

Application for a Complaint by Telephone or Other Reliable Electronic Means

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

United States of America

v.

JUDLEX JEAN LOUIS

Case No.

20-6328-Hunt

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 1, 2020, and June 3, 2020 in the county of Broward in the Southern District of Florida, the defendant(s) violated:

Code Section	Offense Description
18 U.S.C. § 1344	Bank Fraud
18 U.S.C. § 1014	False Statement to a Federally Insured Institution
18 U.S.C. § 1028A(a)(1)	Aggravated Identity Theft

This criminal complaint is based on these facts:

See attached Affidavit.

☒ Continued on the attached sheet.



Complainant's signature

SA Vernon Poindexter, U.S. Secret Service

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by Telephone.

Date:

8/6/2020



Judge's signature

City and state: Fort Lauderdale, Florida

Hon. Patrick M. Hunt, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Vernon Poindexter, being first duly sworn, state:

AGENT BACKGROUND AND INTRODUCTION

1. I am a Special Agent with the United States Secret Service ("USSS"), and have been so employed since June 2019. I currently serve on the South Florida Organized Fraud Task Force ("SFOFTF") in Miami, Florida. I have received extensive training in the investigation of counterfeit currency, check fraud, bank fraud, access device fraud, wire fraud and cybercrime, among other things. As a federal law enforcement officer of the United States, I am empowered by law to conduct investigations and to make arrests for felony offenses, under the authority of 18 U.S.C. § 3056. I have received specialized training in numerous aspects of criminal investigations, in particular, investigations into financial fraud and methods and techniques used by individuals that commit fraudulent activity to avoid detection by law enforcement officers.

2. This Affidavit is made in support of a criminal complaint charging Judlex Jean Louis ("LOUIS") with violations of Title 18, United States Code, Sections 1344 (Bank Fraud), 1014 (False Statement to a Federally Insured Institution), and 1028A(a)(1) (Aggravated Identity Theft).

3. This Affidavit is based on my personal investigation and investigation by others, including federal and local law enforcement officials whom I know to be reliable and trustworthy. The facts contained herein have been obtained by interviewing witnesses and examining documents obtained in the course of the investigation as well as through other means. This Affidavit does not include every fact known to me about this investigation, but rather only those facts sufficient to establish probable cause.

PROBABLE CAUSE

Overview of the Paycheck Protection Program

4. The Coronavirus Aid, Relief, and Economic Security (“CARES”) Act is a federal law enacted March 27, 2020 to provide financial assistance to Americans suffering economic harms from the COVID-19 pandemic. One source of relief provided through the CARES Act is the authorization of forgivable loans to businesses for job retention and certain other expenses, through a program called the Paycheck Protection Program (“PPP”).

5. The types of businesses eligible for a PPP loan under the CARES Act include individuals who operated under a sole proprietorship business structure. For the period from February 15, 2020 through June 30, 2020, such individuals were eligible to receive a maximum PPP loan of up to \$20,833 to cover lost compensation or income from the sole proprietorship. In order to be eligible to receive such a PPP loan, individuals had to report and document their income and expenses from the sole proprietorship, as typically reported to the Internal Revenue Service on Form 1040, Schedule C, for a given tax year. The lending institution used these reports and documents to calculate the amount of money the individual was entitled to receive under the PPP.

6. A PPP loan application must be processed by a participating lender. If a PPP loan application is approved, the participating lender funds the PPP loan using its own monies, which are fully guaranteed by Small Business Administration. Data from the application, including information about the borrower, the total amount of the loan, and the listed number of employees, is transmitted by the lender to the SBA in the course of processing the loan.

7. PPP loan proceeds must be used by the business on certain permissible expenses—payroll costs, interest on mortgages, rent, and utilities. The PPP allows the interest and principal on the PPP loan to be entirely forgiven if the business spends the loan proceeds on these expense

items within a designated period of time after receiving the proceeds and uses a certain amount of the PPP loan proceeds on payroll expenses.

Overview of LOUIS's Scheme

8. LOUIS used bank accounts opened with false social security numbers ("SSNs") to receive proceeds from three fraudulent PPP loans.

