AFFIDAVIT IN SUPPORT OF REQUEST FOR A CRIMINAL COMPLAINT

I, Dale Crispin, hereby state as follows:

I. INTRODUCTION AND AGENT BACKGROUND

1. I have been a Special Agent with the Department of Homeland Security Investigations ("HSI") since April 2021. I was formerly employed as a Police Officer in the State of Vermont for approximately eight years. I attended and graduated the six-month Criminal Investigator Training Program ("CITP") at the Federal Law Enforcement Training Center in Glynco, Georgia ("FLETC"). As a Special Agent, I am authorized to investigate violations of United States laws and to execute warrants issued under the authority of the United States. I am assigned to the HSI New England Human Trafficking group. My duties include investigating federal criminal offenses in the District of Massachusetts.

2. I am currently investigating Rindal Pierre-Canel ("PIERRE-CANEL") for his involvement in wire fraud, in violation of Title 18, United States Code, Section 1343, ("the Target Offense").

3. I make this affidavit in support of an application for a criminal complaint charging PIERRE-CANEL with the Target Offense, and for a warrant for PIERRE-CANEL's arrest.

4. Based on the facts set forth below, there is probable cause to believe that PIERRE-CANEL committed the Target Offense.

5. The facts set forth in this affidavit are based upon my personal observations, my training and experience investigating financial crimes, and information obtained from various law enforcement personnel and witnesses. This affidavit is intended to show that there is sufficient probable cause to support the issuance of the requested complaint and arrest warrant. It does not purport to set forth all of my knowledge of, or investigation into, this matter. Unless

indicated otherwise, all conversations and statements described below are related in substance and in part and all dates are approximate.

II. OVERVIEW OF RELEVANT GOVERNMENT ASSISTANCE PROGRAMS

A. Paycheck Protection Program

6. On March 27, 2020, the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") was signed into law. The CARES Act was designed to provide emergency financial assistance to the millions of Americans who were suffering the economic effects caused by the COVID-19 pandemic.

7. One source of aid provided by the CARES Act was the Paycheck Protection Program ("PPP"). The PPP provided forgivable loans to small businesses to be used for job retention and certain other business expenses.

8. To obtain a PPP loan, a qualifying business had to submit a PPP loan application signed by an authorized representative of the business. The PPP loan application required the business (through its authorized representative) to acknowledge the program rules and make certain affirmative certifications to be eligible to obtain the PPP loan. In the PPP loan application, the small business (through its authorized representative) had to state, among other things, its average monthly payroll expenses and revenue. These figures were used to calculate the amount of money the small business was eligible to receive under the PPP. In addition, businesses applying for a PPP loan must provide documentation showing their reported revenue.

9. PPP loan applications were processed by a participating lender. Data from the application, including information about the borrower, the total amount of the loan, and the revenue was transmitted by the lender to the Small Business Administration ("SBA") in the course of processing the loan. If a PPP loan application was approved, the participating lender

funded the PPP loan using its own funds, which were fully guaranteed by the SBA.[1]

10. The PPP required applicants to acknowledge the program rules and make certain affirmative certifications, including that PPP loan funds would only be used for permissible expenses, such as payroll costs, interest on mortgages, rent, and utilities. In some instances, the PPP allows the interest and principal on the PPP loan to be entirely forgiven if the business spent the loan proceeds on these expense items within a designated period of time after receiving the proceeds and used a certain amount of the PPP loan proceeds on payroll expenses.

11. Beginning in or around January 2021, a "Second Draw" PPP loan was offered, which allowed eligible borrowers who had previously received a PPP loan to apply for a "Second Draw" PPP Loan with the same general loan terms as their first PPP loan. Funds from Second Draw PPP loans could be used to fund payroll costs, mortgage interest, rent, utilities, uninsured property damage costs related to looting or vandalism, as well as worker protection costs related to COVID-19.

12. The PPP loan program ended on May 31, 2021.

III. PROBABLE CAUSE

A. Fraudulent First Draw PPP Loan Application for PIERRE-CANEL

13. On or about March 30, 2021, PIERRE-CANEL submitted an electronically signed application for a PPP loan in the amount of $20,833.33 to approved PPP lender, Harvest Small Business Finance, LLC. PIERRE-CANEL submitted the application on behalf of a sole proprietorship in his own name. PIERRE-CANEL stated that his business had a gross income of $145,000 in 2020. PIERRE-CANEL identified himself as the only employee of the sole

[1] THE SBA is a United States government agency based in Washington, D.C.

proprietorship.[2] PIERRE-CANEL provided his residential address of 385 Canton Street, Randolph, MA 02368, as the "Business Address,"[3] and his social security number ending 8201 for the business tax identification number ("TIN"). PIERRE-CANEL indicated that the purpose of the loan was "Payroll Costs."

14. In the application materials, PIERRE-CANEL requested that the loan funds be deposited to a Bank of America account in his name, with account number ending 8047.

