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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,
v.
STACCATO POWELL,
Defendant.

Case No. [22-cr-00003-JSW-1](#)

**ORDER IMPOSING SUPERVISED
RELEASE CONDITIONS AND
RESTITUTION AND REQUIRING
SUPPLEMENTAL BRIEFING ON
FOREFITURE MONEY JUDGMENT**

Re: Dkt. Nos. 219, 220

This matter came before for a restitution hearing on October 21, 2025. The Court has considered the parties’ briefs, relevant legal authority, the record in this case, and the parties’ oral argument.

BACKGROUND

On July 15, 2025, Staccato Powell (“Powell”) entered a guilty plea to one count of conspiracy to commit mail/wire fraud, in violation of 18 U.S.C. § 1349, two counts of wire fraud, in violation of 18 U.S.C. § 1343, and one count of mail fraud, in violation of 18 U.S.C. § 1341. The facts are outlined in detail in Powell’s plea agreement and will not be repeated here. (*See* Plea Agreement, ¶ 2.)

In brief, Powell, a former bishop of the American Methodist Episcopal Zion Church (“AME Zion”) fraudulently obtained title to AME Zion church property throughout the Western United States. Powell did so by forming a corporation, Western Episcopal District, Inc. (“WED”), and using AME Zion church property as collateral for loans taken by WED. WED later filed for bankruptcy. During those proceedings, Powell represented that WED owned 11 churches, a parsonage, and Powell’s official residence. WED represented that its assets were valued at \$26,338,031 and represented there were debts on those assets in the amount of

1 \$12,475,453. (*See* Plea Agreement ¶ 2.b.)

2 As part of his plea agreement, Powell agreed that restitution would be based on “all losses
3 caused by all the schemes or offenses ... charged in this case” and would not be limited to the
4 counts to which he pled guilty. (*Id.* ¶ 10.) Powell agreed to pay restitution for the benefit of the
5 AME Zion Church Denomination in an amount between \$3,000,000 and \$12,475,453.00. (*Id.*).

6 The Court sentenced Powell on September 23, 2025, and accepted the parties agreed upon
7 sentence of time-served and three years of supervised release, the first eighteen months of which is
8 to be served under home confinement.

9 **ANALYSIS**

10 **A. Supervised Release Conditions.**

11 Prior to the hearing, the parties filed a proposed order regarding the conditions of
12 supervised release that should be imposed. As stated on the record, the Probation Officer shall
13 include those conditions in the amended judgment.

14 **B. Restitution.**

15 The parties agree that the Mandatory Victims Restitution Act (“MVRA”), 18 U.S.C. §
16 3663A, applies in this case, and they agreed to restitution as part of the plea agreement. *See* 18
17 U.S.C. § 3663(a)(3) (“The court may also order restitution in any criminal case to the extent
18 agreed to by the parties in a plea agreement.”). The MVRA requires the Court to order restitution
19 to each victim in the full amount of the victim’s losses. 18 U.S.C. § 3664(f)(1)(A). “The term
20 ‘victim’ means a person directly and proximately harmed as a result of the commission of an
21 offense for which restitution may be ordered including, in the case of an offense that involves as
22 an element a scheme, conspiracy, or pattern of criminal activity, any person directly harmed by the
23 defendant’s criminal conduct in the course of the scheme, conspiracy, or pattern.” 18 U.S.C. §
24 3363A(a)(2).

25 The overarching goal of the MVRA “is to make victims of crime whole, to fully
26 compensate these victims for their losses.” *United States v. Gordon*, 393 F.3d 1044, 1048 (9th
27 Cir. 2004). Under the MVRA, the Court can award restitution for losses for which Powell’s
28 conduct “was an actual and proximate cause.” *United States v. Swor*, 728 F.3d 971, 974 (9th Cir.

1 2013).

