UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 21-20011-CR-COOKE/O'SULLIVAN

18 U.S.C. § 1343
18 U.S.C. § 2
18 U.S.C. § 982(a)(2)(A)

UNITED STATES OF AMERICA

v.

DAVID TYLER HINES,

Defendant.
______________________________/

INFORMATION

The United States Attorney charges that:

GENERAL ALLEGATIONS

At all times relevant to this Information:

1. The defendant, **DAVID TYLER HINES**, was a resident of Miami-Dade County, Florida.

2. The defendant, **DAVID TYLER HINES**, served as managing member of (a) Cash in Holding LLC; (b) Promaster Movers, Inc.; (c) Unified Relocation Solutions LLC; and (d) We-Pack Moving LLC (together, the "Hines Companies"). The Hines Companies maintained bank accounts at Bank A in Miami, Florida.

3. Bank A was a participating lender of funds to small businesses under the Paycheck Protection Program ("PPP") in 2020. Under the PPP, the Small Business Administration agreed to guarantee loans provided by participant lenders under certain conditions.

4. In order to obtain a PPP loan, an applicant had to submit an application listing the number of employees and average monthly payroll expenses for the applicant's company. Furthermore, the applicant had to certify that the funds would be used for payroll and other authorized expenses for the applicant's company.

Wire Fraud
(18 U.S.C. § 1343)

From in or around March 2020, through in or around June 2020, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

DAVID TYLER HINES,

did knowingly, and with 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 such scheme and artifice to defraud, did knowingly transmit and cause to be transmitted by means of wire communications in interstate and foreign commerce, certain writings, signs, signals, pictures, and sounds.

PURPOSE OF THE SCHEME AND ARTIFICE

It was the purpose of the scheme and artifice for the defendant and his accomplices to unjustly enrich themselves by submitting and causing others to submit false and fraudulent PPP loan applications to financial institutions, including Bank A—which falsely certified employee payroll amounts and falsely certified that the funds would be used for payroll and other authorized expenses—and then using the subsequent loan proceeds for their own personal benefit.

MANNER AND MEANS OF THE SCHEME AND ARTIFICE

The manner and means by which the defendant, **DAVID TYLER HINES**, sought to accomplish the scheme and artifice to defraud included, among others, the following:

5. **DAVID TYLER HINES** submitted PPP loan applications for each of the Hines Companies to Bank A seeking several million dollars in funds. **HINES** falsely claimed in these loan applications that the Hines Companies had dozens of employees and millions of dollars in monthly payroll. **HINES** submitted false and fraudulent Internal Revenue Service forms as support for those payroll expenses.

6. **DAVID TYLER HINES** received approximately $3.9 million in funds from Bank A through the PPP loan applications in accounts for the Hines Companies based on the false and fraudulent loan applications.

7. **DAVID TYLER HINES** used the funds received from the PPP loan applications for his own personal purposes, including for the purchase of a Lamborghini luxury car and other personal expenses.

USE OF THE WIRES

On or about May 13, 2020, the defendant, for the purpose of executing 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 cause to be transmitted by means of wire communications in interstate and foreign commerce, certain writings, signs, signals, pictures and sounds, that is, a wire transfer of approximately $794,835 from Bank A to the account of Cash in Holding LLC at Bank of America in Miami, Florida, in violation of Title 18, United States Code, Sections 1343 and 2.

FORFEITURE
(18 U.S.C. § 982(a)(2)(A))

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, **DAVID TYLER HINES**, has an interest.

2. Upon conviction of a violation of Title 18, United States Code, Section 1343, as alleged in this Information, the defendant , shall forfeit to the United States any property constituting, or derived from, proceeds the defendant obtained directly or indirectly, as the result of such violation pursuant to Title 18, United States Code, Section 982(a)(2)(A).

3. The property subject to forfeiture includes, but is not limited to, the following:

a. All funds held by Bank of America formerly on deposit in account number 898077556016 held in the name of Cash in Holdings LLC;

b. All funds held by Bank of America formerly on deposit in account number 898096330857 held in the name of Unified Relocation Solutions, LLC;

c. All funds held by Bank of America formerly on deposit in account number 898099756470 held in the name of Promaster Movers, Inc.;

d. All funds held by Bank of America formerly on deposit in account number 898105927423 held in the name of Unified Relocation Solutions LLC; and

e. A 2020 Lamborghini Huracán with vin ZHWUF4ZF3LLA13255.

All pursuant to Title 18, United States Code, Section 982(a)(2)(A), and the procedures set forth at Title 21, United States Code, Section 853 as incorporated by Title 18, United States Code, Section 982(b)(1).

ARIANA FAJARDO ORSHAN
UNITED STATES ATTORNEY

MICHAEL N. BERGER
ASSISTANT UNITED STATES ATTORNEY

DANIEL KAHN
ACTING CHIEF, FRAUD SECTION
DEPARTMENT OF JUSTICE

EMILY SCRUGGS
TRIAL ATTORNEY, FRAUD SECTION
DEPARTMENT OF JUSTICE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

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

vs.

DAVID TYLER HINES,

Defendant. ______________________/

CERTIFICATE OF TRIAL ATTORNEY*

Superseding Case Information:

Court Division: (Select One)

_X_ Miami ___ Key West ___ FTL ___ WPB ___ FTP

New Defendant(s) Yes ___ 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. Section 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	X	Petty	
II	6 to 10 days		Minor	
II	11 to 20 days		Misdem.	
IV	21 to 60 days		Felony	X
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. ______________
(Attach copy of dispositive order)
Has a complaint been filed in this matter? (Yes or No) _Yes_
If yes:
Magistrate Case No. 20-MJ-3237-Becerra
Related Miscellaneous numbers: ______________
Defendant(s) in federal custody as of ______________
Defendant(s) in state custody as of ______________
Rule 20 from the ______________ District of ______________

Is this a potential death penalty case? (Yes or No) _No_

7. Does this case originate from a matter pending in the Northern Region of the U.S. Attorney's Office prior to October 14, 2003? ___ Yes _X_ No

8. Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to September 1, 2007? ___ Yes _X_ No

Michael N. Berger
MICHAEL N. BERGER
ASSISTANT UNITED STATES ATTORNEY
Court ID No. 5501557

*Penalty Sheet(s) attached

REV 4/8/08

iUNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: **DAVID TYLER HINES**

Case No: ______

Count #: 1

Wire Fraud

Title 18, United States Code, Section 1343

* **Max.Penalty:** Twenty (20) Years' Imprisonment

***Refers only to possible term of incarceration, does not include possible fines, 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.
DAVID TYLER HINES,	)	
	)	
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: 01/04/2021

Defendant's signature

Signature of defendant's attorney

Printed name of defendant's attorney

Judge's signature

Judge's printed name and title