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November 26, 2025

<u>Via ECF</u>

Hon. Diane Gujarati
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

RE: United States v. Anthony Carreira
Crim. No. 24-CR-361

Judge Gujarati:

On July 8, 2025, my client, Anthony Carreira, pleaded guilty to Count 4 of an Indictment, charging him with Wire Fraud. Mr. Carreira is scheduled to be sentenced on December 16, 2025 before Your Honor. Please consider the attached memorandum in imposing an appropriate sentence for Mr. Carreira.

Thank you for your time and consideration in this matter.

Respectfully,

Arthur L. Aidala
Aidala, Bertuna & Kamins, P.C.
Attorneys for Anthony Carreira

ALA:dg

I. Introduction

This Pre-Sentence Memorandum is submitted by Arthur L. Aidala on behalf of his client, Anthony Carreira. Mr. Carreira pleaded guilty to one count of Wire Fraud, in violation of 18 United States Code, Section 1343 (A) (1), under Crim. No. 24-361. The purpose of this report is to provide the Court with information that is relevant to determining a just sentence.

Anthony Carreira accepts full responsibility for his conduct. Nothing in this memorandum should be construed as an attempt to diminish or divert from his offense or the need for commensurate punishment, consistent with the full range of sentencing factors and objectives delineated in 18 USC § 3553(a). It is our contention that the case facts and the nature of his offense conduct, Mr. Carreira's record, and the clear lack of need, or constructive use for incarceration, consistently and strongly favor a sentence of probation. To that end, we respectfully, unequivocally, and in the strongest possible terms recommend a non-custodial sentence, with conditions to be determined by the Court. Such a sentence aligns with the recommendation of the Probation Department.

Several factors warrant the above request, and we urge the Court to consider the following portrayal of Mr. Carreira's positive history and current circumstances: that his charged conduct activity was extremely isolated, the challenging circumstances surrounding the pandemic and the timing of his conduct, as well as an analysis of his long history of being a hard-working and productive member of the community, his service to the country as a member of the armed forces and to the community as a member of law enforcement, current job circumstances, and his role as a father to three (3) young children who adore him. The following portrayal of Mr. Carreira's positive history and current circumstances, taken together with the facts of the case, meaningfully distinguish him from others convicted of similar offenses, and heavily favors a non-custodial disposition.

In our view, an incarceratory sentence would run afoul of the overarching principle that a sentence should be "sufficient, but not greater than necessary" to serve the statutory goals of sentencing. We believe that the Government agrees that a below-Guidelines sentence is wholly appropriate, and that they will not object to the requested non-incarceratory sentence.

II. Social History

A. Family History and Current Composition

Anthony Carreira was born on May 6, 1982 in Belleville, New Jersey, at Clara Mass Medical

Center, two months earlier than his due date. He was placed in an incubator for six months before he was able to come home. His parents, who both were immigrants from Portugal and spoke little, if any English, raised Anthony in a lower-middle class household. Anthony's father was a dump truck driver most of his life before he joined a union, switching to operating the machines that pick up the dirt. Anthony's mother worked in a sewing factory when she first came to America but after her children were born, she was mainly a homemaker. Anthony is the younger of their two children. Carla, who is six years older than Athony, was also born with complications, requiring immediate surgery to repair a heart condition.

Initially, they lived in East Newark, New Jersey, a small town with only 13 blocks that bordered Newark, Harrison, and Kearny. Anthony reports a very normal, lower-income class childhood, and says that while they did not have the best of everything, he had what he needed. However, he recalls that as a child, he had no toys like a lot of other children, as his parents would not spend the money on them, probably because they did not have it. East Newark, at the time, had a number of Portuguese and Spanish people living in that area, which made it easier for his parents to communicate with others outside of their family. Their home was not that large, and Anthony and his sister shared a room before they later moved to a slightly larger home in Colonia, New Jersey.

Anthony's father was constantly working long hours and was rarely home. Anthony states bluntly that he "was never around," and that the only time they really spent time together was on Saturdays when his father would take him to a local sports bar where he played pool or cards, while Anthony would play games in the arcade. One day, while riding his bike in his neighborhood, Anthony was struck by a car, causing him to fly off of the bike and land on his head, resulting in a significant concussion. Later, he would struggle in school. Simultaneously, his sister was getting into trouble at her school, and his parents decided they would move back to East Newark, most likely to reunite with the Portuguese community there.

Anthony attended Harrison High School, where he applied himself academically but was only an average student. Where he excelled was in athletics. Football, and other sports, were everything to him, and he would play nearly every day, with whomever would play with him, no matter the season or weather conditions. In the summer, although his parents could not afford swim lessons, he would go to the local pool and watch the instructors giving lessons, and then practice by himself for hours until he was able to teach himself. Later, his first job was at the Harrison pool, as a lifeguard, where he was required to pass an array of swimming and rescue tests and challenges. While seemingly simple, this is something he was, and is, extremely proud of, because it is something he accomplished on his own, due solely to persistence and dedication.

Anthony also played basketball and ran cross-country track and field for the high school teams. During high school, Anthony consistently worked to earn money for himself. He worked at Shop Rite as a bagger and Pathmark as a cashier. He also was employed as a valet, as well as a stock shelves at a local liquor and wine store near his home.

At the age of seventeen Anthony met Sonia, whom he would later marry. One year after they met, using the money he had saved from his constant work, he paid for the two of them to travel to an all-inclusive resort in Cancun during their spring break. Again, although not earth-shattering, Anthony remains very proud of this, as it was very rewarding to him that all of his hard work resulted in him being able to do something nice and enjoyable for him and his girlfriend, and that it was earned solely because of his non-stop hard work and dedication. These are themes and character traits that Anthony developed and would carry throughout his life.