15. In support of his application, PIERRE-CANEL submitted a 2020 Schedule C tax form.[4] In the Schedule C, PIERRE-CANEL indicated that his business was "sound recording." And PIERRE-CANEL's Schedule C stated that in 2020 he had $340,000 in gross receipts or sales and gross income of $145,000.

16. The loan application was approved by the Small Business Administration ("SBA") on April 1, 2021.

17. PIERRE-CANEL's bank account activity does not support the claims on his Schedule C of having a business that had $340,000 in gross receipts or sales and gross income of $145,000.

18. PIERRE-CANEL's Bank of America account ending 8047—the bank account into which the PPP loan funds were deposited—was opened in January 2021, just a few months before

[2] Specifically, PIERRE-CANEL indicated that the "number of employees (including owners)" was one in the application. For his loan forgiveness application, PIERRE-CANEL stated he had five employees.

[3] PIERRE-CANEL lived at this residence with his mother, Veronique Francois.

[4] A Schedule C is a tax form used in connection with a Form 1040. A Form 1040 is the annual form an individual uses to report all of their income, expenses, deductions, and exemptions to calculate taxable income and tax on that income or loss. Tax withholdings are also reported on this form, and depending on the individual circumstances, an additional tax payment or a tax refund may be due. A Schedule C is generally attached to a Form 1040 return and is used to report income or loss from a business operated or profession practiced as a sole proprietor or as

PIERRE-CANEL submitted the PPP loan applications and after the claimed income on the 2020 Schedule C would have been earned. The balance for this account for the month prior to the receipt of the first PPP loan was just $1.66.

19. PIERRE-CANEL also opened a savings account ending 8050 at Bank of America in January 2021. Again, this is just a few months before PIERRE-CANEL submitted the PPP loan applications and after the claimed income on the 2020 Schedule C would have been earned. The balance for this account for the month prior to the receipt of the first PPP loan was just $1,081.13.

20. PIERRE-CANEL also had a third Bank of America account ending 7339, but this was not opened until August 2021.

21. There were no apparent business expenses or payments made on PIERRE-CANEL's Bank of America accounts. The funds received from the PPP loans were spent on personal flights to California, large purchases of clothes from Balenciaga, Christian Dior, and StockX, among other personal expenses.

22. PIERRE-CANEL also had a TD Bank account ending 2023. From January 2020 through December 2020, there was a total of $66,326.36 of deposits. Out of those deposits $4,822.21 came from Kennedy Brothers payroll, $18,762 came from Massachusetts Department of Unemployment Assistance payments, and $22,813.88 came from his employment at a food delivery company called Ricepo LLC—a total of $46,398.09. That would leave less than $20,000 of deposits that could even possibly be associated with the alleged "sound recording" company that PIERRE-CANEL claimed in the Schedule C submitted in support of the PPP loan applications had $340,000 in gross receipts and $145,000 in profits in 2020.

---

an LLC.

23. In the course of this investigation, investigators obtained copies of PIERRE-CANEL's tax filings on record with the Internal Revenue Service ("IRS"). PIERRE-CANEL did not submit any Schedule C for 2020. PIERRE-CANEL reported a total of $26,104 in income for 2020. This is inconsistent with the documentation submitted in the PPP Loan application claiming he had $145,000 in income for his business.

24. Based on the application, on or about April 9, 2021, Harvest Small Business Finance LLC wired $20,833.33 to PIERRE-CANEL's Bank of America account ending 8047. Harvest Small Business Finance LLC utilized East West Bank to send all wire transfers of funds for approved PPP loans. Wire transactions sent from East West Bank utilized servers in Arizona or Nevada. Bank of America's records show that this wire to account ending 8047 was received by its server located in Richmond, Virginia. Therefore, the wire traveled through interstate commerce.

B. Fraudulent Second Draw PPP Loan Application for PIERRE-CANEL

25. On or about April 9, 2021—just a little over a week after submitting the first application—PIERRE-CANEL submitted a second-draw PPP loan application to Harvest Small Business Finance LLC.

26. The second-draw PPP loan application included the identical information as the first-draw application. That is, PIERRE-CANEL sought a loan of $20,833 for his sole proprietorship in his name that purportedly made $145,000 in 2020. PIERRE-CANEL reported being the only employee, listed his personal address as the "Business Address," his social security number for the Business TIN, and stated the purpose of the loan was to pay for "Payroll Costs."

27. PIERRE-CANEL submitted the same Schedule C that he submitted in support of his first-draw application in support of his second-draw application.

28. PIERRE-CANEL requested that the money for the second-draw PPP loan be deposited into the same account, Bank of America account ending 8047.

