

FILED

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

APR 27 PM 1:55
CLERK OF COURT
TAMPA, FLORIDA

UNITED STATES OF AMERICA

v.

CASE NO. 8:22 CR 155 MSS-SPF

ALEXANDER LESZCZYNSKI

18 U.S.C. § 1343
18 U.S.C. § 1344
18 U.S.C. § 1957

INDICTMENT

SEAL

The Grand Jury charges:

COUNTS ONE AND TWO
(Wire Fraud)

A. Introduction

At times relevant to this Indictment:

1. The defendant resided in the Middle District of Florida.

The Small Business Administration

2. The United States Small Business Administration (“SBA”) was an executive branch agency of the United States government that provided support to entrepreneurs and small businesses.

3. The SBA enabled and provided for loans through banks, credit unions, and other lenders. These loans had government-backed guarantees. In addition to traditional SBA funding programs, The CARES Act, established several new temporary programs and provided for the expansion of others to address the

COVID-19 outbreak, which was declared a nationwide disaster by the President on March 13, 2020.

4. One of the new loan programs was the SBA Paycheck Protection Program (“PPP”), which was a loan designed, in part, to provide a direct incentive for small businesses to keep their workers on the payroll. Under this program, the SBA could forgive all or part of the borrowing businesses’ loans provided that employees were kept on the payroll for eight weeks and borrowers submitted documentation confirming that the loan proceeds were used for certain qualifying business expenses (i.e., payroll, rent, mortgage interest, or utilities).

5. Interested applicants applied through an existing SBA lender or any other participating federally-insured financial institution. The PPP application process required applicants to submit a Borrower Application Form through an SBA-approved financial entity. The application contained information as to the purpose of the loan, average monthly payroll, number of employees, and background of the business and its owner. Applicants were also required to make certain good faith certifications, including that economic uncertainties had necessitated their loan requests for continued business operations, and that they intended to use loan proceeds only for the authorized purposes.

6. Financial Institution 1, 2, 3, 4, and 5 were financial institutions as defined in 18 U.S.C. § 20, insured by the Federal Deposit Insurance Corporation (“FDIC”).

7. Financial Institution 1 participated in the SBA's PPP as a lender, and as such, was authorized to lend funds to eligible borrowers under the terms of the PPP.

B. The Scheme and Artifice

8. Beginning on an unknown date, but no later than in or around June 2020, and continuing through at least in or around April 2022, in the Middle District of Florida and elsewhere, the defendant,

ALEXANDER LESZCZYNSKI,

did knowingly and intentionally devise and intend to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises about a material fact.

C. Manner and Means of the Scheme and Artifice

9. The manner and means by which the defendant and others sought to accomplish the scheme and artifice included, among others, the following:

a. It was part of the scheme and artifice that the defendant and others would and did incorporate fictitious charitable entities;

b. It was further a part of the scheme and artifice that the defendant would and did use physical addresses, email addresses, and phone numbers he controlled, or to which he had access, to incorporate and use the fictitious charitable entities;

c. It was further a part of the scheme and artifice that the defendant would and did open, and cause to be opened, financial institution accounts in the names of the fictitious charitable entities;

d. It was further a part of the scheme and artifice that the defendant would and did use those entities' identities, and the identities of previously incorporated fictitious charitable entities, to fraudulently apply for and claim PPP loan proceeds to which he was not entitled;

e. It was further a part of the scheme and artifice that, in order to induce the financial institutions to fund PPP loans for the fictitious charitable entities, the defendant would and did prepare and submit, and cause to be prepared and submitted, false and fraudulent applications to financial institutions that included multiple materially false and fraudulent representations and pretenses, such as:

i. stating a business name, owner, address, telephone number, number of employees, gross revenue, payroll costs, and other business costs suggesting that the company was an operating business;

ii. including fraudulent supporting documentation; and

iii. fraudulently affirming the truth of the statements in the application;

f. It was further part of the scheme and artifice that the defendant would and did falsely and fraudulently certify that, among other permitted purposes, the PPP funds acquired from the requested loans would be used to pay for "Payroll," "Lease/Mortgage Interest," and "Utilities";

g. It was further a part of the scheme and artifice that the defendant would and did cause the federally-insured financial institutions to send PPP loan proceed via interstate wire transfers;

h. It was further a part of the scheme and artifice that the defendant would and did use the PPP funds, and cause the PPP funds to be used, for unauthorized purposes and for his own personal enrichment and the enrichment of others;

i. It was a further part of the scheme and artifice that the defendant and other scheme participants would and did perform acts, and make statements to promote and achieve the scheme and artifice and to misrepresent, hide, and conceal the scheme and artifice and the acts committed in furtherance thereof.

