
**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA : Hon. Cathy L. Waldor, U.S.M.J. :
 : Mag. No. 25-9067
 v. :
 : **CRIMINAL COMPLAINT**
BRENT LEE

I, Jessica Norfleet, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

SEE ATTACHMENT A

I further state that I am a Special Agent with the Federal Bureau of Investigation, and that this Complaint is based on the following facts:

SEE ATTACHMENT B

Continued on the attached page and made a part hereof.

/s/ Jessica Norfleet

Jessica Norfleet, Special Agent
Federal Bureau of Investigation

SA Norfleet attested to this Complaint
by telephone pursuant to FRCP 4.1(b)(2)(A)
on February 18, 2025 in the District of New Jersey

/s/ Cathy L. Waldor

Honorable Cathy L. Waldor
UNITED STATES MAGISTRATE JUDGE

ATTACHMENT A

Count One
Bank Fraud Conspiracy

From in or about January 2023 through in or about March 2023, in Hudson County, in the District of New Jersey and elsewhere, the defendant,

BRENT LEE,

did knowingly and intentionally conspire and agree with others to execute a scheme and artifice to defraud a financial institution, as defined in Title 18, United States Code, Section 20, namely, Bank-1 and Bank-2, whose deposits were insured by the Federal Deposit Insurance Corporation, and to obtain monies, funds, assets, and other property owned by and under the custody and control of Bank-1 and Bank-2 by means of materially false and fraudulent pretenses, representations, and promises, contrary to Title 18, United States Code, Section 1344.

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

Count Two
Theft of Government Funds

From in or about February 2023 through in or about March 2023, in Hudson County, in the District of New Jersey and elsewhere, the defendant,

BRENT LEE,

did embezzle, steal, purloin, or knowingly convert to his use or the use of another, money and things of value of the United States and a department or agency thereof, namely, the United States Department of Health and Human Services, the value of which exceeded \$1,000, and received, concealed, and retained the same with intent to convert it to his use and gain, knowing it to have been embezzled, stolen, purloined, and converted.

In violation of Title 18, United States Code, Section 641.

ATTACHMENT B

I, Jessica Norfleet, am a Special Agent with the Federal Bureau of Investigation. I am fully familiar with the facts set forth herein based on my own investigation, my conversations with other law enforcement officers, and my review of reports, documents, and other items of evidence. Because this Complaint is being submitted for a limited purpose, I have not set forth each and every fact that I know concerning this investigation. Where statements of others are related herein, they are related in substance and part. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged.

THE STOLEN CHECKS

1. Law enforcement has been investigating the theft of five checks (the “Checks”), all of which were dated on or about January 31, 2023, issued by a New Jersey municipality (the “Municipality”), and made payable to a not-for-profit charitable organization located in Hudson County, New Jersey (the “Nonprofit”). The Checks were written in various amounts with a combined total value of approximately \$972,033.51.

2. The investigation has revealed that funds allocated by four of the five Checks originated from a federal grant program (the “Federal Program”), which provides monies to fund a comprehensive system of HIV primary medical care, medications and essential support for low-income people with HIV. The Federal Program is administered by the Health Resources and Services Administration (“HRSA”), an operating division of the United States Department of Health and Human Services (“HHS”).¹ The Municipality received grant funding from HRSA through this program and in turn designated the Nonprofit as a subrecipient of the grant funding. The fifth Check, in the amount of approximately \$43,149.08, was a grant from the Municipality to the Nonprofit through funding provided by a New Jersey State Agency.

3. The award of HRSA grants like those from the Federal Program is conditioned on an application process and continued oversight. The Municipality was awarded HRSA grant funding after submitting a formal

¹ HRSA programs like the Federal Program provide equitable health care to people who are geographically isolated and economically or medically vulnerable. HRSA programs also support health infrastructure, including through training of health professionals and distributing them to areas where they are needed most, providing financial support to health care providers, and advancing telehealth.

application describing, among other things, its needs and proposed uses for the funding. As a condition of receiving the funds, the Municipality is required to submit periodic progress reports to HRSA describing its use or allocation of the grant funds.

4. The investigation revealed that on or about January 31, 2023, from a location in New Jersey, employees of the Municipality sent the Checks to the Nonprofit by placing them in the U.S. Mail. The Nonprofit never received the Checks.