9. In the applications for these loans, the applicants used false SSNs and other peoples' identities, thereby concealing from the lender bank that LOUIS was the true loan recipient. In one PPP loan application, LOUIS used his true name, but an SSN that the Social Security Administration ("SSA") confirmed was not assigned to him. In that same application, LOUIS also certified that he was not the subject of pending criminal charges when, in fact, he was. In a second PPP loan application, the applicant listed Accomplice 1's name, but an SSN that the SSA confirmed was not assigned to Accomplice 1. In a third PPP loan application, the applicant used a true name and SSN belonging to Victim 1, who had no relationship to LOUIS.

10. The PPP lender bank approved and funded these three loan applications into three depository accounts at three separate banks. Two of these depository accounts were opened in LOUIS's name using the same false SSN he used to submit a loan application in his name. The third account was opened in Accomplice 1's name, also using a false SSN different from the false SSN used in the PPP loan in Accomplice 1's name. As established by the facts below, LOUIS accessed or attempted to access the proceeds from all three loans.

Relevant Entities and Accounts

11. Bank A was a federally insured¹ financial institution located in Salt Lake City, Utah. Bank A was a participating lender in SBA's PPP, authorized to lend funds to eligible borrowers under the terms of the PPP.

12. Bank A offered customers in Florida the ability to apply for and receive PPP loans electronically through Bank Processor A. Bank Processor A was a financial technology company located in Redwood City, California, that enabled businesses to apply online for PPP loans.

13. Bank B was a federally insured credit union located in McLean, Virginia. Bank B records showed that LOUIS held an account at Bank B in his name and an SSN ending 6488, which SSA confirmed was not assigned to LOUIS. The account was registered to the mailing address 7208 SW 4th Street, North Lauderdale, Florida 33068 (the "North Lauderdale Residence"), Accomplice 1's registered residence in Florida Department of Highway Safety and Motor Vehicles ("FLHSMV") records. From on or about December 13, 2019 through on or about May 13, 2020, LOUIS's registered residence in FLHSMV records was also the North Lauderdale Residence.

14. Bank C was a federally insured bank located in Birmingham, Alabama. Bank C records showed that LOUIS held an account at Bank C in his name and the false SSN ending 6488. The account was registered to the mailing address 8551 NW 50th Street, Lauderhill, Florida 33351 (the "Lauderhill Residence"), LOUIS's current registered residence in FLHSMV records.

¹ The meaning of the term "federally insured" as used in this Affidavit is that the entity had deposits insured by the Federal Deposit Insurance Corporation.

15. Bank D was a federally insured bank located in New York, New York. Bank D advised law enforcement that Accomplice 1 held an account at Bank D in Accomplice 1's name and an SSN ending 4312, which the SSA confirmed was not assigned to Accomplice 1.

16. Bank E was a federally insured bank located in New Castle, Delaware. Bank E records showed that LOUIS held an account at Bank E in his name and the false SSN ending 6488. The account listed the Lauderhill Residence as a mailing address.

LOUIS's Fraudulent PPP Loans

17. The government has obtained records related to three fraudulent PPP loan applications submitted online over a three-day period to Bank A through Bank Processor A. Bank A approved and deposited the three PPP loans into three separate accounts held at three different banks. The table below summarizes the details of each loan.

Loan Number	Approximate Application Date	Claimed Loan Applicant	Amount Sought/Funded	Deposit Account Bank
"1"	June 1, 2020	LOUIS	\$20,833.00	Bank C
"2"	June 3, 2020	Accomplice 1	\$19,412.00	Bank D
"3"	June 3, 2020	Victim 1	\$19,988.00	Bank E
Total:			\$60,233.00	

18. Several facts around these loans tied them to each other and back to LOUIS:

- The application for Loan 1 listed LOUIS's true name as the "Business Legal Name" and the false SSN ending 6488 as the Business's Taxpayer Identification Number ("TIN"). The proceeds of Loans 1 and 3 both went to accounts opened in LOUIS's name with the same false SSN ending 6488.
- The applications for Loans 1 and 3 both listed the North Lauderdale Residence—which is Accomplice 1's registered address per FLHSMV records and where I have observed LOUIS as recently as August 3, 2020—as the applicant's "Business Address." Agents observed two vehicles registered to LOUIS in FLHSMV records parked outside the North Lauderdale Residence on multiple occasions. Video surveillance depicted LOUIS, in these same two vehicles, repeatedly withdrawing funds from the account into which the Loan 2 proceeds were deposited soon after Loan 2 was funded.