Anthony graduated high school in 2000. Following high school, Anthony enrolled in Bergen Community College, where he studied criminal justice, as his goal was to become a police officer. When he was eighteen, he applied to the East Newark Police Department but, unfortunately, he was not accepted.

B. United States Marine Corps

After he was rejected by the East Newark Police Department, Anthony became frustrated and unsure about whether it was worthwhile to continue paying his tuition if he would not be able to get hired in the law enforcement field. So, in 2001, he decided to leave school and join the United States Marine Corps. His job title upon enlisting was Rifleman 0311; they are the infantrymen responsible for the front lines during a ground war. When he arrived and exited the bus at Parris Island for basic training, and the recruits were immediately yelled at by the drill instructor, he knew he was in for a challenge. On top of that, his foot became infected during his first week of boot camp. After two days of intense swelling, his instructor allowed him to see a doctor, who diagnosed him with cellulitis and said that if he had waited one more day to seek treatment, they may have had to amputate his foot. During boot camp, he would wake up daily at 5: a.m. to drill, which included running, pushups, pull ups and sit-ups, as well as rifle movements, and classroom work. This would be repeated 3-4 times per day. Besides the incessant sand fleas, the discipline required to endure challenging dining, lavatory, and sleeping arrangements, solidified Anthony's character and mentality. Anthony states that the Marine Corps taught him that when he thought that he could not endure any more, it was just the beginning, and that he had the ability to push himself beyond what he could ever imagined. For instance, he was able to endure the Crucible, which required him to carry an 80 lb. backpack while walking 20 miles through incredibly difficult terrain. Anthony was incredibly proud of himself for completing boot camp. He was in the best shape of his life at that time. Besides becoming a father, when he was awarded the eagle global anchor, and officially pronounced a United States Marine, it was one the most important moments of his life.

After boot camp, Anthony moved on to full-time classroom training, after which he would report to train and work one weekend per month and two weeks out of the year. Following September 11th, his unit was activated. Anthony suffered an injury, but still deployed and served, performing administrative duties for a two-year period. Following his deployment, Anthony's mother began struggling with serious mental health issues as well as kidney cancer. Anthony was issued an Honorable Humanitarian Discharge, so that he could care for her. Although her cancer is now in remission, Anthony's mother continues to suffer from a worsening mental health condition. She has been diagnosed with Bi-Polar Disorder and Schizophrenia. She refuses to take medication, which is a source of constant stress and anxiety for Anthony.

Anthony continued to maintain his hope of somehow transitioning to a career in law enforcement. During his time in the Marine Corps, he also worked for Hackensack Medical Center as a security officer, as he continued to apply to become a police officer in New Jersey or New York.

C. NYPD

On July 11, 2005, Anthony was sworn in as a member of the New York City Police Department, after which he attended the academy for six months. Because of his Marine Corps training, he was easily able to pass the physical training component, yet he had to really apply himself to meet the academic requirements. After he graduated, Anthony was assigned to the 66th Precinct, and his first detail was Times Square for New Year, where he spent eighteen hours in the freezing cold. His tour at the precinct, located in Brooklyn, was midnight patrol. Anthony vividly recalls his first arrest, which was an intoxicated driver who was slumped over the wheel and stopped at a traffic light. Other, more experienced officers worked with Anthony and taught what it meant to be a police officer and how to properly do the job. Anthony prided himself on treating everyone with respect, even the violent criminals whom he arrested. Anthony was motivated to be regarded and never shied away from being proactive, making arrests on nearly every shift, which resulted in an extraordinary amount of overtime hours. While this was great, it coincided with his marriage to Sonia and the birth of their first child, Michael, who was born on August 9, 2006. Anthony wanted to work simultaneously to provide and earn a good reputation, and be home with his wife and child, who he loved dearly.

After only two years of working patrol, Anthony was offered a position on the Conditions Unit, which was a rare promotion for someone to receive so early in one's career. Conditions officers wear a uniform but patrol in an unmarked vehicle. They are not responsible for answering radio calls but are instructed to focus on preventing crime before it occurs. This was still an overnight shift, and it seemed to Anthony that, between this shift as well overtime shifts, he was never home. The stress and guilt from being away from home, combined with poor eating and sleeping habits associated with an overnight shift, had a very negative impact on Anthony's physical and mental health. In 2009, Sonia gave birth to their second child, Sonia. Sonia and their two young children were likewise affected by his absence.

In 2010, Anthony transferred to the Anti-Crime unit, so that he could switch from an overnight to a day shift. Anti-Crime is similar to Conditions, but the Anti-Crime are in plain clothes. While on his new assignment, in order to earn extra income for his family, Anthony also began working Paid Detail. That is offered by NYPD to officers who choose to work security, in uniform, at different locations throughout the city. Although he switched to day shift, Anthony would frequently go directly to a Detail shift, where he would work until 1:00 a.m. and then have to be at work the following morning at 7:00 a.m. Determined to broaden his skills, Anthony also began taking real estate courses, eventually obtaining his real estate license. There can be no doubt that Anthony takes no shortcuts and is an extremely hard worker and provider for his family.

In 2012, in order to earn more income, Anthony and another officer in his unit opened an ATM business. Sonia's cousin was in this business, and he was selling a handful of machines. Anthony bought them and they placed them in various locations in New Jersey.

In 2014, Anthony was promoted to the Detective Bureau in the 66th Pct. His first day as a detective was also the day that he first met John Bolden, who was also a detective. Anthony describes how working as a detective is totally different than working patrol, as there is so much more work involved, and so many more steps that are needed in order to build a case. Initially, he was only able to handle cases such as simple robberies and burglaries, although these could also be difficult.

Bolden and he remained in contact after Bolden was transferred to the 78th Precinct., became closer, and eventually opened their own ATM business together, which started off slowly but eventually grew to where they operated nearly fifty (50) machines.

