

2023R00428/MHS

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

FILED 

OCT 11 2024

UNITED STATES OF AMERICA

v.

ANNE BONILLA  
a/k/a "Anne Davinovish"

: Hon. Michael E. Farbiarz

:

: Crim. No. 24-CR-680-MEF

:

: 26 U.S.C. § 7206(2)

: 18 U.S.C. § 1349

: 18 U.S.C. § 1343

AT 8:30 4:32 P M  
CLERK, U.S. DISTRICT COURT - DNJ

**INDICTMENT**

The Grand Jury in and for the District of New Jersey, sitting at Newark,  
charges:

**COUNTS 1-13**

(Aiding and Assisting in the Preparation of  
False Federal Income Tax Returns)

1. At all times relevant to this Indictment:

a. Defendant ANNE BONILLA, a/k/a "Anne Davinovish"

("BONILLA"), resided in or around Linden, New Jersey.

b. From at least in or about 2017 through at least in or about 2022,  
BONILLA was an owner and operator of Anne Accounting Services, Inc. ("Anne  
Accounting"), a tax return preparation business located in or around Union County,  
New Jersey, where she prepared federal income tax returns for her taxpayer clients  
for a fee.

c. The Internal Revenue Service ("IRS"), an agency within the  
United States Department of Treasury, was responsible for administering and  
enforcing the tax laws of the United States, specifically, federal income tax laws.

2. The IRS required an individual who prepared or assisted in preparing federal income tax returns for a fee to obtain a Preparer Tax Identification Number (“PTIN”). A paid tax preparer was required to place his or her PTIN on each tax return that he or she prepared for a fee to identify the preparer of that particular tax return.

3. BONILLA had her own Electronic Filing Identification Number (“EFIN”) and PTIN for use in return preparation. However, in or about 2023, the IRS suspended BONILLA’s EFIN because of outstanding individual civil penalties that she owed for preparing taxpayer client returns for tax years 2017 through 2020 that resulted in the issuance of refunds that the taxpayer clients were not actually entitled to receive. BONILLA subsequently paid another individual, who is not a tax preparer, to register for a new EFIN under that individual’s name for BONILLA’s use.

4. While preparing tax returns for her clients at Anne Accounting, BONILLA prepared false and fraudulent federal United States individual income tax returns for her taxpayer clients to reduce her clients’ tax liabilities and generate refunds in amounts that her clients were not entitled to receive by, among other things, fabricating deductions related to retirement accounts and falsifying information on her clients’ tax returns related to: employee business expenses on IRS Forms 2106, health savings accounts, residential energy credits, education credits, and child and dependent care credits on Schedules A and/or E.

5. As part of her scheme to generate clients to enhance her business and enrich herself by preparing false and fraudulent returns for her clients, BONILLA

quoted clients multiple tax preparation fees, with higher cost options yielding a larger refund and lower cost options yielding a smaller refund. For example, at Anne Accounting, there was a menu of fees advertised for her clients, with higher tax preparation fees corresponding to higher amounts of guaranteed tax refunds regardless of whether her clients were actually entitled the amount of the guaranteed refund listed.

6. BONILLA used fraudulent means to unlawfully decrease her clients' taxable incomes and the amounts of tax due thereby generating refunds in amounts that her clients were not entitled to receive, including but not limited to:

- i. Fabricating certain qualified charitable contributions, medical and dental expenses, interest paid, and other deductions that were itemized on Schedule A of IRS Form 1040.
- ii. Fabricating certain qualified solar electric property costs that were reported on IRS Form 5695.
- iii. Fabricating certain qualified Individual Retirement Arrangement ("IRA") deductions, student loan interest payments, and self-employment taxes that were reported on IRS Form 1040, Schedule 1.
- iv. Fabricating certain qualified Health Savings Account ("HSA") contributions that were reported on IRS Form 8889.
- v. Fabricating certain qualified total business expenses and net profit or loss that were reported on IRS Form 1040, Schedule C (Profit or Loss from Business).

vi. Fabricating certain qualified rental real estate and royalty losses, expenses, insurance expenses, and rent that were reported on IRS Form 1040, Schedule E (Supplemental Income and Loss).

vii. Fabricating certain qualified parking fees, tolls, and transportation or travel costs that were reported on IRS Form 2106.