- The applications for Loans 2 and 3 included virtually identical email addresses and fraudulent supporting bank statements purportedly from Bank B. These statements had transactions, dates, and a member number that matched LOUIS's true Bank B account records. LOUIS's Bank B account was opened with the false SSN ending 6488 and listed the North Lauderdale Residence mailing address.
- Loans 2 and 3, and LOUIS's Bank E account—the depository account for Loan 3—were all accessed using a common Internet Protocol (“IP”) address. This IP address was registered to a subscription in Accomplice 1's name at an address, 10 SW 7th Street, Delray Beach, Florida 33444 (the “Delray Beach Residence”), where an agent observed both LOUIS and Accomplice 1 together on August 2, 2020.

19. Additional evidence connected LOUIS to the false SSN ending 6488, which is in turn tied to all three loans as described above. Specifically, in an attempt to access the Loan 3 proceeds, LOUIS placed a recorded call to Bank E in which he used his true SSN ending 6411 in an effort to validate ownership of his account at Bank E. This effort failed, as LOUIS had used the false SSN ending in 6488 to open his Bank E account. Accordingly, Bank E asked LOUIS to provide a photograph of his driver's license to Bank E through the internet. LOUIS did so and provided a photograph of his valid Florida driver's license. Separately, Bank A advised that on or about May 29, 2020, LOUIS's account at Bank B—which, like the account at Bank E, was opened with the false SSN ending 6488—received a \$10,117 PPP loan that LOUIS obtained through an application that used his true name and his true SSN ending 6411.

Loan 1: Submitted in LOUIS's Name with the False SSN Ending 6488

20. Records from Bank A showed an application for a \$20,833 PPP loan submitted on or about June 1, 2020, for LOUIS's wholly-owned “barber shop” sole proprietorship. The Borrower Application Form listed LOUIS's true name as the “Business Legal Name,” the North Lauderdale Residence as the “Business Address,” and the false SSN ending 6488 as the “Business TIN.” The Loan 1 application also included a supporting bank statement that listed LOUIS's name and the address of the North Lauderdale Residence.

21. The applicant certified that LOUIS was not “subject to an indictment, criminal information, arraignment, or other means by which formal criminal charges are brought in any jurisdiction, or presently incarcerated, or on probation or parole.” At the time, however, LOUIS was the subject of a criminal information in the Seventeenth Judicial Circuit in and for Broward County in *State of Florida v. Louis*, Case No. 16001154CF10A. The state court arraigned LOUIS on this theft, money laundering, and fraud information on or about February 4, 2016.

22. On or about June 2, 2020, Bank A deposited Loan 1 for \$20,833 into an account in LOUIS’s name at Bank C, which was opened with the same false SSN ending 6488 used in the application.

Loan 2: LOUIS Captured on Video Making Cash Withdrawals Soon After PPP Loan Deposit

23. Records from Bank A showed an application for a \$19,412 PPP loan submitted on or about June 3, 2020, for Accomplice 1’s wholly-owned “prof services” sole proprietorship. The Borrower Application Form listed Accomplice 1’s true name as the “Business Legal Name” and an SSN ending 4312 that the SSA confirmed was not assigned to Accomplice 1 as the “Business TIN.” The application listed the email account value33069@gmail.com. With the application, Bank A received a copy of a dated version of Accomplice 1’s true Florida driver’s license, which Accomplice 1 had replaced to list the North Lauderdale Residence in or around January 2020. The application also included a fraudulent supporting bank statement that purported to be for an account held by Accomplice 1 at Bank B, but that had transactions, dates, and a member number that matched LOUIS’s true Bank B account records.