Anthony experienced many things during his career. Of course, he made numerous arrests for violent crimes, such as robberies and gun possession. However, he also witnessed a newborn baby left for dead in a shoe box and a man pinned down and trapped inside his car after a violent car crash. These types of horrors made a huge impression upon him. He felt powerless and began to reflect on whether being a police officer was the right job for him.

During his career, Anthony eventually investigated and solved homicide cases. He was involved in hundreds of arrests and testified in the Grand Jury an innumerable amount of times. He received several promotions, had a reputation as an effective and hardworking officer and detective, and was widely respected. Anthony's career, while not spectacular, was solid, impactful, and full of constant and steady promotion. He had a long and productive record and always policed in a way that was aligned with his moral code. It was a career that anyone would be proud of. Looking back, although he says he made a lot of friends whom he still has to this day, being a police officer likely desensitized him, and negatively impacted his personal relationships at the time. According to Frank Torres, a retired detective:

> From the beginning, Anthony stood out as someone who could always be counted on. He was honest, hardworking, and the type of officer who never hesitated to lend a hand. He earned the respect of everyone around him, not only for the quality of his work but also for the way he carried himself with integrity and fairness. What always impressed me most was how willing he was to go beyond what was expected. Beyond his own caseload, Anthony routinely volunteered his time and expertise to assist with cases that were not directly assigned to him, recognizing that the success of the department depended on teamwork. His willingness to go above and beyond helped ensure that cases were resolved efficiently, and the department maintained one of the highest case clearance rates. That kind of dedication showed just how committed he was to the department's success and to serving the public.

D. Tax Business, Pandemic Struggles, Charged Conduct, and Context of Offense

Defendants with no criminal history commonly assert that an offense is uncharacteristic, driven by events and circumstances. The claim is often accurate. Good people sometimes do bad things. While this does arguably apply to Anthony in reductive terms, we believe that the particulars here distinguish him from others convicted of Wire Fraud and other financial crimes. Indeed, there is no evidence of the greed, big-spending, flashy jewelry, boats, yachts, or other activity that is usually associated with those who commit financial fraud for personal gain. Couple this with the fact that Anthony has constantly, and throughout his life, worked extremely hard and pursued various financial pursuits and business, including service to our country and to our city, all without a single complaint or allegation of misdealing; his actions here would seem confounding, yet they are explainable. He, like many others, was struggling during the worldwide pandemic, and was led to believe that there was a way for his failing business to get a loan. Simply put, we believe that Anthony's conduct and his utilization of the loan proceeds was isolated, wholly mitigating, and drastically differentiates him from others convicted of similar offenses, as well as his co-defendants in this case.

In August of 2019, Bolden asked Anthony and another police officer if they would be interested in opening a tax preparation office with Bolden, and Bolden's best friend, Lewis. Lewis was an accountant, with an office located at 107-11 Jamaica Avenue. They agreed, as did Anthony's wife.

Anthony and Sonia entered a partnership to own/run a Value Tax store ("Store 1") located in the Bronx, New York, in August of 2019, along with John Bolden and Robert De La Pena. The Value Tax franchise was owned by Lewis, who was an accountant as well as John's best friend. For years, Lewis prepared Anthony's tax returns. The following month, in September, they all attended training for a week at Lewis's office, which was the only time Anthony ever met Lewis. Anthony had heard of Lewis before, as Bolden had been referring officers to him to do their taxes for years before the tax franchise, which was called Value Tax. During the process of getting the store situated, if they had any tax-related questions, they would contact Bolden, who acted as an intermediary with Lewis. Before they opened, Anthony, along with others, found a commercial space to rent. They had to clean, lay sheetrock, paint the walls, lay flooring, and fix the bathroom's plumbing before opening. The rent, which was paid by and listed under Anthony' name, was $3,800.00 per month, including a $10,000.00 security deposit. At this time, "Store 1" had five to six dedicated tax preparers employed at the store. Anthony's primary role was sales and recruitment. For months, Anthony spent all of his free time in the Bronx, handing out flyers and approaching people to discuss and advertise the business. The employees were paid weekly, either through Zelle, Venmo, or in cash. The payments would come either through Store 1's bank account or from Anthony's personal account. All three owners had access to the bank account for Store 1 at all relevant times. There would be times when Anthony would use his personal banking accounts to pay employees, usually because he had Zelle connected to his personal phone number, as it would be easier for him to access. He would reimburse himself from the business account when needed.

Additionally, Value Tax had a business practice of providing customers with an upfront tax rebate when they prepared their taxes – this would average about $100.00 per customer – which would require the store to have cash on hand at most times. The store would also pay these upfront costs with Zelle and Venmo, again depending on the customer. At times, Anthony would either withdraw cash or pay through Zelle and Venmo from his personal accounts to make these payments to customers.

It was during COVID-19, when the business was struggling, that Bolden reached out to Anthony and told him about the process in applying for PPP loans to help ease the financial strain.

In early 2020, Anthony was approached by John Bolden who told him that Anthony and his wife Sonia could apply for pandemic related loans ("PPP Loans") to help sustain his businesses during the COVID-19 Pandemic. At the time, aside from the Value Tax Business, Anthony had a separate ATM business that he had started years earlier. Based on representations made to him by Bolden, Anthony was led to believe that he could use the money interchangeably between the two businesses, although it is true that Anthony expected the majority of the money would go towards the tax business, which had significantly more overhead than his ATM business.