D. Execution of the Scheme and Artifice

10. On or about the date set forth below in each count, in the Middle District of Florida and elsewhere, the defendant,

ALEXANDER LESZCZYNSKI,

for the purpose of executing the aforesaid scheme and artifice, knowingly and intentionally transmitted and caused to be transmitted by means of wire communication in interstate and foreign commerce the writings, signs, signals, pictures, and sounds described below, each transmission constituting a separate count:

COUNT	DATE OF WIRE	DESCRIPTION OF WIRE
ONE	July 27, 2020	A wire transfer in the amount of \$97,700 in first-round PPP funds, sent from outside of Florida to a Financial Institution 1 account in the defendant's name within the Middle District of Florida
TWO	February 17, 2021	A wire transfer in the amount of \$98,210 in second-round PPP funds, sent from outside of Florida to a Financial Institution 1 account in the defendant's name within the Middle District of Florida

All in violation of 18 U.S.C. § 1343.

COUNT THREE
(Wire Fraud)

A. Introduction

1. The Grand Jury realleges and incorporates by reference Paragraph 1 of Part A of Count One of this Indictment as if fully set forth herein.

B. The Scheme and Artifice

2. Beginning on an unknown date, but no later than in or around March 2019, and continuing through the date of the Indictment, in the Middle District of Florida and elsewhere, the defendant,

ALEXANDER LESZCZYNSKI,

did knowingly and intentionally devise and intend to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises about a material fact.

C. Manner and Means of the Scheme and Artifice

3. The manner and means by which the defendant and others sought to accomplish the scheme and artifice to defraud included, among others, the following:

a. It was part of the scheme and artifice that the defendant and other would and did incorporate fictitious charitable entities;

b. It was further a part of the scheme and artifice that the defendant would and did obtain, often in the names of fictitious persons, email addresses, phone numbers, and electronic fax numbers, among other means of communication, and affiliate those means of communication with the fictitious charitable entities;

c. It was further a part of the scheme and artifice that the defendant would and did conduct research, often online, to identify high-value properties around the United States;

d. It was further a part of the scheme and artifice that the defendant, having identified high-value properties, would and did create and cause to be created false and fraudulent warranty deeds purporting to transfer those properties for a paltry unpaid amount from the true owners to the defendant's fictitious charitable entities;

e. It was further a part of the scheme and artifice that the defendant would and did forge and cause to be forged certain signatures, including signatures of the true property owners, and the identified lawyers and notaries public;

f. It was further a part of the scheme and artifice that the defendant would and did file and cause to be filed with offices of the county clerk, often via interstate wire transfer, the fraudulent warranty deeds;

g. It was further a part of the scheme and artifice that the defendant would and did use electronic means of communication in an attempt to convince the victims, lawyers, and others that the purported deed transfers were legitimate; and

h. It was a further part of the scheme and artifice that the defendant and other scheme participants would and did perform acts, and make statements to promote and achieve the scheme and artifice and to misrepresent, hide, and conceal the scheme and artifice and the acts committed in furtherance thereof.

D. Execution of the Scheme and Artifice

4. On or about October 7, 2020, in the Middle District of Florida and elsewhere, the defendant,

ALEXANDER LESZCZYNSKI,

for the purpose of executing the scheme and artifice described above, transmitted and caused to be transmitted by means of wire, radio, or television communication in interstate and foreign commerce, certain writings, signals, signs, pictures, and sounds, that is, electronically filing from the Middle District of Florida a fraudulent warranty deed for the transfer of a property in Redington Shores, Florida, filed with the Clerk of Court for Pinellas County through an online title and deed company headquartered in Ohio.

All in violation of 18 U.S.C. § 1343.

COUNTS FOUR AND FIVE
(Bank Fraud)

A. Introduction

1. The Grand Jury realleges and incorporates by reference Paragraph 1 of Part A of Count One of this Indictment as if fully set forth herein.

B. The Scheme and Artifice

2. On or about the dates set forth below, in the Middle District of Florida, and elsewhere, the defendant,

ALEXANDER LESZCZYNSKI,

did knowingly and intentionally devise and intend to devise a scheme and artifice to defraud financial institutions, as defined in 18 U.S.C. § 20, and to obtain money, funds, credits, assets, and other property owned by, and under the custody and control of, the financial institutions, by means of materially false and fraudulent pretenses, representations, and promises.

