

FILED by **YH** D.C.  
  
**Feb 4, 2021**  
  
ANGELA E. NOBLE  
CLERK U.S. DIST. CT.  
S.D. OF FLA. - MIAMI

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. **21-60045-CR-SMITH/VALLE**

18 U.S.C. § 1344  
18 U.S.C. § 1956(a)(1)(B)(i)  
18 U.S.C. § 1957(a)  
18 U.S.C. § 982(a)(2)

**UNITED STATES OF AMERICA**

vs.

**TERRENCE DESHUN WILLIAMS,**

**Defendant.**

**INDICTMENT**

The Grand Jury charges that:

**GENERAL ALLEGATIONS**

At all times material to this Indictment:

**The Paycheck Protection Program**

1. The Coronavirus Aid, Relief, and Economic Security (“CARES”) Act was a federal law enacted in or around March 2020 and designed to provide emergency financial assistance to the millions of Americans who are suffering the economic effects caused by the COVID-19 pandemic. One source of relief provided by the CARES Act was the authorization of forgivable loans to small businesses for job retention and certain other expenses, through a program referred to as the Paycheck Protection Program (“PPP”).

2. In order to obtain a PPP loan, a qualifying business submitted a PPP loan application, which was 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 in order to be eligible to obtain the PPP loan. In the PPP

loan application (Small Business Administration (“SBA”) Form 2483), the small business (through its authorized representative) was required to provide, among other things, its: (a) average monthly payroll expenses; and (b) number of employees. 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 were required to provide documentation confirming their payroll expenses.

3. A PPP loan application was processed by a participating lender. If a PPP loan application was approved, the participating lender funded the PPP loan using its own monies. While it was the participating lender that issued the PPP loan, the loan was 100% guaranteed by the SBA. Data from the application, including information about the borrower, the total amount of the loan, and the listed number of employees, was transmitted by the lender to the SBA in the course of processing the loan.

4. PPP loan proceeds were required to be used by the business on certain permissible expenses—payroll costs, interest on mortgages, rent, and utilities. The PPP allowed 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 and used a defined portion of the PPP loan proceeds on payroll expenses.

#### **The Defendant and Related Entities**

5. Williams Consulting Group LLC (“Williams Consulting”) was a Florida limited liability company registered on January 12, 2017, with its listed principal address in Tamarac, Florida.

6. E Mask Solutions, LLC (“E Mask”) was a Florida limited liability company registered May 18, 2020, with its listed principal address in Tamarac, Florida.

7. Defendant **TERRENCE DESHUN WILLIAMS**, a resident of Broward County, Florida, was the Manager and the registered agent of Williams Consulting and a Manager and the registered agent of E Mask.

8. Bank 1 was a financial institution based in Salt Lake City, Utah, that was insured by the Federal Deposit Insurance Corporation (“FDIC”). Bank 1 was an approved SBA lender of PPP loans.

9. Bank 2 was a financial institution based in Cherry Hill, New Jersey, that was insured by the FDIC.

10. Bank 3 was a financial institution based in Stuart, Florida, that was insured by the FDIC.

11. Bank 4 was a financial institution based in New York, New York, that was insured by the FDIC.

12. Loan Processor 1 was a third-party company processor based in Redwood City, California, that processed PPP loan applications for Bank 1.

**COUNT 1**  
**Bank Fraud**  
**(18 U.S.C. § 1344)**

1. The General Allegations section of this Indictment is re-alleged and incorporated by reference as though fully set forth herein.

2. From on or about June 18, 2020, and continuing through on or about June 22, 2020, in Broward County, in the Southern District of Florida, and elsewhere, the defendant,

**TERRENCE DESHUN WILLIAMS,**

did knowingly, and with the intent to defraud, execute, and attempt to execute, and cause the

execution of, a scheme and artifice to defraud one or more financial institutions, which scheme and artifice employed a material falsehood, and did knowingly, and with intent to defraud, execute, and attempt to execute, and cause the execution of, a scheme and artifice to obtain moneys and funds owned by, and under the custody and control of, one or more financial institutions, by means of materially false and fraudulent pretenses, representations, and promises relating to a material fact, in violation of Title 18, United States Code, Sections 1344(1) and (2).