With the understanding that Lewis was involved, Anthony permitted Bolden to prepare and submit the application on his and his wife's behalf for the loan. Lewis regularly prepared Anthony's personal income taxes and Anthony trusted the pair to apply for the loans. Anthony did so with the understanding that he would have to pay Bolden and Lewis for preparing and submitting the application, as well as for handling the process of obtaining loan forgiveness. While we understand that Anthony should have been alarmed by the large percentage of the loan that he was required to pay John and Lewis, at the time, he was not. Although Bolden submitted the application, Anthony accepts responsibility for its submission. Anthony was aware that Bolden was submitting the application, and Anthony was aware that there were several misstatements on the application, particular to Anthony's income and the business for which the loan was being applied on behalf of, which was not Value Tax.

In May of 2020, Anthony received the first PPP Loan from Kabbage, amounting to $20,302.00. The amount was deposited into Anthony's personal bank account per Anthony's instruction as he felt he was on the hook for the loans. He wanted to manage the money himself, as opposed to placing it in the business account where it was subject to the management of his partners, and he was unsure if the loan would be forgiven. Anthony also sent a Zelle payment to John Bolden for $4,000.00 on the same day he received the loan, in order to pay Lewis for preparing the loan. In total, Anthony received $14,000.00 for this initial draw from this loan for the business. [1]

Similarly, in June of 2020, Anthony received a second PPP Loan from Blue Vine, in the amount of $20,099.00. That same day, Anthony sent a Zelle payment to John Bolden for $3,000.00, which left $14,000.00 and change for the business.[2]

In July of 2020, Anthony also applied for and received a $49,900.00 loan from the Small Business Administration. He similarly received that amount in his personal bank account.[3]

In November of 2020, another friend, Adonis, was brought in to enter the business partnership. Adonis immediately contributed $20,000.00 to the business. Additionally, in November of 2020, to help sustain Store 1 and open a second Value Tax store in the Bronx ("Store 2"), Anthony took out a loan against his mortgage in the amount of $145,000.00. Anthony immediately deposited half of the note into the Store 1 account, and subsequently deposited the other half into the Store 2 account when it opened in December. Tragically, Adonis passed away at the end of November 2020 and the partnership immediately returned the money to his family and helped pay for his funeral expenses (totaling $24,000.00).

In December of 2020, Anthony received a check issued as retroactive payment towards his NYPD pension, in the amount of $32,000.00, to help cover day-to-day expenses of the businesses. During this time, and at most relevant times, Anthony was still receiving an NYPD salary as well.

In the subsequent months, Anthony made consistent and considerable withdrawals from his personal accounts to pay expenses from the two Value Tax businesses. Among the expenses were

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[1] Anthony could not Zelle Bolden the full amount of $6,000.00 because of limits set by his bank. He would provide Bolden the difference in cash to make up the full amount.
[2] See above
[3] Anthony believed he did not have to pay a fee for this application since the loan would have to be paid back in full.

monthly rental costs in the amount of $7,400.00 for Store 2 and $3,800.00 for Store 1. To start, Anthony transferred $20,000.00 in February 2021 from his personal account to Store 1 and $19,000.00 in March of 2021 from his personal account to Store 2. Anthony would routinely make withdrawals at ATM's from his personal account in amounts averaging roughly $1,000.00 pay for either cash refund advances to customers or payments to employees (the ATMs were located in the Bronx – near the business). Anthony would also make Zelle/Venmo payments to employees from his personal bank accounts. This is evidenced by the uptick in withdrawal activity in Anthony's personal accounts during the 2021 tax season. Anthony also incurred additional expenses from managing the businesses, including increased EZ Pass payments (approx. $1,000.00 per month during tax season) and purchasing supplies for both stores. Anthony would pay many of these expenses from his personal accounts and then withdraw from the business account to make up for these expenses, as well as disbursements if the stores were making a profit.

In March of 2021, Anthony's mortgage note became due, and Anthony wrote a check out of the Store 2 account for the amount to repay the loan, with an additional amount repaid to the lender in cash. Additionally, by the end of the 2021 tax season, it was evident that Store 2 would not be successful, and a decision was made to close, which required a lump sum payment to be made to break the lease earlier than the term. (Store 2 bank account remained open until at least May 2022).

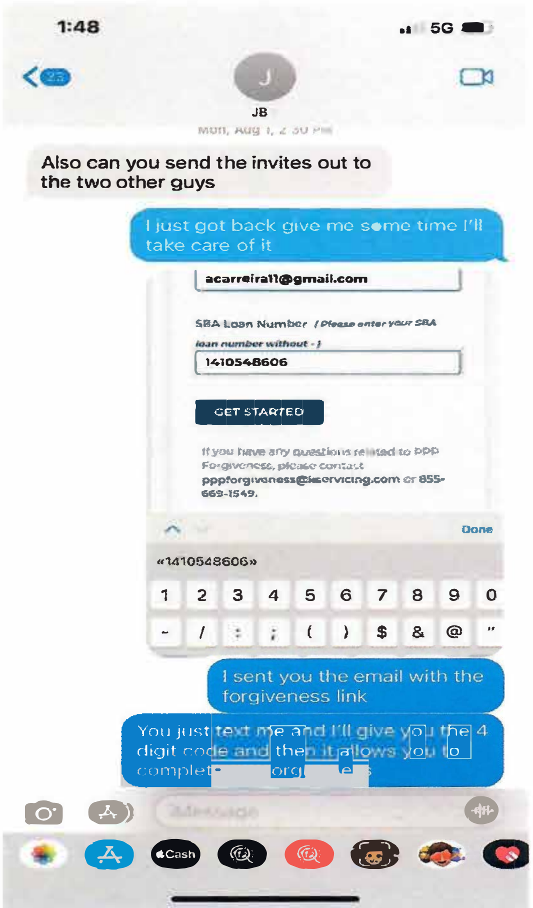
In February and March of 2021, Anthony received a second round of PPP Loans from Blue Vine and Kabbage, amounting to $20,097.00 and $20,302.00, respectively. As was done in the first rounds, the amounts were deposited into Anthony's personal bank account. Similar to the prior loans, Anthony paid Bolden $6,000.00 for each disbursement to give Lewis for preparing the loan applications.

