

UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF LOUISIANA

**INDICTMENT FOR WIRE FRAUD, FALSE STATEMENTS IN LOAN AND  
CREDIT APPLICATION, AND NOTICE OF FORFEITURE**

UNITED STATES OF AMERICA	:	CRIMINAL NO. 25-71-SDD-SDJ
	:	
<i>versus</i>	:	18 U.S.C. § 1343
	:	18 U.S.C. § 1014
BRITNEY SADE MCCOY	:	18 U.S.C. § 2
a/k/a "Brit'Ney Sadé McCoy"	:	18 U.S.C. § 981
a/k/a "Brit'Ney McCoy"	:	18 U.S.C. § 982
a/k/a "Wop"	:	21 U.S.C. § 853
a/k/a "only1wop23"	:	28 U.S.C. § 2461
a/k/a "Buwop Tropicana"	:	

**THE GRAND JURY CHARGES:**

At all times relevant to this Indictment:

**Small Business Administration**

1. The United States Small Business Administration ("SBA") was an executive-branch agency of the United States that provided support to entrepreneurs and small businesses. The mission of the SBA was to maintain and strengthen the nation's economy by enabling the establishment and viability of small businesses and by assisting in the economic recovery of communities after disasters.

2. As part of this effort, the SBA facilitated loans through banks, credit unions, and other lenders. These loans had government-backed guarantees.

**The Paycheck Protection Program**

3. The Coronavirus Aid, Relief, and Economic Security Act (the "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 were suffering from the economic effects

caused by the COVID-19 pandemic. On or about March 13, 2020, the President declared a national emergency under section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121 *et seq.* (the “Stafford Act”).

4. One source of relief provided by the CARES Act was the authorization of up to \$349 billion in forgivable loans to small businesses for job retention and certain other expenses, through a program referred to as the Paycheck Protection Program (“PPP”).

5. In order to obtain a PPP loan, a qualifying business was required to submit a PPP loan application, signed by an individual authorized to represent the business (the “authorized representative”). 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, the small business (through its authorized representative) was required to state, 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 (generally, a business tax return) to substantiate their payroll expenses.

6. Individuals who operated a business under a “sole proprietorship” business structure were also eligible for a PPP loan. To qualify for such a PPP loan, individuals had to report and document their income and expenses from the sole proprietorship, as typically reported to the Internal Revenue Service (“IRS”) on a “Form 1040, Schedule C” for a given tax year. As with other PPP loans, this information and supporting documentation were used to calculate the amount of money the individual was entitled to receive under the PPP. The

maximum loan amount for a sole proprietorship with no employees was approximately \$20,833.

7. PPP loan applications were processed by a participating lender (the “lender”). If the lender approved a PPP loan application, the lender funded the PPP loan using its own monies, which were 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.

8. Certain PPP lenders provided loan applicants with access to an online PPP portal and offered eligible participants funding through their own customized platforms. Other banks partnered directly with non-bank lenders and financial technology companies to identify, assist, and fund eligible PPP applicants.

9. Once approved, the business (through its authorized representative) received the PPP loan proceeds via an electronic funds transfer from the third-party lender to a financial account under the control of the business. PPP loan proceeds were required to be used by the business on certain permissible expenses, including payroll costs, mortgage interest, rent, and utilities. Under the applicable PPP rules and guidance, the interest and principal on the PPP loan was eligible for forgiveness if the business was eligible for the PPP loan it received, spent the loan proceeds on these permissible expense items within a designated period of time, and used a certain portion of the loan proceeds for payroll expenses. The proceeds of a PPP loan were not permitted to be used by the borrowers to purchase consumer goods, automobiles, personal residences, clothing, or jewelry, or to pay personal federal income taxes or for ordinary day-to-day living expenses unrelated to the specified authorized expenses.

**The Defendant, Relevant Individuals, and Relevant Entities**

10. Defendant **BRITNEY SADE MCCOY**, also known as “Brit’Ney Sadé McCoy,” also known as “Brit’Ney McCoy,” also known as “Wop,” also known as “only1wop23,” also known as “Buwop Tropicana” (hereinafter, “**MCCOY**”), was a resident of Baton Rouge, Louisiana, within the Middle District of Louisiana. **MCCOY** was employed by the City of Baton Rouge as a Purchasing Analyst from in or around May 2019 to in or around September 2021. On or about November 29, 2021, **MCCOY** was hired as a State Procurement Analyst at the State of Louisiana’s Division of Administration, Office of State Procurement.

11. Associate 1 was a resident of Baton Rouge, Louisiana, within the Middle District of Louisiana.

12. Credit Union 1 was a federally insured financial institution headquartered in Baton Rouge, Louisiana. **MCCOY** held an account, ending in 7558, at Credit Union 1, over which she had control.

13. Company 1 was a non-bank lender and limited liability company headquartered in Hollywood, Florida. Company 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.

14. Company 2 was a technology company headquartered in San Francisco, California. Company 2 provided services to SBA-approved lenders and non-lenders in connection with digitally transferring documents for borrowers’ electronic signatures.

15. Company 3 was a non-bank lender headquartered in Lake Mary, Florida. Company 3 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.