7. From at least in or about 2017 to in or about 2022, BONILLA prepared at least 46 federal individual income tax returns on behalf of her clients that were false and fraudulent, causing the United States to issue approximately \$340,000 in refunds to BONILLA's clients, to which they were not entitled, and resulting in a tax loss to the United States.

8. On or about the dates specified below, in the District of New Jersey and elsewhere, the defendant,

**ANNE BONILLA,  
a/k/a “Anne Davinovish”**

did willfully aid and assist in and procure, counsel, and advise the preparation and presentation to the IRS, of federal individual income tax returns, Forms 1040, for the individuals and tax years identified below, which were false and fraudulent as to material matters, including those described below, knowing that the returns were false and fraudulent.

<b>Count</b>	<b>Taxpayer(s)</b>	<b>Tax Year</b>	<b>Date Filed (Approx.)</b>	<b>Refund Falsely Claimed (Approx.)</b>	<b>Falsely Claimed Item(s)</b>
1	Taxpayers 1 and 2	2017	6/22/20	\$5,848	Schedule A, line 1; Form 1040, line 32
2	Taxpayers 1 and 2	2019	6/18/20	\$7,956	Schedule A, lines 1 and 16; Schedule 1, line 19; Form 8889, line 2
3	Taxpayers 1 and 2	2021	4/15/22	\$9,786	Schedule A, lines 1 and 16; Form 5695, line 1; Schedule 1, line 20; Form 8889, line 2
4	Taxpayers 3 and 4	2018	4/9/19	\$11,232	Schedule A, lines 1 and 16; Schedule E, line 26
5	Taxpayers 3 and 4	2020	3/31/21	\$24,285	Schedule A, lines 1 and 16; Form 5695, line 1; Form 8889, line 2; Schedule E, line 26; Form 2106, line 2
6	Taxpayers 5 and 6	2018	2/6/19	\$1,386	Schedule A, lines 1 and 8c; Form 8889, line 2

<b>Count</b>	<b>Taxpayer(s)</b>	<b>Tax Year</b>	<b>Date Filed (Approx.)</b>	<b>Refund Falsely Claimed (Approx.)</b>	<b>Falsely Claimed Item(s)</b>
7	Taxpayers 7 and 8	2018	2/20/19	\$2,159	Schedule A, line 1
8	Taxpayers 7 and 8	2020	3/1/21	\$8,393	Schedule A, lines 1 and 16; Form 2106, lines 2 and 3; Form 8889, line 2
9	Taxpayers 7 and 8	2021	2/21/22	\$7,738	Form 8889, line 2; Schedule 1, line 20; Schedule C, line 31
10	Taxpayers 9 and 10	2018	3/15/19	\$1,344	Schedule A, lines 1 and 16
11	Taxpayers 9 and 10	2021	2/10/22	\$4,698	Schedule A, lines 1 and 16; Form 8889, line 2; Schedule 1, line 20
12	Taxpayers 11 and 12	2019	8/21/20	\$5,963	Schedule C, line 28
13	Taxpayers 11 and 12	2020	4/27/21	\$12,887	Schedule C, line 28

In violation of Title 26, United States Code, Section 7206(2).

**COUNT 14**

(Conspiracy to Commit Wire Fraud)

**The Conspiracy and Scheme to Defraud**

9. The allegations contained in Paragraphs 1 through 3 of this Indictment are incorporated as if set forth in full herein.

10. At all times relevant to this Indictment:

a. Richard Fadruga, a/k/a “Ricardo Fadruga,” (“Fadruga”) was a co-conspirator who resided in or around Union County, New Jersey.

b. Fadruga owned, operated, and/or had a financial or controlling interest in Adde Botanica LLC, a business located in or around Union County, New Jersey.

c. Fadruga owned, operated, and/or had a financial or controlling interest in Adde Botanica & Florist LLC, a business located in or around Passaic County, New Jersey, until it closed in or around 2019.

d. After the IRS suspended BONILLA from electronically filing tax returns, in or about 2023, at the request of BONILLA, Fadruga applied for and was issued by the IRS an Employer Identification Number (“EIN”) and Electronic Filer Identification Number (“EFIN”), which BONILLA used to prepare and file tax returns for others, including for individuals associated with BONILLA. During tax year 2023, Fadruga’s EIN and EFIN were associated with tax returns that received hundreds of thousands of dollars in federal refunds.