It is evident from a review of Anthony's banking history that he was moving money to and from his personal and business accounts to cover many of the costs associated with his businesses. It is also clear that he was doing everything in his power, during the pandemic, to keep his businesses afloat, pulling from several different sources to borrow money, including the PPP loans at issue here. While there are circumstances that, on their face, would initially lead one to believe that Anthony knew his efforts in obtaining these loans were fraudulent, a comprehensive review of his behavior before and after the activity is explanatory, as it shows he was using the loan monies for their intended purpose – to help his business from closing. However, it was the manner in which he applied for these loans which was improper. At the very least, his post-loan conduct is certainly mitigating, as the loan proceeds were used in a manner consistent with the intention of the loan program.

In total, Anthony (and his wife Sonia) received PPP loans totaling roughly $80,000.00. Anthony paid Bolden and Lewis $6,000.00 off the top for the processing of each loan, leaving Anthony with a total of approximately $56,000.00. Because the fourth PPP loan was not forgiven, Anthony is still in the process of repaying that loan, lowering the total amount of PPP loans received and forgiven to $36,000.00. While not a defense to the crime Anthony pled guilty to, a review of Anthony's personal and business accounts clearly indicates that this money was used for legitimate, business-oriented purposes. At the time, this money was required to maintain the businesses because they were new and growing, and because of the restraints due to COVID-19.

Importantly, during this time, in order to maintain these new businesses during their infancy, Anthony also took out a loan against his mortgage. Unlike the co-defendants, Anthony's actions do not reflect a greedy individual attempting to take advantage of a financial-assistance program instituted in an unprecedented time. Instead, his actions depict an individual who was drawing from all possible sources to sustain his businesses and not simply as someone who was presented with an opportunity to fraudulently make a few extra dollars. Indeed, his actions and utilization of the loan proceeds highlighted that Anthony treated the loans, not as free cash in his pocket, but as legitimate loans needed to infuse capital into his struggling businesses. Truly, his biggest mistake may have been trusting his co-defendant and business partner, who is more sophisticated than him and who was also clearly conducting an ongoing scheme to recruit individuals to apply for loans to which they were not entitled. It is important to note that Anthony was not privy to this scheme. Lastly, although Anthony certainly should have recognized and detected the errors in the submitted Schedule C, he was led to believe that he was filing a legitimate application for a legitimate loan to which he was entitled. Crucially, after it was approved and the money was disbursed, he treated it as such.

Although Anthony was involved in the "tax business," his role in the business was relegated to investing money, managing the office, and generating business by being out in the community, not in the offices. He had no special knowledge or experience in tax preparation, nor was he involved in that end of the business. Indeed, he relied on his partners – Bolden and Lewis – to handle that aspect of the business and to prepare his tax returns. To that end, Anthony trusted Bolden. This trust was formed through years of working together and developing both a professional but also personal relationship. So, it is hardly surprising that he relied on Bolden and Lewis to apply for the PPP loan on his behalf. Indeed, it was Bolden, not Anthony, who submitted each application, which is supported by the below text exchange.



Importantly, unlike the other individuals listed in the Indictment, Anthony actually had several businesses impacted by COVID, and the loan money that he received was actually used to support those struggling businesses. While the Schedule C contained misstatements, it is clear that the document was prepared by Bolden, and although the document was ultimately sent to Anthony, Anthony relied on Bolden, whom he trusted and who prepared his taxes in the past. Also, while the Schedule C certainly contained inaccuracies, Anthony did own an ATM business at the time. Again, this is provided as explanatory or mitigating information. As stated, Anthony was aware of the misstatements contain in the loan application, yet he permitted it to be submitted.

Ultimately, although the small amount Anthony derived from the PPP Loan was not put into the ATM business, it was put into the tax business, which Bolden led Anthony to believe was the purpose of applying for the loan. This is confirmed by an interview with the Government and [redacted], in which [redacted] states that he recalled telling Anthony that "if the PPP funds were used for business expenses, it was legitimate. See, DOJ 28838.

Lastly, it is abundantly clear that Anthony was not involved, or even aware, of the overarching scheme being perpetuated by Bolden and Lewis. We believe that the Government agrees with this conclusion. However, what is also relevant is that, unlike the other co-conspirators who clearly knew they were not entitled to these benefits and who were referring similarly non-entitled individuals to Bolden, Anthony did none of that, further supporting his naivete, and highlighting a less egregious intent to defraud.

Anthony almost immediately accepted full responsibility for his conduct. He admitted his role in the offense, provided a full, truthful, and detailed explanation of his activities, in a meeting at the United States Attorney's Office. He agreed, without any formal agreement or promises from the Government, to provide such information and conveyed much of the above information to them, under intense questioning and scrutiny. The Government is in possession of Anthony's bank records, which further lends support to our arguments and helps trace the movement of the loan proceeds. We believe that the Government and members of law enforcement who met with Anthony found him to be credible and consistent.

E. Arrest, Post-Arrest Conduct and Current Circumstances

On August 19, 2018, Anthony was arrested and ultimately released. Because of the prosecution, Anthony was forced to surrender his firearms permit, which prevented him from continuing to work and pursue continued work in the security field, something he was looking forward to doing for years to come as a second career and source of income.

During the pendency of this case, Anthony has fully complied with all requirements imposed through Pre-Trial Supervision and the Department of Probation. This whole process has been life-changing for Anthony. For most of his adult life, he identified himself as a police officer. His job instilled in him a confidence and sense of pride and after his retirement, he continued to identify with law and order. Following his arrest, he initially struggled with feelings of emptiness and loss, as well as an embarrassment for breaking the law, and for the public nature of his arrest and prosecution. Most importantly, he felt terrible for letting down his family, and for knowing that his mistakes could cause harm and hurt his young children. He credits his family support in helping him to get through it.