C. Manner and Means of the Scheme and Artifice

3. The manner and means by which the defendant sought to accomplish the scheme and artifice included, among others, the following:

a. It was part of the scheme and artifice that the defendant would and did obtain check books, routing numbers, and account numbers to business and personal accounts in the names of an entity and a third party;

b. It was further part of the scheme and artifice that the defendant would and did write, and cause to be written, checks using the checkbooks he obtained, knowing he had no authorization to use the accounts or that the accounts were closed and had insufficient funds;

c. It was further part of the scheme and artifice that the defendant would and did make the checks appear as valid “donations” when they were not in fact donations and were fraudulent checks;

d. It was further part of the scheme and artifice that the defendant would and did deposit the checks he created, some of which were drawn on closed accounts, into a Financial Institution #1 account ending in 1074;

e. It was further part of the scheme and artifice that the defendant would and did attempt with withdraw the purportedly deposited proceeds promptly from the Financial Institution #1 account ending in 1074; and

f. It was a further part of the scheme and artifice that the defendant and other scheme participants would and did perform acts, and make statements to promote and achieve the scheme and artifice and to misrepresent, hide, and conceal the scheme and artifice and the acts committed in furtherance thereof.

Execution of the Scheme and Artifice

4. On or about the date set forth in each count below, in the Middle District of Florida and elsewhere, the defendant,

ALEXANDER LESZCZYNSKI,

knowingly executed and attempted to execute the aforesaid scheme and artifice by depositing, and willfully causing to be deposited, checks drawn on the closed accounts identified below, and deposited into the Love & Bliss, Inc. bank account at Financial Institution 1, as further described below:

Count	Date	Institution	Account Holder	Check Description
FOUR	October 19, 2021	Financial Institution 2	Love & Bliss, Inc.	Check 1013 payable to Alex Leszczynski for \$4,995
FIVE	October 30, 2021	Financial Institution 3	S.W.	Check 195 payable to Love & Bliss Inc. for \$300,000

All in violation of 18 U.S.C. §§ 1344 and 2.

COUNTS SIX THROUGH EIGHT
(Illegal Monetary Transactions)

1. The Grand Jury realleges and incorporates by reference Part A of Count One of this Indictment as if fully set forth herein.

2. On or about the dates set forth below, in the Middle District of Florida, and elsewhere, the defendant,

ALEXANDER LESZCZYNSKI,

did knowingly engage and attempt to engage in a monetary transaction, in and affecting interstate and foreign commerce, in criminally derived property of a value greater than \$10,000, such property having been derived from a specified unlawful activity within the United States, that is, wire fraud, in violation of 18 U.S.C. § 1343, and bank as described below:

reg c
fraud, in violation
of 18 U.S.C. §
1344,

COUNT	DATE	AMOUNT	TRANSACTION
SIX	September 20, 2021	\$239,000	Wire transfer from an account ending in 1074 at Financial Institution 1, in the name of Love & Bliss, Inc., to an account ending in 0078 at Financial Institution 4 in the name of 52 Inc.
SEVEN	December 6, 2021	\$346,959.56	Wire transfer from an account ending in 0078 at Financial Institution 4 in the name of 52 Inc., to an account ending in 0127 at Financial Institution 4 in the name of 52 Inc.
EIGHT	January 11, 2022	\$337,000	Wire transfer from an account ending in 0127 at Financial Institution 4, in the name of 52 Inc., to an account ending in 7210 at Financial Institution 5 in the name of G.S.

In violation of 18 U.S.C. §§ 1957 and 2.

FORFEITURE

1. The allegations contained in Counts One through Eight are incorporated by reference for the purpose of alleging forfeiture pursuant to 18 U.S.C. § 982(a)(2).

2. Upon conviction of a violation of 18 U.S.C. § 1343 and/or 1344, the defendant, ALEXANDER LESZCZYNSKI, shall forfeit to the United States, pursuant to 18 U.S.C. § 982(a)(2)(A), any property, which constitutes or is derived from proceeds obtained directly or indirectly as a result of the violation.

3. Upon a conviction of 18 U.S.C. § 1957, the defendant, ALEXANDER LESZCZYNSKI, shall forfeit to the United States, pursuant to 18 U.S.C. § 982(a)(1),

any property, real or personal, involved in such offense, or any property traceable to such property.

4. The property to be forfeited includes, but is not limited to, approximately \$337,000 of the defendant's funds seized on March 31, 2022 from GoldSilver.com, which represents the proceeds of the offenses, and property involved in the offenses.

5. If any of the property described above, 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,

the United States shall be entitled to forfeiture of substitute property pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 982(b)(1) and 28 U.S.C. § 2461(c).

A TRUE BILL,



Foreperson


ROGER B. HANDBERG
United States Attorney

By:



Rachel K. Jones
Assistant United States Attorney

By:



Rachelle DesVaux Bedke
Assistant United States Attorney
Chief, Economic Crimes Section

No.

UNITED STATES DISTRICT COURT
Middle District of Florida
Tampa Division

THE UNITED STATES OF AMERICA

vs.

ALEXANDER LESZCZYNSKI

INDICTMENT

Violations: 18 U.S.C. § 1349
18 U.S.C. § 1344
18 U.S.C. § 1957

A true bill,


Foreperson

Filed in open court this 27th day of April 2022.

Clerk

Bail \$ _____