24. On or about June 4, 2020, Bank A deposited Loan 2 for \$19,412 into Accomplice 1’s account at Bank D, which was opened using another SSN ending 4312 that the SSA confirmed

was not assigned to Accomplice 1, but that was one digit off from the false SSN also ending 4312 used in the application.

25. Videos of subsequent transactions involving Accomplice 1's Bank D account depicted LOUIS withdrawing funds on or about June 5, 6, 9, 10, 11, and 12, 2020. The video from on or about June 9, 2020, also depicted a person I believe to be Accomplice 1 with LOUIS.

26. Each of these videos featured one of two vehicles registered to LOUIS in FLHSMV records. The first vehicle was a white Acura TLX bearing Florida license plate NVG-P12. On or about June 9, July 28, and August 3, 2020, agents observed this vehicle parked outside the North Lauderdale Residence. On or about August 3, 2020, I observed a man matching LOUIS's physical description entering this vehicle outside the North Lauderdale Residence, driving away, and then returning in this vehicle to the North Lauderdale Residence. The second vehicle was a light blue Honda Accord bearing Florida license plate L3FHX.² On or about June 9, 2020, and July 28, 2020 agents observed this same vehicle parked outside the North Lauderdale Residence.

Loan 3: LOUIS Recorded Confirming His Identity and Attempting to Access Proceeds

27. Records from Bank A showed an application for a \$19,988 PPP loan submitted on or about June 3, 2020, for Victim 1's wholly-owned "preparation doc" sole proprietorship. The Borrower Application Form listed Victim 1's true name as the "Business Name," the North Lauderdale Residence as the "Business Address," and Victim 1's true SSN ending 0358 as the "Business TIN." The application also included the email account value33068@gmail.com, one character off from the email address listed in the Loan 2 application. The application included a supporting 2019 Form 1040, Schedule C, bearing Victim 1's name. The application also included

² FLHSMV records indicated that the vehicle was black, but surveillance and video surveillance confirmed that the vehicle, which had the same make and model and bore the same license plate as listed in FLHSMV records, was light blue.

a fraudulent supporting bank statement from Bank B virtually identical to the bank statement submitted with the Loan 2 application, except that the bank statement submitted with the Loan 3 application purported to be for an account held by Victim 1. This fraudulent Bank B statement also had transactions, dates, and a member number that matched LOUIS's Bank B account records.

28. Victim 1 confirmed that Victim 1 had not submitted this application, had not authorized LOUIS to submit the application on Victim 1's behalf, did not know LOUIS, had no connection to the North Lauderdale Residence, and had not seen the fraudulent Bank B statement or filed the Form 1040, Schedule C document submitted with the application.

29. On or about June 3, 2020, Bank A deposited Loan 3 for \$19,998 into LOUIS's account at Bank E opened using the false SSN ending 6488. Soon after the deposit, Bank E blocked withdrawals from this account due to suspected fraud, as Bank E had been the victim of the fraud for which LOUIS faced pending criminal charges in the Seventeenth Judicial Circuit in and for Broward County. After this withdrawal freeze, LOUIS called Bank E to request help unfreezing the Loan 3 proceeds, which is when LOUIS confirmed his identity by using his true SSN and providing his true Florida driver's license in an attempt at account validation as described above.

30. Additionally, an electronic device or devices using the same IP address accessed both the Loan 3 application and the Bank E account into which Loan 3 was deposited, as well as the Loan 2 application. Records from the internet service provider associated with this IP address showed that the subscriber assigned this IP address was Accomplice 1, and that the service address was the Delray Beach Residence. On August 2, 2020, an agent surveilling the Delray Beach Residence observed both LOUIS and Accomplice 1 together, pulling into the driveway and exiting LOUIS's Acura TLX bearing Florida license plate NVG-P12.