Despite the circumstances, Anthony realized that he must continue to provide for his young family, and he has strived to maintain the normal life that they were used to. Instead of sitting idle, he first tried to find employment with Amazon, although after the results of the background check, he was not offered the position. He was concerned that he would be unable to find work. At the time of his arrest, after retiring from the police department, Anthony opened three security companies, which he hoped would allow him to steadily earn a decent income, while simultaneously allowing him to spend more time with his family. After his arrest, and his inability to carry a firearm, he could no longer continue with these companies. He was lost and concerned for the future of his family. Then, Anthony contacted a friend who gave him a chance and hired him in a sales role for his seafood company. This job, which required knowledge of an industry that Anthony was completely unfamiliar with, as well as skills that he had never developed during the course of his life, had a very steep learning curve. At first, he disliked the job tremendously. His salary was low, and the nature of the job required him to deal with chefs, salespeople, and restaurants who can often be unpredictable and difficult. In addition, the job does not end when he goes home. He is expected to return emails and texts at all hours of the day, in addition to staying updated on evolving prices for seafood as well as each particular restaurant's needs for any given week. This also requires him to travel throughout various parts of New York and New Jersey. Over the past 9 months, he has grown to enjoy and receive personal satisfaction from an industry that was foreign to him. He has made significant sales and even secured an account for the company at Wolfgang Steakhouse, something for which he is very proud. It is no small feat for a former police officer and security guard to be proficient and respected in the seafood sales industry.

Anthony's motivation for working so hard is his family and his children. Not only does he do all the grocery shopping and cook the family meals every night, he is also the parent who takes his children to all of their sporting events. Every Tuesday and Thursday, he takes Abby to New Jersey, where she plays flag football, as well as Kaylee who has consistent weekend travel soccer tournaments, one of the true joys in his life. Jill Albano, a family friend who knows Anthony through their children, may summarize him best when she says:

> "Anthony is the type of father and husband who shows secure and steady commitment to his family in thoughtful and consistent ways. He makes time for the kids, whether it's driving them to soccer practice in New Jersey, attending

> weekend trainings, or cheering on the sidelines, always with encouragement and a calm, steady presence. Beyond activities, he helps with homework, shares family meals, and steps in whenever an extra hand is needed. His reliability and quiet leadership give those around him a sense of security and belonging, and his dedication sets a strong example of what it means to put family first. Furthermore, Anthony is a kind-hearted, caring, and good-natured individual with a strong reputation for decency and humanity in many roles: as a father, a husband, a friend, and a colleague. He is known for his kindness, sense of humor, and a spirit that makes others gravitate toward him."

III. Sentencing Considerations

We respectfully submit that a number of factors, taken together, justify a sentence at the low end of the advisory Guideline range, and one without any period of incarceration. Those factors include: (1) Anthony's personal background and current family circumstances; (2) Anthony's immediate acceptance of responsibility and sincere remorse; (3) Anthony's life of service, including to our country as a member of the Marine Corp, and as a long-time member of the NYPD; and (4) Anthony's transformation and employment success over the pendency of this case.

In detailing Anthony's history, personal and professional life, and the case facts as we understand them, the defense does not intend to minimize the offense. However, we firmly believe that his history of being a hardworking and productive member of the community, as well as a crucial member of his family, further mitigate his actions. His conduct is far less serious than the allegations appear and extremely minor compared to the breadth of the actions taken by others convicted of wire fraud, and others charged in this case, who clearly perpetuated a much bigger scheme, which was based solely in greed.

All of this certainly favors a non-custodial sentence and also does not portray the need for any period of incarceration. It must also be highlighted that the Probation Department also recommends a sentence of time-served, along with two years' supervised release. (USPO Pre-Sentence Investigation Report, Sentencing Recommendation, Page 3).

Under the Statutory Provisions, Anthony is eligible for probation supervision of no less than one year and no greater than five. The Sentencing Guidelines, based on a Total Offense Level of 8[4] and a Criminal History of I, produce a term of 0-6 months incarceration. We respectfully recommend, again unequivocally and in the strongest terms, that the Court sentence Anthony to

[4] The plea agreement contemplates a one-point global plea reduction. Should either co-defendant choose to exercise his Sixth Amendment right to a trial, the adjusted offense level would be 9 with a stipulated Guideline range of 4-10 months.

probation, as well as forfeiture in the amount of $20,302.00[5], for a term and with conditions that satisfy 18 U.S.C. § 3553(a)—a sentence that is "sufficient, but *not greater than necessary*" (emphasis added) to comply with the purposes set forth in 3553(a)(2). Incarceration in this instance exceeds what is necessary to satisfy those sentencing goals.

Regarding the Guidelines, they are a deficient measure of an equitable sentence; advisory only - a point of reference - and just one of several factors the Court must consider. For defendants like Anthony, they are an especially blunt instrument because the sentencing calculus assigns numeric values to a small range of factors pertaining to some aspects of the offense and criminal history. No value is assigned to the "offense and offender characteristics" that must be reviewed under 3553(a)(1), which heavily favor him.

A review of the factors that the Court must consider under § 3553(a), as described below, supports this view. The defense urges the Court to consider the following:

Nature and Circumstances of the Offense

Although Anthony was convicted of wire fraud, his actions were far less nefarious and wide-ranging than the charges suggests. Specifically, his role in this scheme was submitting two (2) PPP loan applications with false statements, in order to get a forgivable loan, only one of which he did not pay back, for his business which was struggling during the pandemic. Notably, he was just one of innumerable individuals that both Bolden and Mackenzie were recruiting in order to defraud these loan programs. However, unlike the individuals Bolden and Mackenzie were recruiting, and then taking a substantial percentage of the loan, Anthony actually had a business he was attempting to support. This differentiates him tremendously.

