JB/2024R00411

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA v. ELVIS SONSON	Crim. No. 26-388 (RMB) 21 U.S.C. § 846 18 U.S.C. § 1349 18 U.S.C. § 1344

INFORMATION

The defendant having waived in open court prosecution by Indictment, the United States charges:

COUNT ONE
(Conspiracy to Distribute Fentanyl)

Beginning at least as early as in or about June 2024 to in or about October 2024, in Camden County, in the District of New Jersey and elsewhere, the defendant,

ELVIS SONSON,

knowingly and intentionally conspired and agreed with Co-Conspirator 1 and others to distribute and possess with intent to distribute a mixture and substance containing a detectable amount of N-phenyl-N- [1- (2-phenylethyl) -4-piperidinyl] propenamide ("fentanyl"), a Schedule II controlled substance, contrary to Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

In violation of Title 21, United States Code, Section 846.

COUNT TWO
(Conspiracy to Commit Bank Fraud)

1. The financial institutions described herein were federally insured and therefore were "financial institutions" within the meaning of Title 18, Untied States Code, Section 20.

2. Beginning at least as early as in or about November 2024 to in or about April 2025, in Camden County, in the District of New Jersey and elsewhere, the defendant,

ELVIS SONSON,

did knowingly and intentionally conspire and agree with Co-Conspirator 2 and others to execute and attempt to execute a scheme and artifice to defraud financial institutions and to obtain any of the moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, such financial institutions, by means of false and fraudulent pretenses, representations, and promises, contrary to Title 18, United States Code, Section 1344.

The Goal of the Conspiracy

3. It was the goal of the conspiracy to obtain money from financial institutions by negotiating, causing to be negotiated, and aiding others in negotiating stolen U.S. Treasury checks.

Manner and Means of the Conspiracy

4. It was part of the conspiracy that defendant ELVIS SONSON sold to others U.S. Treasury checks that had been stolen from the U.S. Mail.

5. It was further part of the conspiracy that defendant ELVIS SONSON

caused the U.S. Treasury checks that he sold to be delivered to the purchaser by, among other means, mail via the U.S. Postal Service or hand delivery by Co-Conspirator 2.

6. It was further part of the conspiracy that defendant ELVIS SONSON accepted payment for the stolen U.S. Treasury checks that SONSON sold based on the purchaser's successful negotiation of the stolen U.S. Treasury checks at financial institutions.

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

COUNT THREE
(Bank Fraud)

1. At all times relevant to Count 3 of this Information:

a. Defendant ELVIS SONSON was a resident of Atlanta, Georgia.

b. Defendant ELVIS SONSON was the owner and president of Nonstop Express, Inc. ("Nonstop"), a company that was incorporated in the State of New Jersey on or about April 14, 2016 and based in Piscataway, New Jersey.

c. Financial Institution 1 was a federally-insured financial institution that participated as a lender in the Paycheck Protection Program, as described herein. Financial Institution 1 was a "financial institution" within the meaning of Title 18, United States Code, Section 20.

The Paycheck Protection Program

d. The Coronavirus Aid, Relief, and Economic Security ("CARES") Act was a federal law enacted in or about March 2020 and was 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 billions of dollars in forgivable loans to small businesses for job retention and certain other expenses, through a program referred to as the Paycheck Protection Program ("PPP").

e. To obtain a PPP loan, a qualifying business had to submit a PPP loan application signed by an authorized representative of the business. The applicant of a PPP loan was required 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 applicant had to state, among other things, its average monthly payroll expenses and number of employees. These figures were used to determine whether the business was eligible for a PPP loan and to calculate the amount of money the business was eligible to receive under the PPP. In addition, businesses applying for a PPP loan had to provide documentation showing their payroll expenses, such as tax forms.

f. A PPP loan application had to be processed by a participating financial institution (the lender). If the PPP loan application was approved, the lender funded the PPP loan using its own monies, which were 100% guaranteed by the Small Business Administration ("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.

g. PPP loan proceeds could only be used by the business for certain permissible expenses, including payroll costs, interest on mortgages, rent, and utilities. The PPP allowed the interest and principal on the PPP loan to be entirely forgiven if the business used the loan proceeds on these expense items within a designated period of time after receiving the proceeds and used a certain amount of the PPP loan proceeds on payroll expenses.

The Scheme to Defraud

2. In or about June 2020, in the District of New Jersey, the Northern District of Georgia, and elsewhere, the defendant,

ELVIS SONSON,

knowingly and intentionally devised and intended to devise a scheme and artifice to defraud Financial Institution 1 and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, which scheme and artifice was in substance as set forth below.

Purpose of the Scheme to Defraud

3. The purpose of the scheme was for defendant ELVIS SONSON to unjustly enrich himself by obtaining PPP proceeds under false and misleading pretenses, including by making false statements about the number of Nonstop employees and Nonstop's payroll, and by providing false documentation.

Manner and Means of the Scheme

4. It was part of the scheme that:

a. On or about June 24, 2020, defendant ELVIS SONSON submitted a PPP loan application to Financial Institution 1 on behalf of Nonstop seeking a loan for approximately $325,215 ("the "Application"). SONSON submitted the Application in his name and listed himself as the owner of Nonstop.

b. The Application contained materially false and fraudulent information, including that Nonstop had 21 employees and had an average monthly payroll of $130,086. In fact, Nonstop had no employees and no payroll.

c. As part of the Application, defendant ELVIS SONSON submitted to Financial Institution 1 materially false and fraudulent IRS Forms 941 (Employer's Quarterly Federal Tax Return) for 2019 showing that Nonstop paid $390,258 in wages to 21 employees during each quarter of 2019. These supporting documents were created for purposes of applying for the PPP loan and were never submitted to the IRS.

d. Based on the Application, Financial Institution 1 approved the loan to Nonstop and, on or about June 29, 2020, Financial Institution 1 disbursed approximately $325,215 to a bank account that was controlled by defendant ELVIS SONSON.

In violation of Title 18, United States Code, Section 1344.

FORFEITURE ALLEGATION AS TO COUNT ONE

Upon conviction of the drug distribution conspiracy offense alleged in Count One of the Information, the defendant, ELVIS SONSON, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of the offense charged in Count One of the Information, and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of such offense.

FORFEITURE ALLEGATION AS TO COUNTS TWO AND THREE

As a result of committing the bank fraud conspiracy offense charged in Count Two of the Information and the bank fraud offense charged in Count Three of the Information, the defendant, ELVIS SONSON, shall forfeit to the United States, pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and 982(a)(2), any property which constitutes or is derived from proceeds SONSON obtained directly or indirectly from or traceable to the commission of the offenses charged in Counts Two and Three of the Information.

Substitute Assets Provision As to All Counts

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 person;

(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;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 982(b), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

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United States Attorney

Jeffrey Bender

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Assistant United States Attorney

Approved:

R. David Walk, Jr.

R. DAVID WALK, Jr.
Deputy United States Attorney

CASE NUMBER: 26-CR-388 (RMB)

United States District Court
District of New Jersey

UNITED STATES OF AMERICA

v.

ELVIS SONSON

INFORMATION FOR

21 U.S.C. § 846
18 U.S.C. § 1349
18 U.S.C. § 1344

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