

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION

UNITED STATES OF AMERICA

v.

EDITH NATE HICKS

Case No. *1:22-cr-38*

CRIMINAL INFORMATION

Under Seal

Violation:

Conspiracy to Commit Mail Fraud
18 U.S.C. § 1349

Forfeiture:

18 U.S.C. § 981(a)(1)(C)
28 U.S.C. § 2461

INFORMATION

THE UNITED STATES CHARGES:

BACKGROUND

At all times relevant to this Information:

Unemployment Insurance and Pandemic Relief Funding

1. Unemployment Insurance ("UI") was a joint state and federal program that provided monetary benefits to eligible beneficiaries. UI payments were intended to provide temporary financial assistance to lawful workers who were unemployed through no fault of their own. Beginning in or around March 2020, in response to the COVID-19 pandemic, the Coronavirus Aid, Relief, and Economic Security ("CARES") Act expanded UI eligibility and increased UI benefits through the Pandemic Unemployment Assistance Program ("PUA") and Federal Pandemic Unemployment Compensation ("FPUC").

2. Additionally, between in or around August 2020 and in or around December 2020, the federal government provided grants to all U.S. states and territories from the Disaster Relief Fund managed by the Federal Emergency Management Agency (“FEMA”) under the Lost Wages Assistance Program (“LWAP”) to deal with substantial increases in the volume of UI claims resulting from the pandemic.

Georgia Department of Labor

3. The Georgia Department of Labor (“GaDOL”) oversaw and administered the UI program in the State of Georgia. To establish a UI claim, a Georgia claimant must have worked within the state and received minimum wage earnings during a specified base period, which was the specific period used to determine whether the claimant earned enough wages to make a UI claim.

4. A claimant seeking UI benefits in the State of Georgia filed an online application through the GaDOL website, which required the claimant to identify his or her employer and provide his or her wages and base period of employment, as well as Personal Identifying Information (“PII”), including the claimant’s name, date of birth, Social Security number, and address. The GaDOL relied upon the information in these applications to determine UI benefits eligibility.

5. When a UI claim was approved, GaDOL distributed state and federal UI benefits to the claimant. At the claimant’s option, these benefits could be loaded onto a debit card issued through the GaDOL and its contracted vendors. The debit card was generally mailed via the U.S. Postal Service to the address provided by the claimant.

6. Once received by a claimant in the mail, a debit card containing UI benefit payments had to be activated with the vendor online or via phone. Once activated, a debit card could be used, like many commercially available debit cards or “prepaid” cards, for retail transactions and to withdraw cash or send cash to others at banks, ATMs, or other money services businesses.

Defendant & Other Relevant Individuals and Entities

7. From in or around 2003 through in or around 2022, the defendant, EDITH NATE HICKS, was a resident of Decatur, Georgia, and was employed as a patient care coordinator at a healthcare facility in metro Atlanta. As part of her employment duties, Defendant had access to patients’ medical records and PII. During the pandemic in 2020 and 2021, Defendant often teleworked from her residence using a personal computer and company login, which she used to access patient records, including PII.

8. Tyshion Nautese Hicks was a resident of Cordele and Vienna, Georgia, and was Defendant’s niece.

**COUNT ONE
(18 U.S.C. § 1349)
Conspiracy to Commit Mail Fraud**

9. The allegations in Paragraphs 1 through 8 of this Information are realleged and incorporated here.

10. Beginning in or around December 2020, and continuing through in or around November 2022, in the Middle District of Georgia and elsewhere, the defendant, EDITH NATE HICKS, did knowingly and willfully, that is, with the intent to advance the conspiracy, combine, conspire, and agree with Tyshion Nautese Hicks and others,

both known and unknown to the United States, to commit the offense of mail fraud, to wit: to knowingly and with the intent to defraud, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of materially false and fraudulent pretenses, representations, and promises, knowing such pretenses, representations, and promises were false and fraudulent when made, place and cause to be placed in a Post Office and authorized depository for mail, a thing to be sent and delivered by the Postal Service and any private or commercial interstate carrier, for the purpose of executing such scheme and artifice, in violation of Title 18, United States Code, Section 1341.

PURPOSE AND OBJECT OF THE CONSPIRACY

11. The purpose and object of the conspiracy was for Defendant and others to (a) submit and cause to be submitted false and fraudulent UI claims in order to obtain UI benefits to which they were not entitled; and (b) conceal the submission of the false and fraudulent claims, and the existence of the conspiracy, from detection.

