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

UNITED STATES OF AMERICA : HON. MICHAEL A. HAMMER
 : :
 : v. Mag. No. 22-10131
 : :
WILLIE CARTER : :
 : **CRIMINAL COMPLAINT**

I, Nicholas Tysk, 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 Department of Labor-Office of Inspector General (“OIG”), and that this complaint is based on the following facts:

SEE ATTACHMENT B

continued on the attached page and made a part hereof.

Nicholas Tysk, Special Agent
Department of Labor-OIG

Special Agent Tysk attested to this Complaint by telephone pursuant to FRCP 4.1(b)(2)(A), on the 18th day of March, 2022.

HONORABLE MICHAEL A. HAMMER _____
UNITED STATES MAGISTRATE JUDGE Signature of Judicial Officer

Signed by SA Tysk at Judge Hammer’s direction pursuant to F.R.C.P. 4.1(b)(6)(C).

ATTACHMENT A

From in or around June 2020 through in or around November 2020, in Camden County, in the District of New Jersey and elsewhere, defendant

WILLIE CARTER

did devise and intend to devise a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and, for the purpose of executing and attempting to execute such scheme and artifice to defraud, did transmit and cause to be transmitted by means of wire communications in interstate and foreign commerce, certain writings, signs, signals, pictures, and sounds, including a wire communication sent on or about August 30, 2020, from a location in New Jersey to a location in Texas.

In violation of Title 18, United States Code, Section 1343.

ATTACHMENT B

I, Nicholas Tysk, am a Special Agent with the Department of Labor-OIG. I am 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 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 in part unless otherwise indicated. 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.

I. Background Information

A. Unemployment Insurance Benefits

1. On March 18, 2020, the Families First Coronavirus Response Act (“FFCRA”) was signed into law. The FFCRA provided additional flexibility for state Unemployment Insurance (“UI”) agencies and additional administrative funding to respond to the COVID-19 pandemic. Then, the Coronavirus Aid, Relief, and Economic Security (“CARES”) Act was signed into law on March 27, 2020. It expanded states’ ability to provide assistance to many workers impacted by COVID-19, including for workers who are not ordinarily eligible for UI benefits (“UIBs”). The CARES Act provided for three new temporary UI programs: Pandemic Unemployment Assistance (“PUA”); Pandemic Emergency Unemployment Compensation (“PEUC”); and Federal Pandemic Unemployment Compensation (“FPUC”).

2. On August 8, 2020, after FPUC expired, a Presidential Memorandum authorized the Federal Emergency Management Agency (“FEMA”) to use disaster relief funds pursuant to Section 408, Other Needs Assistance, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121-5207, to provide supplemental payments for lost wages to help ease the financial burden on individuals who were unemployed as a result of COVID-19. The Lost Wages Assistance Program (“LWA”) served as a temporary measure, if a State Workforce Agency (“SWA”) chose to administer it, to provide an additional \$300 per week via a total of approximately \$42.5 billion in FEMA funds. The period of assistance for LWA was August 1, 2020 to December 27, 2020, or termination of the program, whichever was sooner.

3. Regardless of which of the three programs described above was involved (that is, whether PUA, PEUC, or FPUC), funds were distributed to program participants by the SWA. These funds were received by the SWA from the United States Department of the Treasury (“Treasury”).

4. The Texas Workforce Commission administers and manages the regular and other UIB programs for the State of Texas. The State of Texas offers an online portal (the “Portal”) through which applicants can apply for UIBs and other benefits. The servers that host the Portal are located within Texas.

B. The Investigation

5. Between in or around July 2020 and in or around October 2020, UIB applications in the name of defendant Willie Carter (“CARTER”) were made to approximately 10 different states. Each application was made using an Internet Protocol Address (“IP Address”) ending in “143” (the “143 IP Address”).

6. Between in or around June 2020 and in or around November 2020, the 143 IP Address was associated with approximately 34 UIB claims to various states, including California, Texas and New Jersey. In response to the claims in this and the preceding paragraph, SWAs paid out more than approximately \$150,000.

7. Four of the claims were made in the name of the same person (“Individual 1”) to four different states. A bank account in CARTER’s name received direct deposit payments in response to one of the four Individual 1 UIB claims. A second bank account in CARTER’s name received direct deposit payments in response to a separate one of the four Individual 1’s UIB claims. The second CARTER bank account also received approximately 15 direct deposit payments from the Colorado Department of Labor & Employment, the SWA for Colorado, in response to a separate UIB claim in another individual’s name.

8. Each of the above approximately 34 UIB applications was associated with an address. Four of these addresses were associated with UIB claims (some of which relate to the 143 IP Address) that led the SWA in California to provide a total of approximately \$400,000 in UIBs.

9. Subscriber information for the 143 IP Address reveals that the 143 IP Address is associated with the address in New Jersey that was listed on CARTER’s New Jersey Driver’s License at that time and as of February 9, 2022.

10. A search of CARTER’s Instagram account revealed, among other things: (a) numerous images of large amounts of cash; and (b) numerous images related to UIBs; and (c) messages concerning obtaining UIBs. For instance, on or about August 30, 2020, the 143 Address was used to submit a UIB application through the Portal to the SWA in Texas in Individual 1’s name.

In an Instagram message, CARTER told another individual to “LMK if you get mail for [Individual 1] any time next week”.