UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON

UNITED STATES OF AMERICA

v. **CRIMINAL NO. 2:24-CR-00192-6**

DAMISHA BROWN

GOVERNMENT'S SENTENCING MEMORANDUM

Comes now the United States of America, by Jonathan T. Storage, Assistant United States Attorney for the Southern District of West Virginia and submits this Sentencing Memorandum in aid of sentencing.

I. SENTENCING FACTORS

The United States offers the following analysis relating to the application of the sentencing factors enumerated in 18 U.S.C. § 3553(a). As discussed below, the government requests that the Court impose a sentence of "time served," to be followed by a term of supervised release.

A. History and Characteristics of the Offender

The defendant was born in New Jersey and is 32 years old. Her father resides in New Jersey and is employed in the construction industry. The defendant has had no contact with her mother in several years, and she rarely communicates with her brother and only sibling, who is 29 years old and is imprisoned.

The defendant was raised by her mother and stepfather until she was 15 years old. He father was imprisoned until that time, and the defendant went to live with her father and stepmother upon his release from prison.

For several years, the defendant lived in the Southern District of West Virginia with her father. She is a graduate of South Charleston High School in Kanawha County, West Virginia.

The defendant is single and has never been married. The defendant has 3 children, ages 13, 11, and 5.

The defendant is healthy and reported no history of substance abuse.

She obtained some college education, and she completed commercial drive license ("CDL"). The defendant did not complete her CDL exam.

The defendant reported working nearly every day of the week: she is a bartender, assisted living aid, and ride share driver.

B. Nature and Circumstances of the Offense

During the spring of 2021, the defendant aided and abetted Kisha Sutton to obtain a fraudulent Paycheck Protection Program ("PPP") loan through a federal COVID-19 relief program administered by the U.S. Small Business Administration.

The defendant supplied her personal information to her sister, who then passed it on to Kisha Sutton. At the time, Kisha

Sutton resided in New Jersey. Kisha Sutton created a materially false PPP loan application in the defendant's name and provided false information and documentation to the lender. Specifically, Kisha Sutton represented that the defendant was self-employed as a "hairdresser" who had earned $75,000 in gross income in tax year 2020. Kisha Sutton backed up this claim by falsifying an IRS Form 1040-Schedue C in the defendant's name.

The loan was approved, and the defendant received a $15,625 direct deposit into her bank account. As payment for her services, the defendant sent three payments to Kisha Sutton through Cash App, which totaled $3,500.

C. Seriousness of Offense, Deterrence, and Community Protection

The defendant and Kisha Sutton took advantage of a national emergency to enrich themselves. In doing so, they defrauded a financial institution and took steps to conceal their actions.

The government has no reason to believe that the defendant will ever commit a similar offense again.

D. Sentencing Options

The applicable Guidelines range in this case is 4-10 months' imprisonment. [redacted]

[redacted]

II. CONCLUSION

The government submits that a sentence of "time served," to be followed by a period of supervised release, would be sufficient but not greater than necessary to meet the purposes of sentencing.

Respectfully submitted,

LISA G. JOHNSTON
Acting United States Attorney

By: s/Jonathan T. Storage
JONATHAN T. STORAGE
Assistant United States Attorney
WV State Bar No. 12279
300 Virginia Street, East
Room 4000
Charleston, WV 25301
Telephone: 304-345-2200
Fax: 304-347-5104
E-mail: Jonathan.Storage@usdoj.gov

CERTIFICATE OF SERVICE

It is hereby certified that the foregoing "GOVERNMENT'S SENTENCING MEMORANDUM" has been electronically filed and service has been made on opposing counsel by virtue of electronic mail this the 28th day of August, 2025, to:

Clayton T. Harkins, Esq.
DINSMORE & SHOHL
P.O. Box 11887
Charleston, WV 25339
Email: clayton.harkins@dinsmore.com

s/Jonathan T. Storage
JONATHAN T. STORAGE
Assistant United States Attorney
WV State Bar No. 12279
300 Virginia Street, East
Room 4000
Charleston, WV 25301
Telephone: 304-345-2200
Fax: 304-347-5104
E-mail: Jonathan.Storage@usdoj.gov