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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

UNITED STATES OF AMERICA, Plaintiff, vs. GIUSEPPE MIRENDA, Defendant.	Case No. 2:22-cr-00246-CW FELONY INFORMATION COUNTS 1-2: 18 U.S.C. § 641, Conversion of Government Property

The United States Attorney alleges:

BACKGROUND ALLEGATIONS

At all times relevant to this Information:

The Defendant

1. The defendant, GIUSEPPE MIRENDA (MIRENDA), was a resident of Salt Lake County, Utah who was born in Italy.

2. After coming to America, MIRENDA, Relative 1, and Relative 2 started Italian restaurant businesses in Utah including Sicilia Mia 1, Sicilia Mia 2, Sicilia Mia LLC, Antica Sicilia LLC, and Bella Sicilia LLC (the Italian Restaurant Businesses).

The CARES Act

3. Near the onset of the COVID-19 pandemic in early 2020, Congress passed the CARES Act to provide relief to certain small business owners and others who were expected to struggle during the pandemic.

4. As part of the CARES Act, Congress authorized the U.S. Small Business Association (SBA) to provide Economic Injury Disaster Loans (EIDL Loans) of up to $2 million to eligible small businesses experiencing substantial financial disruption due to the COVID-19 pandemic. In addition, the CARES Act authorized the SBA to issue advances of up to $10,000 to small businesses within three days of applying for an EIDL Loan.

Conversion of EIDL-Loan Funds

5. Beginning in or around March 2020, within the District of Utah and elsewhere, MIRENDA obtained approximately $1,889,400 in EIDL-Loan funds for his Italian Restaurant Businesses.

6. In his EIDL-Loan applications and related loan agreements, MIRENDA represented and agreed that the EIDL-Loan funds would be used by his Italian Restaurant Businesses solely as working capital to alleviate economic injury caused to his restaurant businesses by the COVID-19 pandemic.

7. Even though MIRENDA understood and agreed that the EIDL-Loan funds were to be used by his Italian Restaurant Businesses solely as working capital to alleviate economic injury caused to the businesses by the COVID-19 pandemic, MIRENDA used approximately $1,118,551.31 of those EIDL-Loan funds to purchase two houses. One of those houses was in West Jordan, Utah. The other house was in Las Vegas, Nevada.

8. MIRENDA and some of his family members than lived, for a time, in the West Jordan, Utah house.

9. To purchase the two houses, MIRENDA specifically:

a. Transferred approximately $610,204.85 of the EIDL-Loan funds he obtained on behalf of his Italian Restaurant Businesses to an escrow account to purchase the house in West Jordan, Utah; and

b. Transferred approximately $508,346.46 of those same EIDL-Loan funds to another escrow account to purchase the house in Las Vegas, Nevada.

COUNTS 1-2
18 U.S.C. § 641
(Conversion of Government Property)

10. The allegations set forth above in this Information are incorporated herein by reference and realleged as though fully set forth herein.

11. Beginning in or around March 2020 and continuing to at least August 6, 2021, in the District of Utah and elsewhere,

GIUSEPPE MIRENDA,

defendant herein, did willfully and knowingly convert money belonging to the United States Small Business Administration, a department or agency of the United States, in an amount greater than $1,000.00, all in violation of 18 U.S.C. § 641.

12. In particular, MIRENDA used approximately $1,118,551.31 in EIDL-Loan funds to purchase one house in West Jordan, Utah and another house in Las Vegas, Nevada. When MIRENDA used the EIDL-Loan funds to purchase the two houses, MIRENDA knew that the EIDL-Loan funds were authorized to be used by his Italian Restaurant

Businesses solely as working capital to alleviate economic injury caused to them by the COVID-19 pandemic, and not to purchase personal residences or houses for MIRENDA or his family.

13. Notwithstanding MIRENDA's knowledge and understanding of the restrictions on the authorized use of EIDL-Loan funds, MIRENDA purchased the two houses and even lived with his family in the West Jordan house for a time.

14. The conversion of the EIDL-Loan funds to purchase each of the two houses constitutes two separate counts of this Information:

COUNT	DATE (on or about)	UNAUTHORIZED HOUSE PURCHASES WITH EIDL-LOAN FUNDS
1	10/28/2020	$610,204.85 transfer from Wells Fargo Account ending in 4529 to US Title Insurance Agency Escrow account ending in 04894. (To purchase West Jordan, UT house).
2	8/6/2021	$508,346.46 transfer from Wells Fargo Account ending in 6755 to Fidelity National Title Agency account ending in 24787. (To purchase Las Vegas, NV house)

All in violation of 18 U.S.C. § 641.

NOTICE OF INTENT TO SEEK FORFEITURE

Pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), upon conviction of any offense charged herein in violation of 18 U.S.C. § 641, the defendant shall forfeit to the United States of America any property, real or personal, involved in such offenses, and any property traceable to such property. The property to be forfeited includes, but is not limited to, the following:

- $695,711.60 as proceeds from the sale of the property located at 2448 West 6830 South, West Jordan, Utah 84084; and

- $555,757.69 as proceeds from the sale of the property located at 3179 Paintedhills Avenue, Las Vegas, NV 89120.

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