

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**TEOSHA ETUK,
a/k/a “Teosha Waters,”**

Defendant.

Case No. 20-CR-100-CVE

Response to Defendant’s Sentencing Memorandum

The Court should grant the Joint Motion for Downward Variance [Doc. 128] and, taking into consideration the factors in 18 U.S.C. § 3553(a), sentence Teosha Etuk to incarceration for between 12 and 18 months, the range contemplated in the plea agreement. Ms. Etuk’s proposed sentence of six month in prison and six months of home confinement is inappropriate, considering the facts and circumstances of this bank fraud conspiracy, the seriousness of the offense, and the sentences received by Etuk’s co-conspirators and defendants charged in similar cases.

In this case, Teosha Etuk applied for seven Paycheck Protection Program loans from six banks during a public health crisis in April 2020. PSR ¶¶ 10-12. While Ms. Etuk pleaded guilty to a single count of bank fraud, her conduct in connection with that charge, and her other attempted loan applications, hindered bank employees from servicing other legitimate businesses’ PPP loan applications.

Further, the 12- to 18-month sentence contemplated by the parties' plea agreement appropriately reflects Ms. Etuk's category I criminal history, her lack of prior contact with law enforcement, and her relatively minor role in this case. This sentence would also help avoid disparity in sentences with other defendants charged in PPP loan fraud cases in this district.

In agreeing to a 12- to 18-month sentence, the government considered the profound consequences for the Etuks' three young children. Likely, these children will be raised by relatives while their mother is incarcerated, and they may never know their father, Ibanga Etuk, who will also be sentenced on Monday, July 19 for his greater role in the same offense. However, the Etuks committed these offenses in complete disregard for the potential consequences to their children.

In conclusion, taking into consideration the guidelines range agreed upon by the parties, the factors contained in 18 U.S.C. § 3553(a), the Joint Motion for Downward Variance, and other laws applicable to criminal sentences, the government respectfully requests this Court sentence Ms. Etuk within the range of 12 to 18 months in prison, as contemplated by the plea agreement.

Respectfully submitted,

CLINTON J. JOHNSON
ACTING UNITED STATES ATTORNEY

/s/ Kristin F. Harrington

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Certificate of Service

I hereby certify that on the day of July 15, 2021, I served the foregoing document via electronic email, on the following:

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/s/ Kristin F. Harrington _____
Kristin F. Harrington
Assistant United States Attorney