We concede that there is significant and specific conduct for which Anthony is clearly culpable. Such conduct was recounted during a meeting with the Government. Anthony described the process of obtaining the loan and that, while he believed if he used the loan proceeds to support his businesses, he was not committing a crime, he did become aware that the information Bolden put in the Schedule C was inaccurate. Importantly, almost the entirety of his conduct was at the direction of Bolden. Again, although Anthony was involved in the "tax business," his role in the business was relegated to investing money, managing the office, and generating business by being

[5] On November 13, 2025, Anthony, via certified check, paid his restitution amount in full, by mailing a certified check to United States Attorney's Office, Asset Recovery Section.

out in the community, not in the offices. He had no special knowledge or experience in tax preparation, nor was he involved in that end of the business. Indeed, to that end, he relied on Bolden, whom he trusted. So, it is hardly surprising that he relied on Bolden to apply for the PPP loan on his behalf. Indeed, it was Bolden, not Anthony, who submitted the application, which is supported by the previously provided text exchange which shows Anthony sending Bolden his log-in credentials. While the Schedule C contained misstatements, it is clear that the document was prepared by Bolden, and although the document was ultimately sent to Anthony, Anthony relied on Bolden, whom he trusted and who prepared his taxes in the past. Further, Bolden told him what to submit and when to submit it. He told him how much money Anthony was to pay him after the loan money was delivered. Lastly, Anthony did not know the extent of Bolden's overarching scheme, or that Bolden was involved in similar activity with any other individuals, with the exception of Anthony's wife. Importantly, and crucially to the role adjustment analysis, unlike the additional co-defendants (McKenzie and Johnson), who are identically charged, Anthony was in no way responsible for recruiting others to participate in Bolden's scheme. This is confirmed by the Government and the PSR, which details how "Mckenzie and Johnson were compensated for each referral they provide to Bolden.....who acted as an organizer or leader, was personally involved in electronic correspondence to obtain PPP funds for over 65 individuals. The Government advised that Carreira remained unaware of the scope and structure of the overall scheme; thus, he is only responsible for the loss amount attributable to his personal gain" PSR, Page 10.

So, while we do not deny that he has criminal culpability for his actions, and that Anthony was also motivated by a desire to get the loan so that he could use it for his struggling tax business, it is our position that he should be afforded some level of mitigation. This is also based on his role in that offense that came primarily at the direction of Bolden, and which would reduce the total offense level calculation and incarceration exposure pursuant to a role adjustment under U.S.S.G. 3B1.2. That section allows for a two (2) level downward adjustment based upon being a minor participant or a four (4) level adjustment for being a minimal participant. U.S.S.G. 3B1.2(a) and (b)). That section also allows for a decrease of three (3) levels for cases falling in between. In determining if a reduction is appropriate and what level of reduction is appropriate, the assessment of the defendant's role in criminal activity is highly fact-specific and depends upon the nature of the defendant's relationship to other participants, the importance of the defendant's actions to the success of the venture, and the defendant's awareness of the nature and scope of the criminal enterprise." United States v. Shonubi, 998 F.2d 84, 90 (2d Cir.1993). We believe all these factors weigh in Anthony's favor. Application Note 3B1.2 provides that "the defendant's lack of knowledge or understanding of the scope and structure of the enterprise and of the activities of others is indicative of a role as a minimal participant." We believe this also applies to Anthony, particularly because although he knew the information submitted was incorrect, he was assured by Bolden that if the money went towards the tax business, he was not committing a crime.

Here, Anthony certainly did not know the overarching scope of Bolden's activity, or even the greater implications of allowing Bolden to submit inaccurate documents on Anthony's behalf. Further, while Anthony was aware of the conduct, Bolden retained the decision-making authority, and it was Bolden who gave Anthony direction on who to call and what to do, oftentimes getting Anthony's log-in credentials and submitting the documents himself. In reference to McKenzie and Johnson, his actions were similarly minimal, as opposed to them, Anthony was not involved in recruiting others to participate in the scheme.

While some courts determine a defendant's relative culpability by reference to his co-participants, other courts consider the "average" participant who commits similar crimes. In either scenario, we believe Anthony's culpability highlights a lesser role USSG Section 3b1.2, comment n.5.

Again, Anthony had no knowledge of the overarching scheme perpetuated by Bolden. He was not responsible for, nor did he recruit others to join, or send others to Bolden to engage in a similar fraud. While Anthony does not deny his guilt, or awareness that his application contained statements that were inaccurate and intended to mislead, he does deny complicity, or any awareness, in the greater scheme. Anthony's charged conduct began and ended on the two occasions when he submitted the applications containing material misstatements and since then, he has continued to lead a productive, law-abiding, and meaningful life. In total, the only loan that Anthony received, which was forgiven, is in the amount of $20,302.00, which he is committed to repaying, but which is nearly equivalent to the amount of money he was required to pay Bolden for 'processing' these applications.

One can imagine the machinations of an individual who is in dire straits and in jeopardy of losing his business in the middle of a global pandemic. Indeed, though well-intentioned, the rush to distribute PPP funds was accompanied by rapidly changing guidelines and a high-pressure environment for application submissions. This complex landscape increased the potential for genuine mistakes, misrepresentations, or ignorance of certain requirements that toed the line between genuine misinterpretations and deliberate deception. This is not to excuse Anthony's misstatements on his applications, but it does help to contextualize it.

One can likewise imagine Anthony's conscious or subconscious willingness to proceed with questionable activity while he was going through financially difficult times. Ultimately, stripping away the overarching actions of the co-defendants, one is left with a hard-working, middle class family man, who was desperate to keep his business afloat and pay his employees during a difficult period, which led him to submit inaccurate information on his loan applications.