MANNER AND MEANS

12. The manner and means by which Defendant and her co-conspirators sought to accomplish, and did accomplish, the purpose and object of the conspiracy included but were not limited to the following:

13. As part of the conspiracy, co-conspirators registered multiple fictitious employers with the GaDOL through its website, or "portal," including but not limited to the following fictitious employers: Mike Towns, Davis Cleaning Service, Lawrence Robinson, Lee D. Grant, Kaptured by Covy, and Torella Wynn.

14. Co-conspirators fabricated lists of purported employees for the fictitious companies by compiling fraudulently obtained PII, or PII of some conspirators, to upload or cause to be uploaded to the GaDOL portal accounts associated with the fictitious employers.

15. Co-conspirators communicated over social media platforms about how to participate in the scheme, including giving instructions on when and how to access the GaDOL portals.

16. In or around December 2020, co-conspirator Tyshion Nautese Hicks, who was familiar with Defendant's place of employment, approached Defendant and asked Defendant to obtain patients' PII from Defendant's employer's databases and sell it to her.

17. Tyshion Nautese Hicks instructed Defendant to select patients with Social Security numbers linked to the State of Georgia, to improve the chances that fraudulent UI claims would be approved by GaDOL.

18. Defendant accessed her employer's databases and unlawfully obtained PII from numerous patients' medical records, including names, dates of birth, and Social Security numbers, without those patients' knowledge and consent, so that Defendant could sell or otherwise transfer this stolen PII to Tyshion Nautese Hicks and other participants in the conspiracy.

19. Defendant unlawfully provided Tyshion Nautese Hicks, and others, with the names, dates of birth, and Social Security numbers of hundreds of patients from her

employer's databases, without the knowledge of consent of those patients or her employer.

20. In exchange for providing the PII, Defendant's co-conspirators, including Tyshion Nautese Hicks, paid Defendant via Chime, Venmo, CashApp, and on at least one occasion, a pre-paid debit card registered in the stolen identity of one of Defendant's employer's patients, loaded with approximately \$5,000.

21. Defendant and her co-conspirators exchanged and shared fraudulently obtained PII with each other for the purposes of filing fraudulent UI claims with the GaDOL.

22. Defendant and her co-conspirators used the fraudulently obtained PII to make, and cause to be made, material misrepresentations to GaDOL, including that the victims whose PII was fraudulently obtained (1) formerly were employees of the fictitious employers, and (2) were eligible recipients of the UI benefits claimed.

23. The fraudulent UI claims submitted to GaDOL contained materially false statements and representations, including false employment termination dates and made-up wages of purported employees.

24. Co-conspirators provided false information to the GaDOL with the understanding that the GaDOL would rely on the information in the fraudulent claims to approve the payment of UI benefits, and issue debit cards in the names of the purported claimants whose PII had been fraudulently obtained, and their purported fictitious employers, among others.

25. Co-conspirators obtained debit cards associated with the fictitious employers and based on the fabricated lists of terminated employees, even though they knew they were not entitled to the UI benefits loaded on the debit cards.

26. Through their submission of false and fraudulent UI claims, Defendant and her co-conspirators caused these debit cards to be placed into a Post Office and authorized depository for mail and sent and delivered by the Postal Service and private and commercial interstate carriers, to locations in and around Cordele and Vienna, Georgia, accessible to conspirators. For example:

- a. Defendant and her co-conspirators caused a debit card ending in 6387 and in the name of F.G. to be mailed to an address on 5th Ave. W. in Cordele, Georgia; and
- b. Defendant and her co-conspirators caused a debit card ending in 4651 and in the name of J.H. to be mailed to an address on Whitehall St. in Vienna, Georgia.

27. Defendant and her co-conspirators conducted and caused to be conducted financial transactions with the fraudulent proceeds on the debit cards by initiating money transfers, purchasing money orders from retailers and grocery stores, and withdrawing cash from ATMs.

28. In total, Defendant and her co-conspirators filed and caused to be filed over 5,000 fraudulent UI claims with the GaDOL and stole at least approximately \$30 million of UI benefits meant to help unemployed persons during the COVID-19 pandemic.

All in violation of Title 18, United States Code, Section 1349.

FORFEITURE NOTICE

The Information further alleges that:

1. Upon conviction of the offense of conspiracy to commit mail fraud, in violation of Title 18, United States Code, Section 1349, as alleged in this Information, the defendant, **EDITH NATE HICKS**, shall forfeit to the United States, 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 said violation(s), or a conspiracy to commit such offense; including, but not limited to, a personal money judgment in an amount to be determined.

2. If any of the property described above, as a result of any act or omission of the defendant(s):

- 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 that cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), through Title 18, United States Code, Section 981(a)(1)(C).

All pursuant to Title 18, United States Code, Section 981(a)(1)(C), Title 28, United States Code, Section 2461(c), and Rule 32.2 of the Federal Rules of Criminal Procedure.

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