16. Company 4 was a federally insured financial institution headquartered in Laguna Hills, California. Company 4 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.

17. Company 5 was a technology company headquartered in Springdale, Arkansas. Company 5 partnered with lenders, financial institutions, and companies, including Company 4, to process PPP applications. Company 5's servers were located outside of the Middle District of Louisiana.

**COUNT 1**  
**Wire Fraud**  
**(18 U.S.C. §§ 1343 and 2)**

18. Paragraphs 1 through 17 of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

**The Scheme to Defraud**

19. Beginning in or around April 2021, and continuing through at least in or around September 2021, in the Middle District of Louisiana, and elsewhere, **MCCOY** devised and intended to devise a scheme and artifice to defraud the United States, through the SBA, lenders, and companies, and to obtain money and property by means of materially false and fraudulent pretenses, promises, and representations, by: (1) creating false and fraudulent PPP applications, PPP loan forgiveness applications, forms, and supporting documents (the "fraudulent loan applications"); (2) submitting and causing to be submitted the fraudulent loan applications to lenders, the SBA, and others in order to obtain funds and loan forgiveness through the PPP; and (3) receiving and obtaining PPP funds and loan forgiveness based on the fraudulent loan applications submitted.

### **Purpose of the Scheme**

20. It was a purpose of the scheme and artifice for **MCCOY** and her accomplices to unlawfully and unjustly enrich themselves by: (a) submitting and causing the submission, via interstate wire communications, of false and fraudulent applications for PPP loans and loan forgiveness; (b) diverting fraud proceeds for their personal use, the use and benefit of others, and to further the fraud; and (c) concealing and causing the concealment of the false and fraudulent applications and related documents.

### **Manner and Means of the Scheme**

21. The manner and means by which **MCCOY** and her accomplices sought to accomplish the objects and purpose of the scheme and artifice included, among others:

#### *The Associate 1 PPP Application*

22. On or about April 20, 2021, a false and fraudulent application was electronically submitted on behalf of Associate 1 to Company 3, located outside the State of Louisiana, seeking approximately \$11,141 (the “Associate 1 PPP Application”). The Associate 1 PPP Application falsely claimed that Associate 1 was a sole proprietor, Associate 1’s purported business was established on January 1, 2016, it had one employee, and its gross income for 2019 was \$53,480. In support of the Associate 1 PPP Application, Associate 1 submitted and caused to be submitted a fake bank statement and a fake IRS Form 1040, Schedule C, for 2019.

23. In reliance on the false representations made in the Associate 1 PPP Application and supporting documents, Company 3 deposited approximately \$11,141 in PPP funds into Associate 1’s bank account. Upon receipt of the PPP funds, Associate 1 transferred thousands of dollars of the criminal proceeds to individuals, including approximately \$2,000 to **MCCOY**.

*The Britney McCoy First PPP Application*

24. On or about April 30, 2021, **MCCOY**, while employed by the City of Baton Rouge, electronically submitted and caused to be submitted a false and fraudulent PPP application in her name to Company 3, located outside the State of Louisiana, seeking approximately \$11,392 in PPP funds (the “Britney McCoy First PPP Application”). **MCCOY** signed the Britney McCoy First PPP Application and falsely certified that the application, supporting documents, and all information provided therein were true and accurate in all material respects.

25. In the Britney McCoy First PPP Application, **MCCOY** claimed that she was a sole proprietor, her purported business was established on January 1, 2016, it had one employee, and its gross income for 2019 was \$54,683. **MCCOY** electronically submitted and caused to be submitted an IRS Form 1040, Schedule C, for 2019 (the “2019 IRS Form 1040”) as a supporting document. The 2019 IRS Form 1040 falsely represented that **MCCOY** made approximately \$54,683 in gross income and gross profit, and her principal business or profession was “Exam Preparation and Tutoring” in 2019.

26. In reliance on the false representations made in the Britney McCoy First PPP Application and supporting documents, Company 3 deposited approximately \$11,392 in PPP funds into **MCCOY**’s account, ending in 7558, at Credit Union 1. **MCCOY** spent the PPP proceeds on impermissible personal expenses, including items from Saks Fifth Avenue and Zales.

27. On or about August 12, 2021, a fraudulent PPP loan forgiveness application was electronically signed by **MCCOY** using Company 2’s technology and then electronically submitted to the SBA, seeking to have the entire \$11,392 loan forgiven (the “Britney McCoy

First Draw PPP Loan Forgiveness Application”). In the Britney McCoy First Draw PPP Forgiveness Application, **MCCOY** falsely stated and reported that she spent \$11,392 of the PPP loan proceeds on payroll costs. **MCCOY** signed the Britney McCoy First Draw PPP Forgiveness Application and falsely certified that the information provided therein was true and correct in all material respects. The SBA authorized complete loan forgiveness of the PPP loan in the amount of approximately \$11,424 (including the principal and interest), and the SBA remitted the forgiveness payment to Company 3 on or about August 17, 2021.