Notably, Anthony's version of events has been consistent since his arrest. He never denied participating in this fraud or committing the charged crime to which he admitted in his guilty plea. He has repeatedly expressed remorse for his actions and embarrassment that he could be caught up in such a scheme. Certainly, Anthony acted improperly and should be held accountable; however, he should does not need or deserve to be punished with an incarceratory sentence.

History and Characteristics of the Defendant:

It is not difficult to assess the true character of an individual. It is established through evidence of hard work, family history, present family circumstances, charitable activities, community relations, and history of good or bad deeds. There is no question that Anthony is someone, who up until this arrest, had led a life as a loving father, extremely hard worker, entrepreneur, police officer, and Marine Corps Rifleman.

Regarding the broader context for the offense, Anthony Carreira was, at the time, a 40-year-old, former police officer and member of the armed forces, with no prior convictions. He is someone who came from very humble beginnings, and who has lived an incredibly fulfilling and diverse young life, full of a variety of pursuits, including nearly a decade of service to our city, where he was responsible for hundreds of arrests. Importantly, Anthony has never previously been accused of criminality. He has never been arrested. He is, by any measure, an incredibly disciplined, motivated, and hard worker. He is an impressive and unique individual who is adored by his son and two daughters. Certainly, he acted improperly and should be held accountable; however, a punishment that includes incarceration is unnecessary and will be incredibly harmful to his family, especially after considering the above-cited factors which clearly distinguish this defendant and this offense from others seemingly of their kind and favor leniency.

By all accounts, Anthony was a passionate, hard-working, difference-making police officer who served the communities of Brooklyn for over a decade. He was a dedicated public servant who loved serving the public. This service, combined with his previous 43 years of life, should count more than the isolated mistakes that he exhibited in in this case, which are a clear aberration. Even since this incident, he has again pursued and found success in a new field. The long hours that he continues to work are for his family's benefit. Through all of it, he has remained, above all else, a dedicated family man, and a crucial influence and guiding force in his children's lives, who are following in his footsteps. According to Bryan Gonzalez, Anthony's nephew:

> To me, my uncle Anthony is more than just family — he's my role model, my mentor, and a constant reminder of the kind of person I strive to be. His compassion, humility, and strength have shaped so much of who I am today. My uncle has been there for me through every major milestone — holidays, school events, big wins, and even my lowest moments. When my mother and I had nowhere to go, it was my uncle Anthony who opened his home to us without hesitation, making sure we were safe and cared for. That selflessness and unwavering loyalty are just who he is at his core.

Outside of his serious lapse in judgment in connection with this case, one cannot assert with any credibility that Anthony Carreira has lived a remotely delinquent or criminal lifestyle. He has absolutely no criminal history. He is the head of his household, a relentless worker, and a respected member of society. As Frank Torres states:

> I will never forget how Anthony was there for me during one of the hardest times of my life. When my wife was terminally ill, he stepped up without hesitation. He helped organize a fundraiser, secured items for the auction, and even pitched in with the decorations. His support meant the world to me and my family. His efforts left a lasting impression of his generosity and compassion.

As the meaningful character letters attest, Anthony was and is a fundamentally decent person and an asset to his community. *See*, Letters Submitted on Behalf of Anthony Carreiera, Attached as Exhibit A. Certainly, he acted improperly and should be held accountable; however, he is someone who deserves leniency under the law and not a sentence of incarceration.

Collateral Consequences and Non-Judicial Punishment:

The non-judicial punishments that have already accrued upon Anthony are substantial. Not only must he face potential incarceration, but with a felony conviction, in addition to the restitution that he will pay, will have the result of critically upending his life, as a felony conviction will strip him of his license to carry a firearm, preventing him from continuing to work as an armed security guard, a second career that he was intending to continue as a means to support him and his family.

Anthony is devastated for his own personal losses, but is more concerned about the future and his ability to support his family, and he is terrified of being forced to be separated from them for any period of time. We submit that his family circumstances warrant consideration for leniency at sentencing. The multitude of letters of support submitted to the Court in this case make it crystal clear that Anthony's immediate and extended family – including the many friends, co-workers, and neighbors in his community who also consider Anthony a part of their extended family – both support him and rely on him to an exceptional degree. A sentence involving imprisonment would deprive many individuals the benefit of Anthony's kindness, compassion, and devotion. As such, we submit that this factor strongly weighs in favor of leniency.

The consequences that any defendant's conduct has upon his family are present in nearly every case and, of course, the blame for the damage inflicted lies principally with Anthony because he created this situation. However, the potential damage that could result from incarceration will be especially difficult for his family, and in our opinion, unnecessary, to the extent that it would demand sending a father of a young family to prison.

Anthony Carreira's Criminal History:

In detailing Anthony's background and present circumstances, we intend not to diminish the charged offense, but to provide explanatory context and a broad picture of his life. Regarding criminal history, Anthony has no previous convictions, including no history of juvenile delinquency or violent behavior, let alone criminal conduct. Instead, he has been a respected and dedicated police officer and member of the Marine Corps.

IV. Recommendation

In detailing Anthony's history, personal and professional life, and the case facts as we understand them, the defense does not intend to minimize the offense. However, we firmly believe that his history of being a productive member of the community, as well as a crucial member of his family, further mitigate his actions, which are far less serious than the allegations appear. Based on the above, the defense respectfully recommends that, in the interest of justice, the Court impose a non-incarceratory sentence, in accordance with what the Probation Department recommends, with any conditions that the Court deems appropriate. We believe that the Government agrees that a sentence at the low end of the Guideline range is wholly appropriate. Such a sentence is wholly consistent with the case facts and Anthony's history, and ultimately, will best serve the community.

Thank you for your time and consideration in this matter.

Respectfully submitted,

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