loan and EIDL proceeds that they fraudulently obtained in the names of individuals from such individuals.

11. **FELICIA JACKSON STANLEY** and **WILBERT JEAN STANLEY III** specifically attempted to cause and caused the SBA to issue SVOGs and disburse SVOG proceeds to them based upon grant applications, supporting documents, and emails that falsely represented revenues for Yep We Kan Promotions, Inc.; PlaySports Bar, LLC; and Scream Loud, Inc.

12. **FELICIA JACKSON STANLEY** and **WILBERT JEAN STANLEY III** electronically mailed and submitted, and caused to be electronically mailed and submitted, false and fraudulent documentation to the SBA for the SVOG applications.

13. **FELICIA JACKSON STANLEY** and **WILBERT JEAN STANLEY III** fraudulently obtained and attempted to obtain more than $400,000 in PPP loan funds from First Home Bank, Cross River Bank, Fountainhead, Kabbage, Readycap, Lendistry, Itria, and Capital Plus, more than $3,500,000 in

EIDL funds from the SBA, and more than $3,350,000 in SVOG funds from the SBA by this conduct.

All in violation of Title 18, United States Code, Section 1349.

COUNT TWO

A. INTRODUCTION

The allegations contained in sections A and C of Count One of this Information are realleged and incorporated as if fully set forth herein.

B. THE CHARGE

Between on or about March 1, 2020, and on or about September 1, 2021, in the Northern District of Florida and elsewhere, the defendants,

FELICIA JACKSON STANLEY
and
WILBERT JEAN STANLEY III,

did knowingly and willfully combine, conspire, confederate, and agree together and with other persons to engage and attempt to engage in a monetary transaction by, through, and to a financial institution, affecting interstate and foreign commerce, in criminally derived property of a value greater than $10,000, to wit, receiving deposits of PPP, EIDL, and SVOG proceeds into bank accounts owned and controlled by the Defendants, and depositing cash and checks into bank accounts owned and controlled by the Defendants, and transferring such funds from bank accounts owned and controlled by the Defendants, such property having been derived from a specified unlawful activity, to wit, conspiracy to commit wire fraud, in violation of Title 18, United States Code, Section 1349, as charged in Count One of this Information, all in violation of Title 18, United States Code, Section 1957.

In violation of Title 18, United States Code, Section 1956(h).

COUNT THREE

A. INTRODUCTION

The allegations of Sections A and C of Count One are hereby realleged and incorporated by reference as if fully set forth herein.

B. THE CHARGE

Between on or about March 1, 2020, and on or about September 1, 2021, in the Northern District of Florida, in a matter within the jurisdiction of the executive branch of the Government of the United States, that is, the SBA's administration of its PPP, EIDL, and SVOG programs, the defendant,

FELICIA JACKSON STANLEY

did knowingly and willfully falsify a material fact; make materially false, fictitious, and fraudulent statements and representations; and make and use a false document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry, to wit, the defendant falsely stated in an SBA PPP loan application (SBA Form 2483) that she submitted to Kabbage to obtain an SBA PPP loan that:

a. A Call Away Transportation, having an EIN ending in 0930, had an average monthly payroll of approximately $8,320;

b. A Call Away Transportation, having an EIN ending in 0930, had 1 employee;

c. all SBA loan proceeds will be used only for business-related purposes as specified in the loan application and consistent with the Paycheck Protection Program Rule;

d. A Call Away Transportation, having an EIN ending in 0930, was in operation on February 15, 2020, and had employees for whom it paid salaries and payroll taxes or paid independent contractors, as reported on Form(s) 1099-MISC;

e. Current economic uncertainty made the SBA PPP loan necessary to support ongoing operations of A Call Away Transportation;

f. the SBA PPP loan funds will be used to retain workers and maintain payroll or make mortgage interest payments, lease payments, and utility payments, as specified under the PPP Rule; and

g. the information provided in the SBA PPP loan application and the information provided in all supporting documents and forms was true and accurate in all material respects,

whereas, in truth and in fact, and as the defendant well knew, such representations were untrue, as A Call Away Transportation had issued no payroll, all SBA loan proceeds were not used only for business-related purposes as specified in the loan application and consistent with the Paycheck Protection Program Rule, A Call Away Transportation was not in operation on February 15, 2020, and the information provided in the SBA PPP loan application and the information provided in all supporting documents and forms was not true and accurate in all material respects.

In violation of Title 18, United States Code, Section 1001(a).

COUNT FOUR

A. INTRODUCTION

The allegations of Sections A and C of Count One are hereby realleged and incorporated by reference as if fully set forth herein.