**PURPOSE OF THE SCHEME AND ARTIFICE**

3. It was the purpose of the scheme and artifice for the defendant to unlawfully enrich himself by, among other things: (a) submitting and causing the submission of a false and fraudulent application for a PPP loan; and (b) diverting fraud proceeds for the defendant's personal use and the benefit of others.

**MANNER AND MEANS OF THE SCHEME AND ARTIFICE**

The manner and means by which **TERRENCE DESHUN WILLIAMS** sought to accomplish the purpose of the scheme and artifice included, among others, the following:

4. On or about June 18, 2020, **TERRENCE DESHUN WILLIAMS** submitted and caused the submission of a false and fraudulent PPP loan application for Williams Consulting through Loan Processor 1.

5. The PPP loan application submitted by **TERRENCE DESHUN WILLIAMS** for Williams Consulting included falsified payroll-tax forms, among other things, and falsely and fraudulently represented the borrowing entity's number of employees and amount of monthly payroll.

6. **TERRENCE DESHUN WILLIAMS** induced Bank 1 to disburse \$984,710.00 in PPP loan proceeds, which were transferred to accounts that he controlled, as a result of the false and fraudulent PPP loan application submitted as part of this scheme.

**COUNTS 2-3**  
**Money Laundering**  
**(18 U.S.C. § 1956(a)(1)(B)(i))**

1. The General Allegations section of this Indictment is re-alleged and incorporated by reference as though fully set forth herein.

2. On or about the dates specified below, in Broward County, in the Southern District of Florida, and elsewhere, the defendant, **TERRENCE DESHUN WILLIAMS**, did knowingly conduct and attempt to conduct a financial transaction affecting interstate commerce, which financial transaction involved the proceeds of specified unlawful activity, knowing that the property involved in the financial transaction represented the proceeds of some form of unlawful activity, and knowing that the transaction was designed, in whole and in part, to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, as set forth below:

Count	Approximate Date	Execution
2	June 24, 2020	Wire transferred \$934,000.00 from an account in the name of Williams Consulting at Bank 2 ending in 6309 to an account in the name of Williams Consulting at Bank 3 ending in 9685.
3	October 22, 2020	Wire transferred \$293,607.62 from an account in the name of E Mask at Bank 3 ending in 2045 to an account in the name of M.W. at Bank 4 ending in 3156.

It is further alleged that the specified unlawful activity is Bank Fraud, in violation of Title 18, United States Code, Sections 1344(1) and (2).

In violation of Title 18, United States Code, Sections 1956(a)(1)(B)(i) and 2.

**COUNTS 4-5**  
**Engaging in Transactions in Unlawful Proceeds**  
**(18 U.S.C. § 1957(a))**

1. The General Allegations section of this Indictment is re-alleged and incorporated by reference as though fully set forth herein.

2. On or about the dates specified below, in Broward County, in the Southern District of Florida, and elsewhere, the defendant, **TERRENCE DESHUN WILLIAMS**, did knowingly engage and attempt to engage in a monetary transaction affecting interstate commerce in criminally derived property of a value greater than \$10,000, which the defendant knew was derived from a specified unlawful activity

Count	Approximate Date	Execution
4	June 26, 2020	Cashed a \$25,000 check drawn on an account at Bank 3 in WILLIAMS' name ending in 0000.
5	July 21, 2020	Wire transferred \$60,000.00 from an account in the name of E Mask at Bank 3 ending in 2045 to an account in the name of M.W. at Bank 4 ending in 1267.

It is further alleged that the specified unlawful activity is Bank Fraud, in violation of Title 18, United States Code, Sections 1344(1) and (2).

In violation of Title 18, United States Code, Section 1957(a).

**FORFEITURE ALLEGATIONS**

1. The allegations of this Indictment are hereby re-alleged and by this reference fully incorporated herein for the purpose of alleging forfeiture to the United States of America of certain property in which the defendant, **TERRENCE DESHUN WILLIAMS**, has an interest.