e. Co-Conspirator-1 resided in or around Union County, New Jersey.

f. Bank-1 was a financial institution headquartered in or around Boston, Massachusetts.

g. Bank-2 was a financial institution headquartered in or around McLean, Virginia.

h. Bank-3 was a financial institution headquartered in or around Danville, Virginia.

i. The Coronavirus Aid, Relief, and Economic Security (“CARES”) Act was a federal law enacted in or around March 2020 designed to provide emergency financial assistance to millions of Americans suffering economic effects caused by the COVID-19 pandemic. One source of relief provided by the CARES Act was the authorization of the Economic Injury Disaster Loan (“EIDL”) program. EIDL was a Small Business Administration (“SBA”) program that provided low interest financing to small businesses, renters, and homeowners in regions affected by declared disasters.

j. In order to obtain an EIDL, a qualifying business was required to submit an application to the SBA and provide information about its operations, such as the number of employees, gross revenues for the 12-month period preceding the COVID-19 disaster (“Disaster”), and cost of goods sold in the 12-month period preceding the Disaster. In the case of EIDLs for COVID-19 relief, the 12-month period constituted the 12 months preceding January 31, 2020. In addition, the business entity must have existed in an operational condition on February 1, 2020.

k. The amount of the EIDL was determined based, in part, on the information the applicant provided regarding the revenue, employees, and cost of

goods of the company. The SBA directly issued any funds disbursed under an EIDL to the applicant company. A company was permitted to use EIDL funds for payroll expenses, sick leave, production costs, and business obligations, such as debts, rent, and mortgage payments.

1. To obtain an EIDL, a qualifying applicant was required to submit an application to the SBA, through an online portal. EIDL applications were received in cloud-based platforms. The location of the server through which the EIDL application was submitted was based on the date the application was processed by the SBA and the application number. Beginning July 11, 2020, all EIDL applications and supporting documents were received in a cloud-based platform through SBA servers located in or around Des Moines, Iowa. Before July 11, 2020, EIDL applications beginning with the prefix 33 were received in a cloud-based platform through SBA servers located in or around Des Moines, Iowa.

11. From at least in or around May 2020 through in or around February 2024, in the District of New Jersey and elsewhere, the defendant,

**ANNE BONILLA,  
a/k/a “Anne Davinovish”**

did knowingly and intentionally conspire and agree with Fadruga and others to devise a scheme and artifice to defraud the SBA and others and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, as set forth below, and, for the purpose of executing such scheme and artifice to defraud, did transmit and cause to be transmitted in interstate and foreign commerce certain writings, signs, signals, pictures, and sounds, contrary to Title 18, United States Code, Section 1343.

**Goal of the Scheme to Defraud**

12. The goal of the scheme was for BONILLA, Fadruga, and others to enrich themselves by defrauding financial institutions and the SBA by, among other things, submitting loan applications containing false information to fraudulently obtain federal COVID-19 emergency relief funds from the SBA that were meant for distressed small businesses and falsifying information in connection with a loan application for the purchase of real estate.

**Manner and Means of the Scheme to Defraud**

13. It was part of the scheme that:

a. On or about June 24, 2020, BONILLA, while residing in or around Middlesex County, New Jersey, caused the submission of an EIDL application (“Application-1”) to the SBA on behalf of Adde Botanica LLC seeking a

loan. Application-1 had an application number with a prefix of 33, and was therefore received by the SBA in a cloud-based platform whose servers were located in or around Des Moines, Iowa.

b. On or about June 24, 2020, BONILLA and Fadrage exchanged messages via a secure messaging application concerning Application-1. BONILLA sent Fadrage multiple messages depicting screenshots of Application-1 while BONILLA completed Application-1 on behalf of Adde Botanica LLC.

c. Application-1 and its supporting documents contained materially false and fraudulent information, including false information concerning the number of employees and annual gross revenue for Adde Botanica LLC. For example, Application-1 falsely stated that Adde Botanica LLC's gross revenues for the 12 months prior to the Disaster were \$1,667,960.00, which Fadrage later admitted were inflated.

