

IN THE DISTRICT COURT OF THE UNITED STATES

for the Western District of New York

**MAY 2019 GRAND JURY
(Impaneled May 3, 2019)**

THE UNITED STATES OF AMERICA

INDICTMENT

-vs-

Violations:

KEONNA DAVIS

Title 18, United States Code,
Sections 1028A(a)(1), 1341,
1343, and 1349
(33 Counts and Forfeiture Allegation)

INTRODUCTION

The Grand Jury Charges That:

At all times relevant to this Indictment:

1. The United States Small Business Administration (“SBA”) was a United States government agency that, in addition to providing support to entrepreneurs and small businesses, provided low-interest disaster relief loans to help businesses and homeowners recover from federally declared disasters.

2. Hurricane Harvey, Hurricane Irma, Hurricane Maria, Hurricane Florence, and Hurricane Michael were all federally declared disasters. Individuals and businesses affected by these federally declared disasters were eligible for disaster relief loans from the SBA for expenses not covered by either insurance or funding from the Federal Emergency Management Agency. To apply for a disaster relief loan from the SBA, applicants were

required to provide their personally identifying information (PII) including name, social security number, date of birth, address, and telephone number.

3. The defendant, KEONNA DAVIS, resided in Buffalo, New York in the Western District of New York. Between in or about September 2017 and in or about December 2017, DAVIS worked at the SBA branch office in Buffalo, New York, as a Disaster Recovery Specialist.

4. As a Disaster Recovery Specialist at the SBA, the defendant's responsibilities included communicating with individuals who had sought disaster relief loans regarding their loan applications. The defendant's employment afforded her access to the SBA computer database containing the PII of applicants for disaster relief loans.

COUNTS 1 through 16

(Wire Fraud)

The Grand Jury Charges That:

1. The allegations of the Introduction of this Indictment are hereby repeated, realleged and incorporated by reference as if fully set forth herein.

2. Between in or about December 2016 and in or about October 2018, in the Western District of New York, and elsewhere, the defendant, KEONNA DAVIS, did devise, and intend to devise, a scheme and artifice to defraud individuals and financial institutions and to obtain money and property from such individuals and financial institutions by means of materially false and fraudulent pretenses, representations, and promises.

Manner and Means of the Scheme

The scheme and artifice was carried out in the following manner and means, among others:

A. Fraud Related to Disaster Victims

3. Between in or about September 2017 and in or about December 2017, P.B., M.C., B.C., D.D., R.D., H.H., G.O., G.S., and P.W., individuals known to the Grand Jury and collectively referred to as “disaster victims,” were affected by declared disasters in the United States and applied for disaster relief loans from the SBA. In the course of her duties at the SBA, the defendant, KEONNA DAVIS, had access to the PII of the disaster victims and personally spoke with M.C., B.C., D.D., H.H., and P.W. regarding disaster relief loan applications.

4. Between in or about January 2018 and in or about October 2018, the defendant, KEONNA DAVIS, in furtherance of the scheme to defraud, did use the PII of the disaster victims to: (1) apply for and obtain credit cards, via wire communications; (2) apply for and obtain loans from financial institutions, via wire communications; and (3) transfer, and attempt to transfer, funds from financial accounts of the disaster victims to financial accounts controlled by the defendant.

B. Fraud Related to Non-Disaster Victim

5. Prior to December 2016, the defendant, KEONNA DAVIS, obtained the PII of D.P., a person known to the Grand Jury. Between in or about December 2016 and in or about January 2017, the defendant used the PII of D.P. to purchase goods and transfer money, via interstate wire communications, between D.P.’s bank account and an account controlled by the defendant.

C. Execution of the Scheme to Defraud

6. On or about the dates set forth below, in the Western District of New York, and elsewhere, the defendant, KEONNA DAVIS, for the purpose of executing the scheme and artifice to defraud, did transmit, attempt to transmit, and cause to be transmitted, by means of wire communication in interstate commerce, writing, signs, signals, pictures, and sounds, as set forth below:

COUNT	DATE	VICTIM	DESCRIPTION OF WIRE COMMUNICATION
1	12/30/2016	D.P.	Wire transfer of \$3,500 from D.P.'s Fifth Third Bank account to a Paypal account under defendant's control.
2	1/1/2017	D.P.	Online application to add the defendant to D.P.'s JP Morgan Chase credit card account.
3	1/2/2018	G.S.	Online application for a \$35,000 loan from Discover Personal Loans using G.S.'s PII.
4	1/6/2018	G.S.	Wire transfer of \$1,482.31 from G.S.'s Fifth Third Bank account to defendant's credit card account.
5	1/6/2018	G.S.	Wire transfer of \$2,878.34 from G.S.'s Fifth Third Bank account to defendant's credit card account.
6	1/21/2018	G.O.	Online loan application for \$4,900 loan from My Pet Funding, LLC.
7	1/26/2018	G.O.	Online American Express credit card application made by the defendant using G.O.'s PII.
8	3/14/2018	P.W.	Online American Express credit card application made by the defendant using P.W.'s PII.
9	4/5/2018	P.W.	Online application made by the defendant adding the defendant as an authorized user on a Home Depot credit card.
10	4/25/2018	P.W.	Wire transfer of \$1,700 from P.W.'s JP Morgan Chase Bank account to defendant's credit card account.
11	5/3/2018	B.C.	Online loan application for \$12,000 from Avant.
12	6/18/2018	G.S.	Online American Express credit card application made by the defendant using G.S.'s PII.
13	8/25/2018	M.C.	Online Capital One credit card application made by the defendant using M.C.'s PII.
14	9/17/2018	M.C.	Online American Express credit card application made by the defendant using M.C.'s PII.