2. Upon conviction of a violation of Title 18, United States Code, Section 1344, as

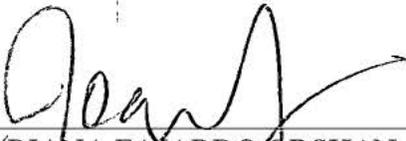
alleged in this Indictment, the defendant, shall forfeit to the United States any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of such violation, pursuant to Title 18, United States Code, Section 982(a)(2)(A).

3. Upon a conviction of a violation of Title 18, United States Code, Section 1956 or 1957, as alleged in this Indictment, the defendant, shall forfeit to the United States any property, real or personal, involved in such offense, and any property traceable to such property, pursuant to Title 18, United States Code, Section 982(a)(1).

All pursuant to Title 18, United States Code, Section 982(a)(1) and (2)(A), and the procedures set forth in Title 21, United States Code, Section 853, as incorporated by Title 18, United States Code, Section 982(b)(1).

A TRUE BILL

~~FOREPERSON~~ W

*RF*  
  
\_\_\_\_\_  
ARIANA FAJARDO ORSHAN  
UNITED STATES ATTORNEY  
  
\_\_\_\_\_  
ELI S. RUBIN  
ASSISTANT UNITED STATES ATTORNEY

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA

CASE NO. \_\_\_\_\_

v.

TERRENCE DESHUN WILLIAMS,

**CERTIFICATE OF TRIAL ATTORNEY\***

Defendant

**Superseding Case Information:**

Court Division: (Select One)

Miami FTL  Key West WPB  FTP

New defendant(s) Yes  No   
Number of new defendants \_\_\_\_\_  
Total number of counts \_\_\_\_\_

- I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.
- I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. Section 3161.
- Interpreter: (Yes or No) No  
List language and/or dialect \_\_\_\_\_
- This case will take 2-3 days for the parties to try.
- Please check appropriate category and type of offense listed below:

(Check only one)

I 0 to 5 days   
 II 6 to 10 days \_\_\_\_\_  
 III 11 to 20 days \_\_\_\_\_  
 IV 21 to 60 days \_\_\_\_\_  
 V 61 days and over \_\_\_\_\_

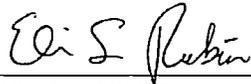
(Check only one)

Petty \_\_\_\_\_  
 Minor \_\_\_\_\_  
 Misdem. \_\_\_\_\_  
 Felony

6. Has this case previously been filed in this District Court? (Yes or No) No  
 If yes: Judge \_\_\_\_\_ Case No. \_\_\_\_\_  
 (Attach copy of dispositive order)  
 Has a complaint been filed in this matter? (Yes or No) Yes  
 If yes: Magistrate Case No. 20-6580-MJ-AOV  
 Related miscellaneous numbers: \_\_\_\_\_  
 Defendant(s) in federal custody as of \_\_\_\_\_  
 Defendant(s) in state custody as of \_\_\_\_\_  
 Rule 20 from the District of \_\_\_\_\_

Is this a potential death penalty case? (Yes or No) No

- Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to August 9, 2013 (Mag. Judge Alicia O. Valle)? Yes  No
- Does this case originate from a matter pending in the Northern Region U.S. Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek Maynard)? Yes  No

  
 \_\_\_\_\_  
 ELI S. RUBIN  
 Assistant United States Attorney  
 Court ID A5502535

\*Penalty Sheet(s) attached

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: TERRENCE DESHUN WILLIAMS

Case No: \_\_\_\_\_

Count #: 1

Bank Fraud

18 U.S.C. § 1344

\*Max. Penalty: 30 Years' Imprisonment

Counts #: 2-3

Money Laundering

18 U.S.C. § 1956(a)(1)(B)(i)

\*Max. Penalty: 20 Years' Imprisonment

Counts #4-5

Engaging in Transactions in Unlawful Proceeds

18 U.S.C. § 1957(a)

\*Max. Penalty: 10 Years' Imprisonment

**\*Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**