

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
SOUTHERN DIVISION**

**UNITED STATES OF AMERICA,**

Plaintiff,

v.

**DANIEL T. POMEROY,**  
[DOB: 08/09/1981]

Defendant.

No. *23-319-01-CR-5-SRB*

**COUNTS 1 & 2**

18 U.S.C. § 1343

NMT 20 Years Imprisonment

NMT \$250,000 Fine

NMT 3 Years Supervised Release

Class C Felony

**FORFEITURE ALLEGATION**

18 U.S.C. § 981(a)(1)(C)

28 U.S.C. § 2461(c)

\$100 Special Assessment

**INFORMATION**

**THE UNITED STATES ATTORNEY CHARGES THAT:**

**Background**

At all times material to this Information:

1. The defendant, **DANIEL T. POMEROY** (hereinafter **POMEROY**), was a resident of Springfield, Greene County, Missouri, within the Western District of Missouri, the entire time he conducted the following actions and scheme.
2. Starting on or before December 2019, a viral disease known as coronavirus 2019 (COVID-19) began to spread through the United States and the rest of the world.
3. On January 30, 2020, the World Health Organization (WHO) declared this viral outbreak a public health emergency of international concern. On March 11, 2020, the WHO declared the aforementioned a pandemic.

4. As a result of the COVID-19 pandemic, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) was passed into law as a \$2.2 trillion economic stimulus bill by the United States Congress on March 27, 2020.

5. As a part of the CARES Act, the Paycheck Protection Program (PPP) was created to provide forgivable loans to small businesses that were administered by the Small Business Administration (SBA) through corresponding financial institutions. The purpose of PPP was to provide support to small businesses and assist their payroll to their employees during the coronavirus pandemic.

6. To obtain funds from PPP, a person presenting themselves as a small business owner was required to submit loan applications and supporting documents requesting funds based on the number of employees employed by the small business. Based on the information provided within the loan application, the PPP loan would either be approved or denied, and the amount of the loans would be determined to support the payroll for those employed by the small business.

7. Within the PPP loan application, numerous questions were asked of each applicant before a loan would be approved. Among those questions to be answered by an applicant included the name of the company, the number of employees, and the total salary associated with the business.

**COUNT 1**  
(Wire Fraud – 18 U.S.C. § 1343)  
Scheme – PPP Loans

8. From on or about January 19, 2021, and continuing until on or about May 20, 2021, said dates being approximate, in Greene County, within the Western District of Missouri, and elsewhere, the defendant, **DANIEL T. POMEROY**, with the intent to defraud, voluntarily and intentionally devised and executed a scheme and artifice to defraud, and obtain money from others,

by means of materially false and fraudulent pretenses, representations and promises. The scheme was as follows:

9. It was a part of the scheme that **POMEROY** submitted PPP loan applications in his name and he purported to have real businesses with employees and payrolls that would otherwise qualify for protection of the provisions of the PPP loan program, and made other misrepresentations in such applications, in order to defraud SBA and various financial institutions out of PPP money.

10. During the aforementioned period of time, and as a part of this scheme, **POMEROY** caused two PPP loan applications to be submitted in his name under fictitious business names, to financial institutions located in Greene County, Missouri, and elsewhere, within the Western District of Missouri.

11. In furtherance of the scheme, within each of the loan applications submitted for approval by **POMEROY**, he provided answers to all of the required questions within the PPP application. However, for the purpose of furthering his scheme, **POMEROY** provided false information in response to those questions, including falsely the names of the businesses receiving the PPP loan funds, the number of employees, and the salaries paid to the employees in order to receive the loans. In truth and fact, **POMEROY**, did not own or operated either business under which he claimed the PPP loan proceeds and according to the Secretary of State for the State of Missouri, neither of the businesses claimed by **POMEROY** existed.

12. Based on the false information contained within the two PPP loan applications submitted by **POMEROY**, the loans that were approved for funding by various financial institutions, were transferred through the SBA in Washington D.C., and \$38,832.00 in loan monies

were approved for funding from PPP to support the purported payrolls arising from his fraudulent representations of the businesses presented within the loan documents.

13. The PPP loan applications submitted by **POMEROY** were sent via wire transmissions through the internet that traveled across interstate boundaries. Further, once the PPP loans were approved, the funding of these loans was also completed through the deposit of funds through electronic transmissions as approved by the SBA through wire transactions involving financial institutions across state boundaries and ultimately being received by **POMEROY** in Greene County, Missouri. These wire and electronic transmissions were caused by **POMEROY** and were made in furtherance of his scheme.

14. From on or about January 19, 2021, and continuing until on or about May 20, 2021, said dates being approximate, **POMEROY** created and submitted PPP loans that contained fraudulent information as stated in the aforementioned scheme to obtain \$38,832.00 in monies from PPP loan program funded through the SBA.

