

[DO NOT PUBLISH]

In the
United States Court of Appeals
For the Eleventh Circuit

No. 20-14254

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

KATRINA BROWN,
REGINALD BROWN,

Defendant-Appellant.

Appeals from the United States District Court
for the Middle District of Florida
D.C. Docket No. 3:18-cr-00089-MMH-JRK-1

Before WILSON, LAGOA, and ED CARNES, Circuit Judges.

PER CURIAM:

A grand jury indicted Appellants Katrina Brown and Reginald Brown for crimes relating to their conspiracy to fraudulently obtain and divert to funds from a loan backed by the Small Business Administration and a grant from the City of Jacksonville.

The 38-count indictment charged each Appellant with one count of conspiracy to commit mail and wire fraud, in violation of 18 U.S.C. § 1349; 13 counts of mail fraud, in violation of 18 U.S.C. § 1341; 13 counts of wire fraud, in violation of 18 U.S.C. § 1343; and 6 counts of illegal monetary transactions, in violation of 18 U.S.C. § 1957. The indictment also charged Katrina Brown with two counts of attempted bank fraud, in violation of 18 U.S.C. §§ 1343 and 1349, and two counts of making a false statement to a federally insured financial institution, in violation of 18 U.S.C. § 1014. The indictment further charged Reginald Brown with one count of failing to file a tax return, in violation of 26 U.S.C. § 7203.

Following a trial that spanned ten days, a jury convicted Katrina Brown of all the charges against her and Reginald Brown of all but one of the charges against him. The district court sentenced Katrina Brown to 33 months' imprisonment and Reginald Brown to 18 months' imprisonment. Both timely appealed.

On appeal, Katrina Brown challenges three of the district court's procedural actions at trial and two of its determinations

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related to her sentencing. With respect to Katrina's procedural challenges, she argues the district court erred in: (1) allowing closing arguments to proceed despite the absence of standby counsel appointed for Katrina, who proceeded *pro se*; (2) denying Katrina's motions to sever her trial from her co-defendant, Reginald; and (3) permitting the government to make a reference in its closing argument that "taxpayer money" was being spent on Brown's fraudulent scheme. With respect to her challenges about her sentencing, Katrina argues the district court erred in determining that (1) her intended loss amount was \$535,335.68 [D.E. 493 at 59] under the United States Sentencing Guidelines and (2) her forfeiture and restitution amount was \$425,335.68 [D.E. 447 at 5].

Reginald Brown challenges two of the district court's procedural actions at trial and two of its determinations related to his sentencing. With respect to Brown's procedural challenges, he argues that the district court erred in (1) denying his motions to sever his trial from his co-defendant, Katrina, and (2) denying his motion for a judgment of acquittal. Reginald Brown also argues that, at sentencing, the district court erred in (1) applying the sophisticated means enhancement and (2) denying his request for the minor role reduction.

After a thorough review of the record and the parties' briefs, and with the benefit of oral argument, we find that the Appellants' arguments lack merit, and we affirm their convictions and sentences.

AFFIRMED.