UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA

v. CASE NO. 8:23-cr-00024-CEH-SPF
18 U.S.C. § 1349
ALEXANDER ALLI 18 U.S.C. § 1343

SUPERSEDING INDICTMENT

The Grand Jury charges:

COUNT ONE
(Conspiracy)

A. Introduction

At times relevant to this Superseding Indictment:

1. Defendant ALEXANDER ALLI resided in the Middle District of Florida.

2. In or around March 2020, the President declared the ongoing Coronavirus Disease 2019 ("COVID-19") pandemic of sufficient severity and magnitude to warrant an emergency declaration for all states, tribes, territories, and the District of Columbia pursuant to section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5121-5207. The President also signed into law the Coronavirus Aid, Relief, and Economic Security ("CARES") Act and the Families First Coronavirus Response Act.

3. The United States Small Business Administration ("SBA") was an executive branch agency of the United States government that provided support to entrepreneurs and small businesses.

4. The SBA enabled and provided for loans through banks, credit unions, and other lenders. These loans had government-backed guarantees. In addition to traditional SBA funding programs, the CARES Act established several new temporary programs and provided for the expansion of others to address the COVID-19 outbreak, which was declared a nationwide disaster by the President on or about March 13, 2020.

5. One government response to the COVID-19 outbreak was an expansion of an existing disaster-related program—the Economic Injury Disaster Loan ("EIDL")—to provide for loan assistance for small businesses and other eligible entities for loans up to $2 million. The EIDL proceeds could be used to pay certain qualifying expenses (i.e., fixed debts, payroll, accounts payable, and other bills) that could have been paid had the disaster not occurred.

6. EIDL funds were issued directly from the United States Treasury, and applicants applied through the SBA via an online portal and application. The EIDL application process collected information concerning the business and the business owners. Applicants electronically certified that the information provided was accurate and were warned that any false statement or misrepresentation to the SBA or any misapplication of loan proceeds may result in sanctions, including criminal penalties. Applicants also completed loan agreements with the SBA.

B. The Conspiracy

7. Between in or around April 2020 and in or around July 2020, in the Middle District of Florida and elsewhere, the defendant,

ALEXANDER ALLI,

did knowingly and voluntarily combine, conspire, confederate, and agree with others, both known and unknown to the Grand Jury, to commit wire fraud, in violation of 18 U.S.C. § 1343.

C. Manner and Means of the Scheme and Artifice

8. The manner and means by which the conspirators sought to accomplish the scheme and artifice included, among others, the following:

a. It was part of the conspiracy that conspirators would and did prepare and submit, and cause to be prepared and submitted, a materially false and fraudulent application and loan agreement via the Internet to the SBA EIDL program, which program was tailored to provide benefits and relief to businesses and workers negatively impacted by the COVID-19 pandemic.

b. It was part of the conspiracy that, in order to induce the SBA to fund an EIDL, the conspirators would and did prepare and submit, and cause to be prepared and submitted, a false and fraudulent application and loan agreement to the SBA that included multiple materially false and fraudulent representations and pretenses, such as:

i. stating a business name, business address, gross revenue, number of employees, and cost of goods, and falsely and fraudulently suggesting that the company was an operating business at the time of the application and agreement;

ii. claiming the business was suffering an economic injury due to the COVID-19 disaster; and

iii. stating ALLI was a U.S. citizen.

9. It was part of the conspiracy that conspirators would and did cause the SBA to send EIDL proceeds via an interstate wire transfer in the amount of $80,400 in EIDL funds, sent to a Financial Institution #1 account in ALLI's name.

a. It was part of the conspiracy that conspirators would and did spend the EIDL funds for unauthorized purposes and for their own personal enrichment and the enrichment of others.

b. It was part of the conspiracy that conspirators would and did perform acts, and make statements to promote and achieve the scheme and artifice and to misrepresent, hide, and conceal, and cause to be misrepresented, hidden, and concealed, the purpose of the scheme and artifice and the acts committed in furtherance thereof.

All in violation of 18 U.S.C. § 1349.

COUNTS TWO AND THREE
(Wire Fraud)

A. Introduction

1. The Grand Jury hereby realleges and incorporates by reference Section A of Count One of this Superseding Indictment as if fully set forth herein.

B. The Scheme and Artifice

2. Between in or around April 2020 and in or around July 2020, in the Middle District of Florida and elsewhere, the defendant,

ALEXANDER ALLI,

did knowingly and intentionally devise a scheme and artifice to defraud and for obtaining money and property by means of materially false and fraudulent pretenses, representations, and promises.

C. Manner and Means of the Scheme and Artifice

3. The Grand Jury hereby realleges and incorporates by reference Section C of Count One of this Superseding Indictment as if fully set forth herein.

D. Execution of the Scheme and Artifice

4. On or about the dates listed below, in the Middle District of Florida and elsewhere, the defendant,

ALEXANDER ALLI,

for the purpose of executing the aforesaid scheme and artifice, knowingly and intentionally transmitted and caused to be transmitted by means of wire communication in interstate and foreign commerce, the writings, signs, signals, pictures, and sounds, described below:

COUNT	DATE	DESCRIPTION OF WIRE COMMUNICATION
TWO	7/23/20	Submission of a loan agreement from Florida via the Internet to servers outside of Florida
THREE	7/27/20	Wire transfer in the amount of $80,400 in EIDL funds sent from outside of Florida to a Financial Institution #1 account in ALLI's name within the Middle District of Florida

All in violation of 18 U.S.C. §§ 1343 and 2.

FORFEITURE

1. The allegations contained in Counts One, Two, and Three are incorporated by reference for the purpose of alleging forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c).

2. Upon conviction of a violation of 18 U.S.C. § 1343 or 18 U.S.C. § 1349, the defendant shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the violation.

3. The property to be forfeited includes, but is not limited to, the $80,400 the defendant obtained as a result of the offense.

4. If any of the property described above, as a result of any act or omission of the defendant:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third party;

c. has been placed beyond the jurisdiction of the court;

d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be divided without difficulty,

the United States shall be entitled to forfeiture of substitute property pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c).

A TRUE BILL,

____
Foreperson

ROGER B. HANDBERG
United States Attorney

By: ______________________________
Jennifer L. Peresie
Assistant United States Attorney

By: ______________________________
Rachelle DesVaux Bedke
Assistant United States Attorney
Chief, Economic Crimes Section

FORM OBD-34
No.

UNITED STATES DISTRICT COURT
Middle District of Florida
Tampa Division

THE UNITED STATES OF AMERICA

vs.

ALEXANDER ALLI

INDICTMENT

Violations: 18 U.S.C. § 1349, 18 U.S.C. § 1343

A true bill,

Foreperson

Filed in open court this 13th day of September, 2023.

____
Clerk

Bail $_________________________

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