2 The Government bears the burden of proving, by a preponderance of the evidence, both the
3 amount of the victim's loss and that a "non-attenuated" causal connection exists between that loss
4 and defendant's offense conduct. *See United States v. Anderson*, 741 F.3d 938, 951 (9th Cir.
5 2013); *Swor*, 728 F.3d at 974. It also must give the Court a basis for making a reasonable estimate
6 of the victims' loss. *See, e.g., Anderson*, 741 F.3d at 951. However, "the question of who bears
7 the burden for establishing a right to statutory offset is ... left to the court's determination of what
8 justice requires." *United States v. Gagarin*, 950 F.3d 596, 608 (9th Cir. 2020); *see also* 18 U.S.C.
9 § 3664(e).

10 Although Powell argued that the Government had not carried its burden to support its
11 request for \$12,475,453, at the hearing he withdrew his objections and agreed to pay that sum.
12 The Government supported its request through Powell's factual admissions in his Plea Agreement,
13 to the claims made in WED's bankruptcy proceedings for the balance and interest on five
14 outstanding loans, and information obtained from members of the congregations affected by
15 Powell's conduct. (*See* Dkt. No. 219-1, Declaration of Jonathan Lee ("Lee Decl."), ¶¶ 4-10; Dkt.
16 Nos. 219-2 through 219-7, Lee Decl. Exs. A- F.) Those documents provide the Court with an
17 adequate basis to calculate restitution. Accordingly, the Court will grant the Government's claim
18 in full. The parties shall meet and confer with the Probation Officer to address how that sum shall
19 be apportioned among the victims and to whom payments shall be made. That information shall
20 be included in the amended judgment.

21 The parties also disagreed on what Powell's monthly restitution payments should be.
22 Powell asked the Court to impose a payment of no more than \$1,000 per month. The Government
23 argued that a minimum monthly payment of \$10,000 is appropriate. The Court has taken into
24 consideration Powell's circumstances, including the fact that he currently is on house arrest, and
25 his cash flow, but it concludes a minimum monthly payment of \$5,000.00 is appropriate. The
26 Court has set a status conference on April 14, 2026, for purposes of monitoring restitution. If
27 either party believes that monthly payment needs to be adjusted in the interim, they shall consult
28 with the Probation Officer assigned to the case before seeking relief from the Court.

1 **C. Forfeiture Money Judgment.**

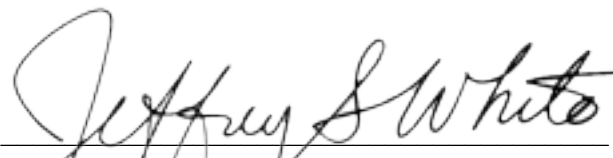
2 The parties also agreed to a forfeiture money judgment as part of the plea agreement, but
3 they did not specifically address the amount of the money judgment in their sentencing
4 memoranda or at the sentencing hearing. Thus, the Court did not include a forfeiture money
5 judgment as part of the original judgment. It did, however, include an order that Mr. Powell
6 forfeit his interest in specific properties. The Court concludes further briefing is warranted on
7 whether the Court may amend the judgment to include a forfeiture money judgment. The
8 Government shall file its brief by no later than October 29, 2025. Defendant may file a response
9 by no later than November 5, 2025. The Government may reply by no later than November 12,
10 2025. Unless the Court concludes a hearing is required, it will resolve the matter on the papers.

11 **CONCLUSION**

12 For the foregoing reasons, the Court grants the Government's request for restitution in the
13 amount of \$12,475,453.00, jointly and severally with co-defendant Sheila Quintana, but any future
14 orders regarding Ms. Quintana do not affect Powell's responsibility for the full amount of the
15 restitution ordered. Payment shall begin within 30 days of the issuance of the amended judgment,
16 with a minimum monthly payment of \$5,000. The Probation Officer shall submit an amended
17 judgment in accordance with this Order by Friday, October 24, 2025. The parties shall appear as
18 scheduled on April 14, 2026, at 1:00 p.m. for a further status regarding restitution.

19 **IT IS SO ORDERED.**

20 Dated: October 22, 2025

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23 JEFFREY S. WHITE
24 United States District Judge
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