d. Application-1 listed Fadrage as Chief Executive Officer of Adde Botanica LLC, listed an e-mail address that included Fadrage's last name, and listed Adde Botanica LLC's physical address. Application-1 listed as Fadrage's business address an address associated with BONILLA.

e. On or about June 29, 2020, Fadrage sent BONILLA a screenshot of a message from the SBA showing that Application-1 was being processed and requesting that Fadrage sign loan closing documents.

f. BONILLA and Fadrage's false and fraudulent representations and omissions in Application-1 caused the SBA to disburse approximately \$6,000 into a bank account Fadrage had access to at Bank-1 ("Account 8514") on or about

June 25, 2020, and caused the SBA to disburse approximately \$104,000 into Account 8514 on or about July 7, 2020.

g. On or about July 17, 2020, BONILLA, while residing in or around Middlesex County, New Jersey, caused the submission of an EIDL application (“Application-2”) for COVID-19 relief to the SBA on behalf of Adde Botanica & Florist LLC seeking a loan. Application-2 was submitted after July 11, 2020, and was therefore received in a cloud-based platform through SBA servers located in or around Des Moines, Iowa.

h. Application-2 and its supporting documents contained materially false and fraudulent information, including false information concerning the number of employees and annual gross revenue for Adde Botanica & Florist LLC. For example, Application-2 falsely stated that Adde Botanica & Florist LLC’s gross revenues for the 12 months prior to the Disaster were \$763,596.00 and that its monthly sales were \$63,633.00, which Fadrago later admitted were inflated. Additionally, and as was noted above, to qualify for EIDLs for COVID-19 relief, a business must have existed in an operational condition on February 1, 2020. Adde Botanica & Florist LLC had closed in or around 2019, before BONILLA and Fadrago submitted Application-2 on behalf of the company.

i. BONILLA and Fadrago falsely submitted Application-2 under the name of Co-Conspirator-1 to avoid the SBA detecting BONILLA and Fadrago’s involvement in Application-2. But SBA records indicated that Application-1 and Application-2 were both accessed via the same IP address and listed the same phone number which was associated with Fadrago. SBA records further indicated

that multiple other loan applications submitted to the SBA were accessed via the same IP address, including applications in the names (including variations of the names) of BONILLA and people associated with BONILLA.

j. On or about August 7, 2020, Fadraga sent BONILLA a screenshot of an e-mail he received from an SBA Loan Officer regarding Application-2, which requested that Fadraga provide additional information in support of Application-2.

k. On or about August 8, 2020, Fadraga sent BONILLA a screenshot of another e-mail he received from an SBA Loan Officer regarding Application-2, which requested that Fadraga provide additional information in support of Application-2.

l. On or about August 8, 2020, Fadraga sent BONILLA information to log in to the SBA account associated with Application-2. BONILLA responded by sending a screenshot of the SBA log-in page stating that the log-in credentials used were not correct.

m. On or about August 27, 2020, Fadraga sent BONILLA a screenshot showing that Application-2 had been approved.

n. BONILLA and Fadraga's false and fraudulent representations and omissions in Application-2 caused the SBA to disburse approximately \$131,200 into a bank account at Bank-2 ("Account 7980") on or about August 28, 2020, which was shared between BONILLA, Fadraga, and Co-Conspirator-1.

o. The loan proceeds received as a result of Application-2 were shared between BONILLA, Fadraga, and Co-Conspirator-1.

p. In or around August 2021, Fadraga applied for a loan at Bank-3 in connection with the purchase of residential real estate in or around Venice, Florida ("Application-3").

q. On or about August 13, 2021, Fadraga sent BONILLA a screenshot of the questions associated with Application-3, including questions about annual base salary, overtime, bonus, and commission. BONILLA provided instructions as to how Fadraga should complete Application-3.

r. On or about September 8, 2021, Fadraga sent BONILLA a screenshot of an e-mail from a Loan Officer at Bank-3 seeking 12 months of bank statements for Adde Botanica LLC and other materials.

s. On or about September 10, 2021, and on other dates, Fadraga sent BONILLA copies of legitimate bank statements from Account 8514.

t. On or about September 13, 2021, BONILLA sent to the Loan Officer at Bank-3 PDF files of fraudulent bank statements from Account 8514 that had been altered to falsely make it appear as if Account 8514 contained more money than it in fact contained during the relevant 12-month time period.