B. THE CHARGE

Between on or about August 1, 2021, and on or about September 1, 2021, in the Northern District of Florida, in a matter within the jurisdiction of the executive branch of the Government of the United States, that is, the SBA's administration of its PPP, EIDL, and SVOG programs, the defendant,

WILBERT JEAN STANLEY III,

did knowingly and willfully falsify a material fact; make materially false, fictitious, and fraudulent statements and representations; and make and use a false document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry, to wit, the defendant falsely stated in an SBA SVOG application that he submitted to the SBA to obtain an SBA SVOG that:

a. Play Sports Bar, LLC, having an EIN ending in 4134, had gross revenue of $6,001,000.00 in year 2019;

b. Play Sports Bar, LLC, having an EIN ending in 4134, had gross revenue of $1,000,000.00 in year 2020;

c. Play Sports Bar, LLC, having an EIN ending in 4134, had 44 employees;

d. all SVOG grant proceeds will not be used for real estate purchases or to invest; and

e. the information provided in the SBA SVOG application and the information provided in all supporting documents and forms was true and accurate in all material respects, whereas, in truth and in fact, and as the defendant well knew, such representations were untrue, as Play Sports Bar, LLC did not have gross revenue of $6,001,000.00 in year 2019 and did not have gross revenue of $1,000,000.00 in year 2020, Play Sports Bar, LLC did not have 44 employees, some SVOG grant proceeds were used for real estate purchases or to invest, and the information provided in the SBA SVOG application and the information provided in all supporting documents and forms was not true and accurate in all material respects.

In violation of Title 18, United States Code, Section 1001(a).

CRIMINAL FORFEITURE

The allegations contained in Counts One through Four of this Information are hereby realleged and incorporated by reference for the purpose of alleging forfeiture. From their engagement in the violations alleged in Counts One through Four of this Information, the defendants,

FELICIA JACKSON STANLEY
and
WILBERT JEAN STANLEY III,

(A) pursuant to Title 18, United States Code, Section 982(a)(2), and Title 28, United States Code, Section 2461(c), upon conviction of an offense in violation of Title 18, United States Code, Sections 1349 and 1014, as alleged in Counts One and Three of this Information, respectively, any and all of the Defendants' right, title, and interest in any property, real and personal, constituting and derived from proceeds traceable to such offenses;

(B) pursuant to Title 18, United States Code, Section 982(a)(1), upon conviction of an offense in violation of Title 18, United States Code, Section 1956, as alleged in Count Two of this Information, any and all of the Defendants' right, title, and interest in any property, real and personal, involved in such offenses, and any property traceable to such property.

The United States will also seek a forfeiture money judgment for a sum of money equal to the value of any property, real or personal, which: 1) constitutes or is derived from proceeds traceable to these offenses, and 2) is involved in such offenses and any property traceable to such property. The property subject to forfeiture includes, but is not limited to, the following:

1. Real property located and situated in Leon County, Florida, located at 1660 Kay Avenue, Units 1,2,3,4,5,6,7,and 8, Tallahassee, FL 32301, and all areas designated as common elements of Greenside Condominiums, further described in Leon County Official Records Book 5470 and Page 79, and known to the Leon County Property Appraiser as Parcel Identification #s 3108360000010, 3108360000020, 3108360000030, 3108360000040, 3108360000050, 3108360000060, 3108360000070, 3108360000080, respectively.

2. Real property located and situated in Leon County, Florida:

> Lot 10, Block C, Tallahassee Ranch Club, according to the plat thereof, recorded in Plat Book 18, Page(s) 1 through 35, of the inclusive, Public Records of Leon County, Florida,

and further described in Leon County Official Records Book 5496 and Page 1308, and known to the Leon County Property Appraiser as Parcel Identification # 332525 C0100.

3. Real property located and situated in Leon County, Florida, located at 3770 Laurel Trace Way, Tallahassee, FL 32303, described as:

> Lot 6, Block D of Laurel Trace, According to the Plat thereof as Recorded in Plat Book 16, Page 75, of The Public Records of Leon County, Florida,

and further described in Leon County Official Records Book 5510 and Page 39, and known to the Leon County Property Appraiser as Parcel Identification #210929D0060.

4. The Coinbase account with user identification number ending in 9b775ae, held in the name of WILBERT STANLEY and/or associated with email address yepwekan@gmail.com.

5. The Coinbase account with user identification number ending in 8d710141, held in the name of FELICIA STANLEY and/or associated with email address liciapooh01@hotmail.com.

6. The Robinhood account ending in 2819, held in the name of FELICIA STANLEY.

7. The Robinhood account ending in 1939, held in the name of WILBERT STANLEY.

8. The TD Ameritrade account ending in 1466, held in the name of FELICIA JACKSON-STANLEY.

If any of the property described above as being subject to forfeiture, as a result of acts or omissions of the defendants:

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

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

iii. has been placed beyond the jurisdiction of this Court;

iv. has been substantially diminished in value; or

v. has been commingled with other property that cannot be subdivided without difficulty, it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property.

JASON R. COODY
United States Attorney

DATE 6/15/22

JUSTIN M. KEEN
Assistant United States Attorney

DATE 6/17/2022