U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

October 8, 2021

BY EMAIL & ECF

The Honorable Lewis J. Liman
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *United States v. Adedayo Ilori*, 20 Cr. 378 (LJL)

Dear Judge Liman:

The Government respectfully writes to seek an arrest warrant for defendant Adedayo Ilori for violations of his pretrial release. As set forth below, the Government has evidence that Ilori, who has pled guilty to conspiracy to commit mail and wire fraud, has continued to engage in fraud and identity theft offenses during his pretrial release.

As described in greater detail below, on October 8, 2021, the Government executed a search warrant in the Eastern District of New York, allowing the Government to search Ilori's person for evidence of distinct fraud and identity theft crimes from the case pending before Your Honor. That search recovered, among other things, ID cards and bank cards in the names of identity theft victims. Law enforcement officers have detained Ilori based on probable cause to believe he has committed identity theft, in violation of 18 U.S.C. § 1028.

The Government has informed defense counsel of its intent to seek this arrest warrant.

<u>Background</u>

On March 4, 2020, Adedayo Ilori was arrested pursuant to a complaint with co-defendants Herode Chancy and Michael Albarella for his involvement in a scheme between March 2019 and 2020 to submit eight fraudulent business loan applications totaling over $1,020,000. To apply for the loans, Ilori and Chancy submitted doctored bank statements and used stolen identities as the purported borrowers on the loan applications. Specifically, Ilori prepared three of the loan applications using two different stolen identities. In addition, Ilori provided a stolen identity to Chancy in order to open a bank account to launder a portion of the scheme's proceeds. Unbeknownst to Chancy and Ilori, the purportedly corrupt underwriter to whom they were submitting the loan applications was an undercover FBI agent, and the person they believed to be a third co-conspirator who worked in the financial industry was a confidential source. The Complaint charged Ilori with: one count of conspiracy to commit wire fraud, in violation of 18 U.S.C. § 1349; wire fraud, in violation of 18 U.S.C. § 1343; aggravated identity theft, in violation of 18 U.S.C. § 1028A(a)(1) and (b); and conspiracy to commit money laundering, in violation of 18 U.S.C. § 1956(h. On July 23, 2020, a grand jury returned an indictment charging Ilori with the same offenses as in the Complaint, as well as conspiracy to commit mail fraud, in violation of 18 U.S.C. § 1349, and mail fraud, in violation of 18 U.S.C. § 1341.

On April 8, 2021, Ilori pled guilty pursuant to a plea agreement to Count One of the Indictment, which charged Ilori with conspiracy to commit mail and wire fraud, and Ilori admitted to Count Five, which charged Ilori with conspiracy to commit money laundering. Pursuant to the plea agreement dated January 25, 2021, the parties stipulated that the applicable Guidelines range is 51 to 63 months' imprisonment. Ilori is currently scheduled to be sentenced on October 13, 2021, at 2:00 p.m. Yesterday, counsel for Ilori requested the Government's position to adjourn the sentencing on the basis that the defendant's mother-in-law, who lives with Ilori, tested positive for COVID.

<u>Recent Investigation Into Ilori</u>

The Government has been investigating a series of COVID-19 relief loans fraudulently obtained by Chris Recamier and others. In the course of investigating Recamier the Government identified Ilori as a co-conspirator. Between at least in or about November 2020 through at least in or about May 2021, Recamier and Ilori obtained more than approximately $1 million in COVID-19 relief loans and sought more than approximately $7 million in COVID-19 relief loans.

On October 7, 2021, the Government obtained a search warrant in the Eastern District of New York, authorizing the Government to search (1) a Long Island City apartment rented by Recamier, using an identity theft victim's identity ("Victim-1") and (2) Ilori's person. On October 7, 2021, the Government searched the Long Island City apartment and placed Recamier under arrest. As further set forth below, Recamier made post-*Miranda* statements implicating himself and Ilori in the COVID-19 fraud and identity theft scheme. On October 8, 2021, the Government searched Ilori's person, finding, among other things, ID cards and bank cards in the names of numerous identity theft victims, including Victim-1; an identity used to apply for numerous fraudulent COVID-19 loans ("Victim-2"); and an identity used to lease a Mercedes Benz S580 within the last approximately two weeks ("Victim-3"). Law enforcement officers have detained Ilori based on probable cause to believe he has committed identity theft.

Among other things, the Government's investigation has revealed the following:

- Recamier was a co-conspirator in the fraud conspiracy to which Ilori has pleaded guilty. Among other things, Recamier's photo was on the driver's license that listed the name and date of birth of an identity theft victim ("Victim-4") that was submitted in support of two of the loan applications. In addition, bank video surveillance shows that in January 2020, Recamier engaged in a transaction at a bank located in Manhattan for an account opened in the name of Victim-4 and provided on the two fraudulent loan applications prepared by Ilori and provided to co-defendant Chancy in furtherance of the loan scheme.

- On or about September 22, 2021, Ilori was observed entering a coffeeshop located in Manhattan. Law enforcement obtained video surveillance footage of Ilori purchasing coffee, using a debit card in the name of Victim-2.

- On or about October 7, 2021, law enforcement observed Ilori driving a new vehicle, a Mercedes Benz S580. Law enforcement learned that this vehicle was leased by Recamier using Victim-3's identity.

- Ilori and Recamier were frequently observed spending substantial periods of time in the vicinity of the Long Island City apartment, including entering and exiting the multistory building in which the apartment is located. Among other things, this search recovered several devices and documents with the names of corporations that have been used by Ilori and Recamier during the course of the COVID-19 loan fraud scheme.

- Following Recamier's arrest, he was advised of his *Miranda* rights, waived those rights, and agreed to speak with law enforcement. Among other things, in substance and in part, Recamier told law enforcement that (a) Recamier and Ilori were engaged in fraudulently applying for COVID-19 relief loans; (b) Ilori had manipulated a bank statement to submit it as part of fraudulent loan applications in both the case before Your Honor and the COVID-19 loan scheme currently under investigation; (c) Ilori maintains 15-20 identity cards that he keeps with him.

- The Government has compared bank statements submitted as part of loan applications in both the case before Your Honor and the ongoing COVID-19 loan scheme investigation. The Government has identified portions of a bank statement submitted in support of loans in both cases that are identical to each other—consisting of the same transactions, dates, and amounts. The only difference between these statements is the name of the company, and associated account number, that the statements purportedly pertain to.

- The October 8, 2021 search of Ilori's person recovered, among other things, (a) ID cards and/or bank cards in the names of identity theft victims, including Victim-1, Victim-2, and Victim-3; and (b) the key for the Long Island City apartment.

Conclusion

As set forth above, there is evidence to demonstrate that Ilori has been violating his terms of release by committing additional fraud and identity theft crimes. Accordingly, the Government respectfully requests that the Court issue a bench warrant for Ilori for violating the terms of his release.

Respectfully submitted,

AUDREY STRAUSS
United States Attorney

By: /s/
Cecilia Vogel
Tara LaMorte
Daniel G. Nessim
Assistant United States Attorneys
(212) 637-1084 / -1041 / -2486