*The Britney McCoy Second PPP Application*

28. On or about May 28, 2021, **MCCOY**, while employed by the City of Baton Rouge, electronically submitted and caused to be submitted another false and fraudulent PPP application in her name to Company 1 through Company 5’s servers, located outside the State of Louisiana, seeking approximately \$11,392 in PPP funds (the “Britney McCoy Second PPP Application”). **MCCOY** signed the Britney McCoy Second PPP Application and falsely certified that the application, supporting documents, and all information provided therein were true and accurate in all material respects. In support of the Britney McCoy Second PPP Application, **MCCOY** made the same false representations reported in the Britney McCoy First PPP Application. In support of the Britney McCoy Second PPP Application, **MCCOY** electronically submitted and caused to be submitted the same IRS Form 1040 for 2019, as detailed in paragraph 25.

29. In reliance on the false representations made in the Britney McCoy Second PPP Application and supporting documents, Company 4 deposited approximately \$11,392 in PPP funds into **MCCOY**’s account, ending in 7558, at Credit Union 1. In or around June 2021, Company 1 sold and transferred **MCCOY**’s loan to Company 4. **MCCOY** spent the PPP



proceeds on impermissible personal travel and other expenses, including items from Louis Vuitton and Saks Fifth Avenue.

30. On or about September 10, 2021, a fraudulent PPP loan forgiveness application was electronically signed by **MCCOY** using Company 2's technology and then electronically submitted to Company 4 and the SBA, seeking to have the entire \$11,392 loan forgiven (the "Britney McCoy Second Draw PPP Loan Forgiveness Application"). In the Britney McCoy Second Draw PPP Forgiveness Application, **MCCOY** falsely stated and reported that she spent \$11,392 of the PPP loan proceeds on payroll costs. **MCCOY** signed the Britney McCoy Second Draw PPP Forgiveness Application and falsely certified that the information provided therein was true and correct in all material respects. The SBA authorized complete loan forgiveness of the PPP loan in the amount of approximately \$11,424 (including the principal and interest), and the SBA remitted the forgiveness payment to Company 4 on or about September 15, 2021.

#### **Scope of the Scheme**

31. In total, based on the false and fraudulent PPP applications detailed above, **MCCOY** fraudulently sought and obtained at least approximately \$22,784 in PPP funds.

#### **Use of Wires**

32. On or about the date set forth below, in the Middle District of Louisiana, and elsewhere, **MCCOY**, aiding and abetting and aided and abetted by others, having devised the scheme described above, for the purpose of executing the scheme, and attempting to do so, did knowingly transmit and cause to be transmitted, by means of wire communication, certain writings, signals, pictures, and sounds in interstate commerce, as described below:

Count	Approximate Date	Description of Wire
1	5/28/2021	<b>MCCOY</b> electronically submitted and caused to be submitted the Britney McCoy Second Draw PPP Application and supporting documents from within the Middle District of Louisiana to Company 1 located outside the State of Louisiana.

The above is a violation of Title 18, United States Code, Sections 1343 and 2.

### **COUNT 2**

#### **False Statements in Loan and Credit Application (18 U.S.C. §§ 1014 and 2)**

33. Paragraphs 1 through 32 of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

34. On or about the date set forth below, in the Middle District of Louisiana, and elsewhere, **MCCOY**, aiding and abetting and aided and abetted by others, did knowingly make and cause to be made one or more false statements and reports for the purpose of influencing the action of Company 4 in connection with an application, commitment, and loan, as described below.

Count	Approximate Date	Description of False Statements
2	9/10/2021	In the Britney McCoy Second Draw PPP Loan Forgiveness Application, <b>MCCOY</b> falsely stated and reported that she spent \$11,392 of the PPP loan proceeds on payroll costs, when in fact as <b>MCCOY</b> knew, <b>MCCOY</b> spent the PPP loan proceeds on impermissible personal expenses, including items from Louis Vuitton and Saks Fifth Avenue.

Each of the above is a violation of Title 18, United States Code, Sections 1014 and 2.

**NOTICE OF FORFEITURE**

35. Paragraphs 1 through 34 of this Indictment are incorporated by reference herein as factual allegations.

36. Upon conviction of the offense alleged in Count One, **MCCOY** shall forfeit to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C), Title 18, United States Code, Section 982(a)(2), and Title 28, United States Code, Section 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to, or obtained as a result of, the offense.

37. Upon conviction of the offense alleged in Count Two, **MCCOY** shall forfeit to the United States pursuant to Title 18, United States Code, Section 981(a)(2), any property, real or personal, which constitutes or is derived from proceeds traceable to the offense.

38. If any of the above-described property, 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 subdivided without difficulty,

the United States shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), and the United States shall be entitled to a forfeiture money judgment.

UNITED STATES OF AMERICA, BY



ELLISON C. TRAVIS  
ACTING UNITED STATES ATTORNEY  
MIDDLE DISTRICT OF LOUISIANA

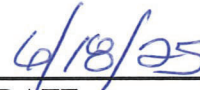
A TRUE BILL

**REDACTED**  
**PER PRIVACY ACT**

GRAND JURY FOREPERSON



KRISTEN L. CRAIG  
ASSISTANT UNITED STATES ATTORNEY



DATE