u. On or about September 16, 2021, BONILLA sent Fadraga a screenshot of a portion of a fraudulent bank statement from Account 8514. The original August 31, 2021 statement from Account 8514 showed a beginning balance of \$7,468.17 and an ending balance of \$5,183.16. The fraudulent August 31, 2021 statement from Account 8514 which BONILLA sent to Fadraga on or about September 16, 2021 showed a beginning balance of \$122,468.17 and an ending balance of \$118,304.81. The fraudulent statement also included multiple fictitious

transactions totaling more than \$120,000. The fraudulent August 31, 2021 statement was included—among other fraudulent statements—in BONILLA’s September 13, 2021 e-mail to the Loan Officer at Bank-3. Bank-3 later disbursed the loan.

In violation of Title 18, United States Code, Section 1349.

**COUNTS 15–16**

(Wire Fraud)

14. The allegations contained in paragraphs 1 through 3, 10, 12, and 13 of this Indictment are incorporated as if set forth in full herein.

15. On or about the dates listed below, in the District of New Jersey and elsewhere, the defendant,

**ANNE BONILLA,  
a/k/a “Anne Davinovich”**

did knowingly and intentionally devise and intend to devise a scheme and artifice to defraud, and aid and abet the scheme and artifice to defraud, the SBA, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and, for purposes of executing and attempting to execute such scheme and artifice to defraud, did knowingly and intentionally transmit and cause to be transmitted by means of wire communications in interstate and foreign commerce certain writings, signs, signals, pictures, and sounds, namely the wire transfers described below, each constituting a separate count of this Indictment:

<b>Count</b>	<b>Date (Approx.)</b>	<b>Interstate Wire Transmission</b>
15	6/24/20	Submission of Application-1 on behalf of Adde Botanica LLC, containing false information, resulted in the transfer of approximately \$110,000 from the SBA into Account 8514
16	7/17/20	Submission of Application-2 on behalf of Adde Botanica & Florist LLC, containing false information, which resulted in the transfer of approximately \$131,200 from the SBA into Account 7980

In violation of Title 18, United States Code, Section 1343.

**FORFEITURE ALLEGATIONS AS TO COUNTS 14, 15, AND 16**

1. Upon conviction of the offenses charged in Counts 14, 15, and 16 of this Information, the defendant,

**ANNE BONILLA,  
a/k/a “Anne Davinovish”**

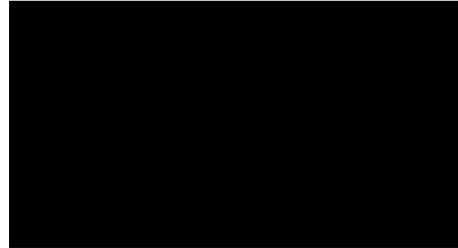
shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to such offense.

2. If any of the above-described forfeitable 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 divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above

forfeitable property.



*Philip R. Sellinger/VK*  
PHILIP R. SELLINGER  
United States Attorney

CASE NUMBER: 24-CR-680-MEF

---

United States District Court  
District of New Jersey

---

UNITED STATES OF AMERICA

v.

ANNE BONILLA  
a/k/a “Anne Davinovish”

---

INDICTMENT FOR

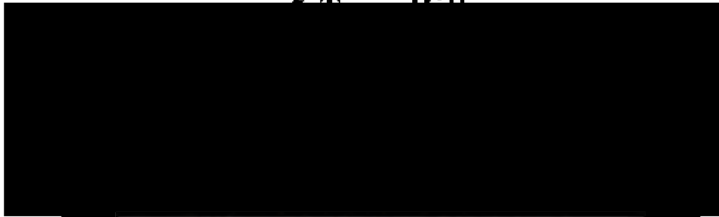
26 U.S.C. § 7206

18 U.S.C. § 1349

18 U.S.C. § 1343

---

Attorney Bill



PHILIP R. SELLINGER  
UNITED STATES ATTORNEY  
*FOR THE DISTRICT OF NEW JERSEY*

---

MATTHEW SPECHT  
ASSISTANT U.S. ATTORNEY  
NEWARK, NEW JERSEY  
(973) 353-6061

---