29. The loan application was approved by the SBA on April 19, 2021.

30. On April 22, 2021, Harvest Small Business Finance LLC wired $20,833.33 to PIERRE-CANEL's Bank of America account ending 8047. Harvest Small Business Finance LLC utilized East West Bank to send all wire transfers of funds for approved PPP loans. Wire transactions sent from East West Bank utilized servers in Arizona or Nevada. Bank of America's records show that this wire to account ending 8047 was received by its server located in Richmond, Virginia. Therefore, the wire traveled through interstate commerce.

C. PPP Loan Forgiveness for PIERRE-CANEL PPP Loans

31. PIERRE-CANEL applied for forgiveness for the two PPP loans submitted in his name. PIERRE-CANEL submitted forgiveness applications for both of the PPP loans in his own name on August 6, 2021.

32. In the loan forgiveness application for PIERRE-CANEL's first draw PPP loan application, PIERRE-CANEL claimed he had five employees and that he spent $15,000 on payroll. PIERRE-CANEL also certified that he used the PPP loan proceeds in conformance with eligible uses of the PPP loan program.

33. PIERRE-CANEL's first draw PPP loan application was forgiven on August 11, 2021. Specifically, the SBA forgave the $20,833 in principal and $70.78 in interest.

34. In the loan forgiveness application for PIERRE-CANEL's second draw PPP loan application, PIERRE-CANEL again claimed he had five employees. In this application, PIERRE-CANEL claimed he used the entire $20,833 on payroll.

35. PIERRE-CANEL's second draw PPP loan application was also forgiven on August 11, 2021. Specifically, the SBA forgave the $20,833 in principal and $63.36 in interest.

D. Fraudulent PPP Loan Application in S.T.'s Name

36. On May 20, 2021, a PPP loan application on behalf of S.T.[5] was filed with approved PPP lender, Lendistry. The application listed a social security number ending 8216 that is associated with S.T. The application also listed an address in Quincy, Massachusetts where S.T. lives.

37. However, the application submitted requested that the funds for the loan be sent to the Bank of America account number ending 8047. This is PIERRE-CANEL's account and is the same account to which the funds for the PPP loans he submitted in his own name were wired.

38. The email listed on S.T.'s PPP loan application is rpierrecanel18@gmail.com. The email address listed on PIERRE-CANEL's PPP loan applications is ap1newlife@gmail.com. The recovery email associated with the ap1newlife@gmail.com email address is rpierrecanel18@gmail.com.

39. Similar to PIERRE-CANEL's PPP loan application, the supporting documentation for the PPP loan application submitted in the name of S.T. was a 2020 Schedule C. This Schedule C purported to report $88,352 in gross income and $23,408 in profit for an "Event Planning and Entertainment" business. The handwriting on the Schedule C submitted with S.T.'s PPP loan application appears to be the same as the handwriting on the Schedule C submitted with PIERRE-CANEL's PPP loan applications.

40. S.T.'s PPP loan application was submitted from the following IP address: 173.48.92.15. This IP address belongs to Verizon and is associated with subscriber Veronique

[5] The full name of S.T. is known to law enforcement, but withheld here to protect privacy.

Francois at 385 Canton Street, Randolph, MA. PIERRE-CANEL lived at this address with his mother, Veronique Francois.

41. Special Agent Dale Crispin of Homeland Security interviewed S.T. During the interview, S.T. stated that he or she reported that his or her identity had been stolen to his or her local police department. S.T. stated that he or she never applied for or received any money for a PPP loan. S.T. also stated that he or she never gave anyone permission to apply for a PPP loan on his or her behalf.

42. On or around June 14, 2021, Lendistry wired $13,567 to PIERRE-CANEL's Bank of America account ending 8047 for payment of the PPP loan submitted in S.T.'s name. Harvest Small Business Finance LLC purchased this loan from Lendistry before the wire was sent. Harvest Small Business Finance LLC utilized East West Bank to send all wire transfers of funds for approved PPP loans. Wire transactions sent from East West Bank utilized servers in Arizona or Nevada. Bank of America's records show that this wire to account ending 8047 was received by its server located in Richmond, Virginia. Therefore, the wire traveled through interstate commerce.

43. There was no loan forgiveness application submitted for this PPP loan.

IV. CONCLUSION

44. Based on the foregoing, and my training and experience, I believe there is probable cause that PIERRE-CANEL, knowingly and with the intent to defraud, executed a scheme to obtain money, funds, and property from the SBA through Harvest Small Business Finance LLC, Lendistry, and Bank of America by means of materially false and fraudulent representations, pretenses, and promises, namely PIERRE-CANEL submitted applications for PPP loans in his own name and using the stolen identity of S.T. that contained false representations about payroll and attached false tax documents, in violation of 18 U.S.C. § 1343.

Respectfully submitted,

Dale Crispin
Special Agent
Homeland Security Investigations

SWORN to before me by telephone in accordance with Fed. R. Crim. P. 4.1 this 17th day of January 2025

HONORABLE DONALD L. CABELL
UNITED STATES MAGISTRATE JUDGE