

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

UNITED STATES OF AMERICA	)	
	)	DOCKET NO.
v.	)	
	)	<b>FACTUAL BASIS</b>
FRANK JACOBS, Sr.	)	
_____	)	

NOW COMES the United States of America, by and through R. Andrew Murray, United States Attorney for the Western District of North Carolina, and hereby files this Factual Basis in support of the plea agreement filed simultaneously in this matter.

This Factual Basis is filed pursuant to Local Criminal Rule 11.2 and does not attempt to set forth all of the facts known to the United States at this time. By their signatures below, the parties expressly agree that there is a factual basis for the guilty plea(s) that the defendant will tender pursuant to the plea agreement, and that the facts set forth in this Factual Basis are sufficient to establish all of the elements of the crime(s). The parties agree not to object to or otherwise contradict the facts set forth in this Factual Basis.

Upon acceptance of the plea, the United States will submit to the Probation Office a “Statement of Relevant Conduct” pursuant to Local Criminal Rule 32.4. The defendant may submit (but is not required to submit) a response to the Government’s “Statement of Relevant Conduct” within seven days of its submission. The parties understand and agree that this Factual Basis does not necessarily represent all conduct relevant to sentencing. The parties agree that they have the right to object to facts set forth in the presentence report that are not contained in this Factual Basis. Either party may present to the Court additional relevant facts that do not contradict facts set forth in this Factual Basis.

1. From at least 2009 and continuing to in or about 2018, the Defendant, FRANK JACOBS, Sr. (“JACOBS”) was a resident of Charlotte and Concord, North Carolina and was the Pastor of the Rock Worship Center Church (“RWC) in Charlotte, North Carolina. From at least 2019 and continuing until at least October 2020, JACOBS was the Pastor of Quest Church in Charlotte, North Carolina.

2. On or about February 14, 2015, in the Western District of North Carolina, JACOBS, a resident of Charlotte, North Carolina, did willfully make and subscribe a U.S. Individual Income Tax Return, Form 1040, for the 2014 calendar year which income tax return was signed by the defendant and verified by a written declaration under the penalties of perjury and filed with the IRS, wherein the defendant understated his total income on Line 22 for calendar year 2014 as \$66,370.00, when as the defendant then and there well knew and believed, his total income for said calendar year was substantially in excess of the amount stated.

3. The additional tax due and owing for JACOBS for 2013 through 2016 is as follows:

YEAR	TOTAL INCOME PER RETURN	TOTAL INCOME PER INVESTIGATION	CORRECTED TAXABLE INCOME (after itemized or standard deduction) PER INVESTIGATION	Additional Tax Due & Owing
2013	-	\$266,449.17	\$215,995.17	\$66,842.00
2014	\$66,370	\$387,456.35	\$298,949.35	\$111,898.00
2015	-	\$282,557.16	\$229,134.16	\$78,469.00
2016	-	\$133,730.00	\$80,237.00	\$27,274.00
				<b>\$284,483.00</b>

4. In or around April 2020, in the Western District of North Carolina, JACOBS knowingly made and caused to be made a false statement to Uwharrie Bank for the purpose of influencing the actions of Uwharrie Bank, a federally insured bank, upon a \$52,477 loan through the Paycheck Protection Program of the SBA.

5. JACOBS submitted and caused to be submitted a false PPP loan application that included false supporting documentation regarding tax forms, wages paid, and taxes withheld.

6. The attempted loss for the false loan application was more than \$40,000 but less than \$95,000.

7. The offense involved fraud in connection with a major disaster or emergency benefits.

R. ANDREW MURRAY  
UNITED STATES ATTORNEY



Jenny G. Sugar  
ASSISTANT UNITED STATES ATTORNEY

Defendant's Counsel's Signature and Acknowledgment

I have read this Factual Basis, the Bill of Information, and the plea agreement in this case, and have discussed them with the defendant. Based on those discussions, I am satisfied that the defendant understands the Factual Basis, the Bill of Information, and the plea agreement. I hereby certify that the defendant does not dispute this Factual Basis.

*C. Melissa Owen*

\_\_\_\_\_  
C. Melissa Owen, Attorney for Defendant

DATED: 11/12/20