

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

Case No. 21-20415-Cr-KING/BECERRA

UNITED STATES OF AMERICA

v.

WILLIE CURRY,

Defendant.

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STIPULATED FACTUAL BASIS

The United States and WILLIE CURRY ("the defendant") hereby stipulate and agree that had this matter proceeded to trial, the United States would have offered evidence and testimony to establish the following factual basis beyond a reasonable doubt:

The defendant, who resided in Miami-Dade County, in the Southern District of Florida, was at all relevant times employed by Miami-Dade County on a full-time basis as a Network Manager. During the calendar years 2019 and 2020, the defendant remained a full-time employee of Miami-Dade County and he suffered no loss in salary due to the COVID-19 pandemic. At all relevant times, the defendant had accounts at Dade Federal Credit Union ("DFCU") and Bank of America ("BOA").

The United States Small Business Administration ("SBA") was an agency of the executive branch of the Government of the United States. The Coronavirus Aid, Relief, and Economic Security ("CARES") Act was a federal law enacted in or around March 2020 that was designed to provide emergency financial assistance to the millions of

Americans who were suffering the economic effects caused by the COVID-19 pandemic. The CARES Act authorized and provided funding to the SBA to provide Economic Injury Disaster Loans ("EIDLs") to eligible small businesses, including sole proprietorships and independent contractors, experiencing substantial financial disruptions due to the COVID-19 pandemic to allow them to meet financial obligations and operating expenses that could have been met had the disaster not occurred.

To obtain a COVID-19 EIDL, a qualifying for-profit business was required to submit an EIDL application to the SBA and provide information about its operations, such as the number of employees, gross revenues, and the cost of goods sold for the 12-month period preceding January 31, 2020. The applicant also was required to certify under penalty of perjury that all the information in the application was true and correct. EIDL applications were submitted directly to and processed by the SBA. The amount of the loan approved was determined based, in part, on the information provided in the application concerning the number of employees, gross revenues, and cost of goods sold, and the loan proceeds were issued directly by the United States government to the financial institution account provided by the applicant.

On or about June 24, 2020, the defendant, via interstate wire communications, submitted to the SBA an on-line EIDL application stating that he was the 100% owner of a sole proprietorship operating under the name "Will Curry Computers." The electronic transmission of that application caused a wire transmission from the Southern District of Florida to outside the State of Florida. In that application, the defendant falsely and fraudulently certified that Will Curry Computers was established on January 1, 2015. He

also falsely certified that for the twelve (12) month period prior to January 31, 2020, Will Curry Computers had gross revenues of approximately \$755,416, a cost of goods sold of approximately \$170,664, and 10 employees. In reality, and as the defendant knew, the defendant established Will Curry Computers in 2020, it had only minimal gross revenues and cost of goods sold during the twelve-month period prior to January 31, 2020, and it had no other employees.

Based on the defendant's materially false and fraudulent EIDL application, including his false statements about the gross revenues, cost of goods sold, and number of employees of Will Curry Computers, the SBA, on or about June 29, 2020, disbursed a \$10,000 advance via Electronic Funds Transfer to DFCU for deposit to the defendant's account there, and on or about July 16, 2020, disbursed \$150,000 in EIDL proceeds via Electronic Funds Transfer to DCFU intended for deposit in the defendant's account there. These Electronic Funds Transfers caused wire communications from outside the State of Florida to the Southern District of Florida. Although the SBA disbursed these funds intended for the defendant's benefit based on his EIDL application, DFCU instead returned these disbursements to the SBA.

After being notified by DFCU that they would not be accepting the EIDL proceeds, the defendant, on or about July 20, 2020, contacted the SBA via telephone and requested that the SBA instead send the loan proceeds to the account he maintained at BOA. The defendant subsequently made additional telephone calls to SBA regarding his request to have the EIDL funds disbursed to his BOA account, but despite the defendant's continued efforts, the SBA ultimately did not disburse the funds to BOA.

The United States and the defendant agree that this Stipulated Factual Basis, while not containing all facts known to the United States, is sufficient to satisfy all the elements establishing the guilt of the defendant to the crime charged in the Information.

JUAN ANTONIO GONZALEZ  
ACTING UNITED STATES ATTORNEY

Date: 8/19/2021

By: Edward N. Stamm  
Edward N. Stamm  
Assistant United States Attorney

Date: 8/17/21

By: [Signature]  
Reinaldo J. Dorta, Jr.  
Attorney for Defendant

Date: 8-17-21

By: [Signature]  
Willie Curry  
Defendant