15	10/3/2018	D.D.	Online Capital One credit card application made by the defendant using D.D.'s PII.
16	10/6/2018	D.D.	Online loan application for \$15,000 from United Medical Credit.

All in violation of Title 18, United States Code, Sections 1343 and 1349.

COUNTS 17 through 23

(Mail Fraud)

The Grand Jury Further Charges That:

1. The allegations of the Introduction and Counts 1 through 16 of this Indictment are hereby repeated, realleged and incorporated by reference as if fully set forth herein.

2. Between in or about December 2016 and in or about October 2018, in the Western District of New York, and elsewhere, the defendant, KEONNA DAVIS, did devise, and intend to devise, a scheme and artifice to defraud individuals and financial institutions and to obtain money and property from such individuals and financial institutions by means of materially false and fraudulent pretenses, representations, and promises.

Execution of the Scheme to Defraud

3. On or about the dates set forth below, in the Western District of New York, and elsewhere, the defendant, KEONNA DAVIS, for the purpose of executing the scheme and artifice to defraud, and attempting to do so, did knowingly cause to delivered by mail and private commercial interstate carriers according to the direction thereon, and at the place at which it was directed to be delivered by the person to whom it was addressed, the matters and things set forth below:

COUNT	DATE	VICTIM	DESCRIPTION OF MAILING
17	12/30/2016	D.P.	Shipment of Riedell 172 OG Rhythm Skates mailed to 151 Davidson Ave, Buffalo, NY 14215.
18	12/31/2016	D.P.	Shipment of Lifestyle Faux Leather Living Room Sofa Set mailed to 151 Davidson Ave, Buffalo, NY 14215.
19	10/27/2017	H.H.	Two Apple iPhone X cellular telephones mailed to 151 Davidson Ave, Buffalo, NY 14215.
20	3/15/2018	P.B.	Xbox One S 500GB Gaming Console mailed to 151 Davidson Ave, Buffalo, NY 14215.
21	9/16/2018	H.H.	Synchrony Bank Sam's Club credit card mailed to 1925 Thousand Oaks Dr, Orange, TX 77632.
22	10/5/2018	D.D.	American Express credit card mailed to 151 Davidson Ave, Buffalo, NY 14215.
23	10/26/2018	R.D.	American Express credit card mailed to 151 Davidson Ave, Buffalo, NY 14215.

All in violation of Title 18, United States Code, Section 1341.

COUNTS 24 through 33

(Aggravated Identity Theft)

The Grand Jury Further Charges That:

1. The allegations of the Introduction and Counts 1 through 23 of this Indictment are hereby repeated, realleged and incorporated by reference as if fully set forth herein.

2. On or about the dates set forth below, in the Western District of New York, and elsewhere, the defendant, KEONNA DAVIS, did knowingly transfer, possess, and use, without lawful authority, means of identification of other persons, that is, the victims set forth below, during and in relation to felony violations enumerated in Title 18, United States Code, Section 1028A(c), that is, violations of Title 18, United States Code, Sections 1341, 1343, and 1349, as charged in the Counts of this Indictment set forth below, knowing that the means of identification belonged to another actual person:

COUNT	VICTIM	DATE	MEANS OF IDENTIFICATION	RELATED COUNT
24	D.P.	12/30/2016	Name	17
25	H.H.	10/27/2017	Name	19
26	G.S.	1/6/2018	Name and credit card account number	4
27	G.O.	1/21/2018	Name	6
28	P.B.	3/15/2018	Name	20
29	P.W.	4/25/2018	Name	10
30	B.C.	5/3/2018	Name and social security number	11
31	M.C.	9/17/2018	Name	14
32	D.D.	10/3/2018	Name and social security number	15
33	R.D.	10/26/2018	Name	23

All in violation of Title 18, United States Code, Section 1028A(a)(1).

FORFEITURE ALLEGATION

The Grand Jury Alleges That:

Upon conviction of any of the offenses set forth in Counts 1 through 23 of this Indictment, the defendant, KEONNA DAVIS, shall forfeit to the United States any and all property, real or personal, traceable to violations of the wire or mail fraud statutes which constitute specified unlawful activity, including but not limited to the following:

- a. One (1) Apple All-in-One desktop computer, Model Number A1418; Serial Number C02VD06MH7JY;
- b. One (1) Apple MacBook Air laptop computer, Model Number A1534; Serial Number C03W30J5HH27; and

- c. One (1) Apple iPhone X cellular telephone, Model Number A1901; IMEI Number 359407081218624.

All pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

DATED: Buffalo, New York, September 25, 2019.

JAMES P. KENNEDY, JR.
United States Attorney

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A TRUE BILL:

S/FOREPERSON