#### The Offense

15. The allegations set forth in paragraphs one through fourteen (1-14) are hereby incorporated in full.

16. Specifically, on or about January 19, 2021, through May 20, 2021, said dates being approximate, in Greene County, in the Western District of Missouri, and elsewhere, the defendant, **DANIEL T. POMEROY**, for the purpose of executing or attempting to execute the above-described scheme and artifice to defraud and deprive, and to obtain money and property by means of false and fraudulent pretenses, representations, and promises, caused to be transmitted by means of wire communication in interstate commerce signals and sounds, that is, the electronic wire transmission of PPP loan documents sent via telephone wires through the internet originating from

**DANIEL T. POMEROY**, in Greene County, Missouri, located in the Western District of Missouri, to the SBA through either Itria Ventures or Prestamos CDFL, LLL, located in Washington D.C., in violation of Title 18, United States Code, Section 1343.

**COUNT 2**

(Wire Fraud – 18 U.S.C. § 1343)

**Scheme – Embezzlement From Missouri Institute of Natural Science**

17. From on or about September 1, 2021, and continuing until on or about December 6, 2021, said dates being approximate, in Greene County, within the Western District of Missouri, and elsewhere, the defendant, **DANIEL T. POMEROY**, with the intent to defraud, voluntarily and intentionally devised and executed a scheme and artifice to defraud, and obtain money from others, by means of materially false and fraudulent pretenses, representations and promises. The scheme was as follows:

18. It was a part of the scheme that **POMEROY** was able to obtain unauthorized access to the bank account of the Missouri Institute of Natural Science.

19. Utilizing the bank account information of the Missouri Institute of Natural Science with Simmons Bank, **POMEROY** conducted sixty (60) different wire transactions that resulted in the authorized transfer of monies from Missouri Institute of Natural Science’s account to **POMEROY**.

20. Each of wire transactions conducted by **POMEROY** purported to be authorized transfer of monies from the right account holder for the Missouri Institute of Natural Science.

21. **POMEROY**, without the authority of the account holder of Missouri Institute of Natural Science, then fraudulently used the financial bank account information to deposit monies into **POMEROY’S** bank account. Once the fraudulent transfers were made into **POMEROY’S**

bank account, **POMEROY** would then conduct online transactions withdrawing fraudulently obtained from the Missouri Institute of Natural Science.

22. **POMEROY**, thereafter, made 60 unauthorized and fraudulent electronic wire transactions from the Missouri Institute of Natural Science's bank account ending in XXXX6433 with Simmons Bank, and fraudulently depositing those monies into **POMEROY'S** bank accounts ending in either XXXX1922 or XXXX1724 with Chase Bank.

23. From on or about September 1, 2021, and continuing until December 6, 2021, said dates being approximate, **POMEROY** utilized the aforementioned embezzlement scheme to fraudulently obtain \$77,855.59 in monies from the bank accounts of the Missouri Institute of Natural Science's.

#### The Charge

24. The allegations set forth in preceding paragraphs one and seventeen through twenty-four (1, 17-23) are hereby realleged and incorporated in full

25. Between September 1, 2021, and December 6, 2021, said dates being approximate, in Greene County, in the Western District of Missouri, and elsewhere, the defendant, **DANIEL T. POMEROY**, for the purpose of executing or attempting to execute the above-described scheme and artifice to defraud and deprive, and to obtain money and property by means of false and fraudulent pretenses, representations, and promises, caused to be transmitted by means of wire communication in interstate commerce signals and sounds, specifically, the transmission of electronic signals that resulted in the fraudulent deposit of \$77,855.59 in fraudulently obtained money transfers using the bank account of the Missouri Institute of Natural Science, held at Simmons Bank in Little Rock, Arkansas, into the account of **DANIEL T. POMEROY** held at Chase Bank, and then using ATM and online wire transactions in Springfield, Greene County,

Missouri, all in violation of Title 18, United States Code, Section 1343.

**FORFEITURE ALLEGATION**

26. The allegation of Counts 1 and 2 in this information is hereby repeated and re-alleged as if fully set forth herein for the purpose of alleging forfeiture to the United States pursuant to the provisions of Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461.

27. The property, real and personal, of defendant **DANIEL T. POMEROY**, obtained, directly or indirectly, as a result of the violation of law set out in Counts 1 and 2 of this information and which constitutes, is derived from, and is traceable to the proceeds obtained directly or indirectly from the criminal conduct alleged in Counts 1 and 2 of this information, is subject to forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C).

28. Specifically subject to forfeiture is a monetary judgment that constitutes the sum of the aggregate proceeds of the fraudulent scheme in United States Currency that resulted directly from the commission of the offenses alleged in Counts 1 and 2, totaling \$116,687.59.

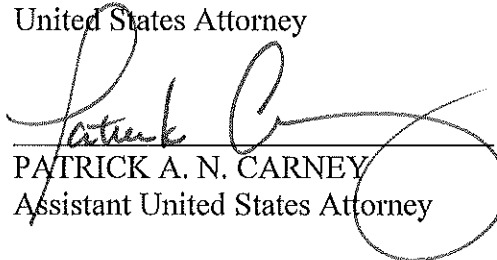
29. If any of the property described in the above paragraph, as a result of any act or omission of the defendant,

- (A) cannot be located upon the exercise of due diligence;
- (B) has been transferred to, 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; and/or
- (E) has been commingled with other property that cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p),

which is 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 property described in paragraph 29 above, or elsewhere, as being subject to forfeiture.

Respectfully submitted,  
TERESA A. MOORE  
United States Attorney



PATRICK A. N. CARNEY  
Assistant United States Attorney

DATED: 11/9/2023  
Springfield, Missouri