UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF FLORIDA TAMPA DIVISION

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UNITED STATES OF AMERICA

v.

CASE NO. 8:25-cr-517-CEH-CPT

NEIL RASHAD BRYANT

18 U.S.C. § 1343

INDICTMENT

The Grand Jury charges:



COUNT ONE (Wire Fraud)

A. Introduction

At times relevant to this Indictment:

- 1. NEIL RASHAD BRYANT, a resident of the Middle District of Florida, submitted false and fraudulent information in order to obtain a federal Economic Injury Disaster Loan ("EIDL") to which he was not entitled.
- 2. B.O.E. Entertainment LLC was a business owned by BRYANT located in the Middle District of Florida.

The Small Business Administration

3. 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.



- 4. In or around March 2020, the President declared the ongoing Coronavirus Disease 2019 ("COVID-19") pandemic of sufficient severity and magnitude to warrant an emergency declaration for all states, tribes, territories, and the District of Columbia pursuant to section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121-5207. The President also signed into law the Coronavirus Aid, Relief, and Economic Security ("CARES") Act and the Families First Coronavirus Response Act.
- 5. 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.
- 6. One government response to the COVID-19 outbreak was an expansion of an existing disaster-related program—the Economic Injury Disaster Loan ("EIDL")—to provide for loan assistance (including \$10,000 advances) for small businesses and other eligible entities for loans up to \$2 million. The EIDL proceeds could be used to pay certain qualifying expenses (i.e., fixed debts, payroll, accounts payable, and other bills) that could have been paid had the disaster not occurred.
- 7. EIDL funds were issued directly from the United States Treasury, and applicants applied through the SBA via an online portal and application. The EIDL application process collected information concerning the business and the business

owner. Applicants electronically certified that the information provided was accurate and were warned that any false statement or misrepresentation to the SBA or any misapplication of loan proceeds may result in sanctions, including criminal penalties.

8. Financial Institution #1 was a financial institution as defined in 18
U.S.C. § 20. BRYANT maintained an account at Financial Institution #1 ending in 4502.

B. The Scheme and Artifice

9. Beginning on an unknown date, but no later than in or around July 2020, and continuing through at least in or around July 2021, in the Middle District of Florida and elsewhere, the defendant,

NEIL RASHAD BRYANT.

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

- 10. The manner and means by which the defendant 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, materially false and fraudulent applications to the SBA's EIDL, 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 SBA to fund the EIDL, the defendant would and did prepare and submit, and cause to be prepared and submitted, to the SBA an application that contained multiple materially false and fraudulent representations and pretenses, including:
 - i. overstating the number of employees for the business;
 - ii. overstating the gross income for the business;
- iii. representing and certifying that loan proceeds would be used for business-related purposes; and
- iv. fraudulently affirming the truth of statements in the application.
- c. It was further a part of the scheme and artifice that the defendant would and did cause the SBA to approve the EIDL application and cause to be transmitted EIDL proceeds via interstate wire transfer to Financial Institution #1.
- d. It was further a part of the scheme and artifice that the defendant would and did use the EIDL funds, and cause the EIDL 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

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

NEIL RASHAD BRYANT,

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	September 2, 2020	Defendant caused a wire transfer in the amount of \$52,400 in EIDL funds, sent from outside 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 are 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 \$52,400.00, which represents the proceeds the defendant obtained from the offense.
- 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 BIL

Foreperson

GREGORY W. KEHOE United States Attorney

By:

Merrilyn E. Hoenemeyer

Assistant United States Attorney

By:

Gregory D. Pizzo

Assistant United States Attorney Chief, Economic Crimes Section