THE CONSPIRACY

5. At all times relevant to this Criminal Complaint:

- a. Bank-1 is headquartered in Providence, Rhode Island. The Municipality maintained a bank account at Bank-1 in Jersey City, New Jersey.
- b. Bank-2 is headquartered in San Francisco, California, and has a branch in Albuquerque, New Mexico.
- c. Bank-1 and Bank-2 were federally insured “financial institutions,” as that term is defined in 18 U.S.C. § 20.
- d. The Defendant BRENT LEE (“LEE”) was a resident of Phoenix, Arizona and has never been affiliated with HHS, HRSA, the Municipality, or the Nonprofit.

6. On or about January 31, 2023 and February 15, 2023, at least one unknown co-conspirator (“Co-conspirator-1”) intercepted the Checks before they came into the Nonprofit’s possession.

7. On or about February 15, 2023, articles of incorporation were filed with the Wyoming Secretary of State to form a corporate entity with a nearly identical name to that of the Nonprofit (the “Scheme Entity”). The articles of incorporation listed LEE as the Registered Agent for the Scheme Entity, which is not affiliated with the Nonprofit in any way.

8. Flight records show that on or about the morning of February 15, 2023, LEE flew from his home in Phoenix, Arizona to Albuquerque, New Mexico, and on or about the afternoon of February 15, 2023, LEE flew from Albuquerque back to Phoenix.

9. Video footage shows that on or about February 15, 2023, LEE entered an Albuquerque branch office of Bank-2 (the “Albuquerque Branch”) and opened a checking account (the “Scheme Bank Account”). Bank-2’s records show that LEE opened the Scheme Bank Account in the name of the Scheme Entity and listed himself as its sole signor. LEE deposited approximately \$40 in cash into the Scheme Bank Account.

10. Beginning on or about February 22, 2023, the Checks were deposited into the Scheme Bank Account. Specifically, on or about February 22, 2023, one of the Checks in the amount of approximately \$706,084.48 was deposited into the Scheme Bank Account. Video surveillance from Bank-2’s archives depicts an individual (“Co-conspirator-2”) depositing this check into the Scheme Bank Account. On or about March 6, 2023, three of the Checks in the amounts of approximately \$102,516.46, \$43,149.08, and \$32,636.30, respectively, were deposited electronically into the Scheme Bank Account. On or about March 8, 2023, video surveillance showed Co-conspirator 2 depositing the final Stolen Check in the amount of approximately \$87,647.19 into the Scheme Bank Account.

11. Because of these deposits, funds totaling approximately \$972,033.51 were drawn from the Municipality’s bank account at Bank-1 in New Jersey and transferred to the Scheme Bank Account at Bank-2 in New Mexico through the use of an interstate wire.

DISTRIBUTION OF STOLEN FUNDS

12. From on or about February 28, 2023 to on or about March 7, 2023, the Scheme Bank Account issued several cashier’s checks payable to various individuals, none of whom are affiliated with HHS, the Municipality, or the Nonprofit. The value of the cashier’s checks issued from the Scheme Bank Account totaled approximately \$623,198.48. The investigation has revealed that one of the cashier’s checks written in the amount of approximately \$67,432.22 was made out to LEE’s wife. Other cashier’s checks totaling approximately \$259,534.34 were made out to another individual (“Recipient-1”). On or about February 28, March 1, and March 7, 2023, video footage showed LEE obtaining cashier’s checks issued from funds in the Scheme Bank Account. On or about March 9, 2023, video footage showed LEE making a cash withdrawal via an ATM. Bank records show that the March 9, 2023 ATM withdrawal was made from the Scheme Bank Account.

13. From on or about February 22, 2023 to on or about March 14, 2023, the Scheme Bank Account made several wire transfers to a bank account owned by Recipient-1, totaling \$329,620.21 (the “Recipient-1 Account”).

14. On or about April 30, 2023, Bank-2 closed the Scheme Bank Account based on apparent fraudulent activity and reimbursed the Municipality for the Checks. Because less than \$5,000 remained in the Scheme Bank Account when Bank-2 closed it, Bank-2 recorded a loss in the amount of approximately \$967,086.55.