

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA

SD FL Case No 23-MJ-6286-PMH

v.

CASE NO. 8:23-cr-211-CEH-MRM
18 U.S.C. § 1343

TOMMY LOUISVILLE

INDICTMENT

The Grand Jury charges:

COUNT ONE
(Wire Fraud)

A. Introduction

At times relevant to this Indictment:

1. TOMMY LOUISVILLE, a resident of the Middle District of Florida, was the owner of a shuttered medical business that he used to falsely and fraudulently obtain federal Paycheck Protection Program ("PPP") loans to which he was not entitled.

The Small Business Administration

2. 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.

3. 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 March 13, 2020.

4. One of the new loan programs was the SBA PPP, which was a loan designed, in part, to provide a direct incentive for small businesses to keep their workers on the payroll. Under this program, the SBA could forgive all or part of the borrowing businesses' loans provided that employees were kept on the payroll for eight weeks and borrowers submitted documentation confirming that the loan proceeds were used for certain qualifying business expenses (i.e., payroll, rent, mortgage interest, or utilities).

5. Interested applicants applied through an existing SBA lender or any other participating federally-insured financial institution. The PPP application process required applicants to submit a Borrower Application Form through an SBA-approved financial entity. The application contained information as to the purpose of the loan, average monthly payroll, number of employees, and background of the business and its owner. Applicants were also required to make certain good faith certifications, including that economic uncertainties had necessitated their loan requests for continued business operations, and that they intended to use loan proceeds only for the authorized purposes.

6. Financial Institution #1 participated in the SBA's PPP as a lender, and as such, was authorized to lend funds to eligible borrowers under the terms of the

PPP. Financial Institution #1 was also a financial institution that had computer servers used for processing financial transactions located outside the State of Florida.

B. The Scheme and Artifice

7. Beginning on an unknown date, but no later than in or around April 2020, and continuing through at least in or around May 2020, in the Middle District of Florida and elsewhere, the defendant,

TOMMY LOUISVILLE,

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

C. Manner and Means of the Scheme and Artifice

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

a. It was part of the scheme and artifice that the defendant would and did prepare and submit, and cause to be prepared and submitted, a materially false and fraudulent application to the PPP, which program was tailored to provide benefits and relief to businesses and workers negatively impacted by the COVID-19 pandemic.

b. It was further a part of the scheme and artifice that, in order to induce the financial institution to fund a PPP loan, the defendant would and did prepare and submit, and cause to be prepared and submitted, to Financial Institution

#1 an application that contained multiple materially false and fraudulent representations and pretenses, including:

- i. stating average monthly payroll suggesting that the defendant actively operated a medical business;
 - ii. stating the defendant employed six employees; and
 - iii. representing and certifying that loan proceeds would be used for business-related purposes;
- c. It was further a part of the scheme and artifice that the defendant would and did cause Financial Institution #1 to approve PPP loan applications and cause to be transmitted PPP loan proceeds via interstate wire transfer;
- d. It was further a part of the scheme and artifice that the defendant would and did use the PPP funds, and cause the PPP funds to be used, for unauthorized purposes and for his own personal enrichment and the enrichment of others;
- e. It was a further part of the scheme and artifice that the defendant would and did perform acts and make statements to promote and achieve the scheme and artifice and to misrepresent, hide, and conceal the scheme and artifice and the acts committed in furtherance thereof.

D. Execution of the Scheme and Artifice

9. On or about the date set forth below, in the Middle District of Florida and elsewhere, the defendant,

TOMMY LOUISVILLE,

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 OF WIRE	DESCRIPTION OF WIRE
ONE	May 13, 2020	Defendant caused a wire transfer in the amount of \$33,034 in PPP funds, sent from outside of Florida to a Financial Institution #1 account in the defendant's name within the Middle District of Florida

All in violation of 18 U.S.C. § 1343.

FORFEITURE

1. The allegations contained in Count One is 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, 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, an order of forfeiture in the amount of approximately \$33,034, which represents the proceeds the defendant obtained from the offenses.

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).

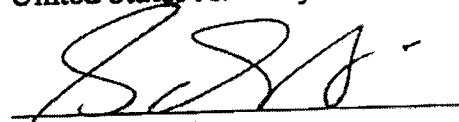
A TRUE BILL,




Foreperson

ROGER B. HANDBERG
United States Attorney

By:


Gregory D. Pizzo
Assistant United States Attorney

By:


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

FORM OBD-34
June 23

No.

UNITED STATES DISTRICT COURT
Middle District of Florida
Tampa Division

THE UNITED STATES OF AMERICA

vs.

TOMMY LOUISVILLE

INDICTMENT

Violations: 18 U.S.C. § 1343

A true bill,


Foreperson

Filed in open court this 27th day
of June, 2023.

Clerk

Bail \$ _____

AO 442 (Rev. 11/11) Arrest Warrant

COPY

UNITED STATES DISTRICT COURT

for the
Middle District of Florida

United States of America

v.

TOMMY LOUISVILLE

Case No.

8:23-CR-211-CEH-NRM

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay*(name of person to be arrested)* TOMMY LOUISVILLE

who is accused of an offense or violation based on the following document filed with the court:

- ☒ Indictment
 ☐ Superseding Indictment
 ☐ Information
 ☐ Superseding Information
 ☐ Complaint
 ☐ Probation Violation Petition
 ☐ Supervised Release Violation Petition
 ☐ Violation Notice
 ☐ Order of the Court

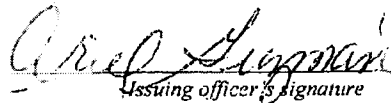
This offense is briefly described as follows:

Wire Fraud

18 U.S.C. § 1343

Date:

JUN 27 2023



Issuing officer's signature

City and state:

Tampa, Florida

ELIZABETH WARREN, Clerk, United States District Court

Printed name and title

Return

This warrant was received on *(date)* _____, and the person was arrested on *(date)* _____
 at *(city and state)* _____

Date:

*Arresting officer's signature**Printed name and title*