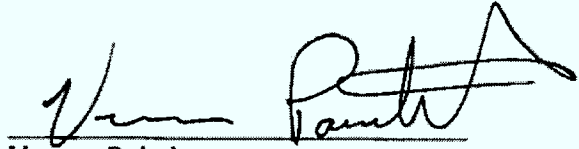
Conclusion

31. Based on my training and experience, and the information provided in this Affidavit, I respectfully submit that there is probable cause to believe that:

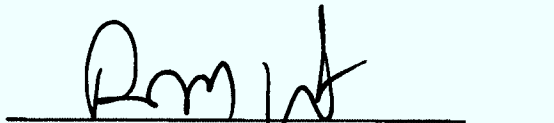
- On or about June 1, 2020, in the Southern District of Florida and elsewhere, the defendant, JUDLEX JEAN LOUIS, did knowingly, and with intent to defraud, execute, and attempt to execute, and cause the execution of, a scheme and artifice to defraud a financial institution, which scheme and artifice employed a material falsehood, and did knowingly, and with intent to defraud, execute, and attempt to execute, and cause the execution of a scheme and artifice to obtain moneys and funds owned by, and under the custody and control of a financial institution, by means of false and fraudulent pretenses, representations, and promises relating to a material fact, that is, by causing Bank A to deposit \$20,833.00 into an account controlled by the defendant, in violation of Title 18, United States Code, Section 1344 and 2.
- On or about June 1, 2020, in the Southern District of Florida and elsewhere, the defendant, JUDLEX JEAN LOUIS, did knowingly make a false statement and report for the purpose of influencing the action of a financial institution whose deposits are insured by the Federal Deposit Insurance Corporation in connection with a loan application, in that the defendant falsely represented that he was not subject to pending criminal charges, in violation of Title 18, United States Code, Section 1014 and 2.
- On or about June 3, 2020, in the Southern District of Florida and elsewhere, the defendant, JUDLEX JEAN LOUIS, did knowingly, and with intent to defraud, execute, and attempt to execute, and cause the execution of, a scheme and artifice to defraud a financial institution, which scheme and artifice employed a material falsehood, and did knowingly, and with intent to defraud, execute, and attempt to execute, and cause the execution of a scheme and artifice to obtain moneys and funds owned by, and under the custody and control of a financial institution, by means of false and fraudulent pretenses, representations, and promises relating to a material fact, that is, by causing Bank A to deposit \$19,412 into an account controlled by Accomplice 1, in violation of Title 18, United States Code, Sections 1344 and 2.
- On or about June 3, 2020, in the Southern District of Florida and elsewhere, the defendant, JUDLEX JEAN LOUIS, did knowingly, and with intent to defraud, execute, and attempt to execute, and cause the execution of, a scheme and artifice to defraud a financial institution, which scheme and artifice employed a material falsehood, and did knowingly, and with intent to defraud, execute, and attempt to execute, and cause the execution of a scheme and artifice to obtain moneys and funds owned by, and under the custody and control of a financial institution, by means of false and fraudulent pretenses, representations, and promises relating to a material fact, that is, by causing Bank A to deposit \$19,998.00 into an account

controlled by the defendant, in violation of Title 18, United States Code, Sections 1344 and 2.

- On or about June 3, 2020, in the Southern District of Florida and elsewhere, the defendant, JUDLEX JEAN LOUIS, during and in relation to a felony violation of Title 18, United States Code, Section 1344, that is, knowingly, and with intent to defraud, executing, and attempting to execute, and causing the execution of, a scheme and artifice to defraud a financial institution, which scheme and artifice employed a material falsehood, and knowingly, and with intent to defraud, executing, and attempting to execute, and causing the execution of a scheme and artifice to obtain moneys and funds owned by, and under the custody and control of a financial institution, by means of false and fraudulent pretenses, representations, and promises relating to a material fact, that is, by causing Bank A to deposit \$19,988.00 into an account controlled by the defendant, did knowingly transfer, possess, and use, without lawful authority, the name and social security number ending 0358 issued to Victim 1, in violation of Title 18, United States Code, Sections 1028A(a)(1) and 2.


Vernon Poindexter
United States Secret Service, Special Agent

Attested to in accordance with the requirements
of Fed. R. Crim. P. 4.1 by telephone
this 6th day of August, 2020.


HON. PATRICK M. HUNT
UNITED STATES MAGISTRATE JUDGE