**NONPRECEDENTIAL DISPOSITION**
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# United States Court of Appeals

**For the Seventh Circuit**
**Chicago, Illinois 60604**

Submitted August 18, 2026
Decided August 25, 2026

***Before***

FRANK H. EASTERBROOK, *Circuit Judge*

ILANA DIAMOND ROVNER, *Circuit Judge*

JOSHUA P. KOLAR, *Circuit Judge*

No. 24-1408

UNITED STATES OF AMERICA,
*Plaintiff-Appellee*,

*v.*

DIVINE-SEVEN EL,
*Defendant-Appellant*.

Appeal from the United States District Court for the Eastern District of Wisconsin.

No. 22-CR-169-4-JPS

J. P. Stadtmueller,
*Judge*.

**O R D E R**

Divine-Seven El was found guilty by a jury of one count of conspiracy to commit wire fraud, two counts of wire fraud, one count of mail fraud, and two counts of unlawful monetary transactions. He was sentenced to 150 months' imprisonment. El appeals, but his appointed counsel asserts that the appeal is frivolous and moves to withdraw. *See Anders v. California*, 386 U.S. 738, 744 (1967). We notified El of counsel's motion to withdraw, and El did not respond. *See* CIR. R. 51(b). Counsel's brief adequately explains the nature of the case and discusses potential issues that an appeal of this kind might be expected to involve. *See United States v. Bey*, 748 F.3d 774, 776

(7th Cir. 2014). Because counsel's analysis appears thorough, we limit our review to the subjects that he discusses. *See id.* We grant the motion and dismiss the appeal.

El and three codefendants were charged with conspiracy to commit wire fraud by submitting false applications under the Paycheck Protection Program (PPP) and Economic Injury Disaster Loan (EIDL), 18 U.S.C. § 1349; wire fraud against the Small Business Administration as part of a scheme to submit false EIDL applications, *id.* §§ 2(a), (b), 1343; mail fraud as part of a scheme to defraud both the Wisconsin Department of Transportation and private lenders through submission of false information to remove liens from vehicles, *id.* §§ 2(a), 1341; and two counts of unlawful monetary transactions relating to the conspiracies, *id.* §§ 2(a), 1957.

El, initially represented by counsel, sought at his joint arraignment and plea hearing to proceed pro se. El's counsel moved to withdraw, and the court continued the hearing to allow El to consider retaining new counsel. At the continued hearing, El did not appear with new counsel, insisting that he wished to represent himself. The court granted counsel's motion to withdraw and attempted to begin a colloquy with El over the issue of self-representation, but El asserted that he was a sovereign-citizen and refused to "consent" to the colloquy. A few days later, the court conducted another hearing, and this time managed during its colloquy with El to inform him of the dangers of self-representation and ensure that he was fit to represent himself.

A few months later, the government moved for the appointment of standby counsel for El—a motion the court granted over El's objection. But after one appearance, standby counsel moved at El's request to withdraw; the court granted this motion. At the final pretrial conference, the court warned El once more of the dangers of self-representation, but he persisted with his wish to proceed pro se. He represented himself for the remainder of the proceedings.

During the five-day trial, the government called 17 witnesses and admitted 300 exhibits. The evidence described an extensive $11.5 million fraud scheme that involved a non-existent country and its fictional consulate. They used the fake consulate ("Consulate of Al Moroc")—whose address matched a codefendant's residence—to apply for COVID-19 pandemic relief funds and other state and federal aid. For the loan scheme, several government agency employees testified that El and his codefendants submitted 46 PPP and EIDL loan applications that contained tax forms with fabricated businesses and incomes. Phone records and WhatsApp messages showed that El conspired with his codefendants to apply for these loans. Bank records established that

El personally obtained five EIDL disbursements totaling $531,200 and two PPP draws totaling $38,520—funds that he then deposited into his personal account. And wire transfers from El's codefendants revealed that El received disbursements from his codefendant's approved loans.

Regarding the vehicle title-washing scheme, the evidence showed that defendants submitted counterfeit-lien release letters, purporting to be issued by PNC Bank and Carvana (an online used-car dealership), to the Wisconsin Department of Transportation to obtain unencumbered titles for at least eleven cars before the outstanding loans were satisfied. The defendants then sold or traded the vehicles to Carvana. Witnesses from PNC Bank and Carvana testified about the counterfeit lien releases, confirming that the releases did not comply with their standard practices and were likely forged. Exhibits included the counterfeit lien releases; bank statements showing that El received $43,000 from the sale of one of the lien-free cars; and a bill of lading to transport the car from El's residence to a co-defendant's house.

El did not call any witnesses, submit any exhibits, cross-examine any of the Government's witnesses, or otherwise challenge their testimony. The jury convicted him of all charges.

After the trial, El moved for retrial, arguing that the court violated his Sixth Amendment right to counsel when it "pushed [him] into a trial." The district court denied the motion, determining that El knowingly and intelligently waived his right to counsel. The court found no deficiencies in the colloquy, adding that El was warned several times of the dangers of self-representation.

The court sentenced El within his guidelines range to 150 months' imprisonment. The court justified the sentence based on the sentencing factors under 18 U.S.C. § 3553(a), highlighting El's history and characteristics, the circumstances of the offense, and the need to promote respect for the law.

In his *Anders* brief, counsel first considers but rightly rejects challenging the district court's decision to allow El to proceed pro se without standby counsel. A defendant has the right to self-representation as long as he makes that choice knowingly and intelligently. *See Faretta v. California*, 422 U.S. 806, 835 (1975); *United States v. Thomas*, 833 F.3d 785, 792 (7th Cir. 2016). To ensure that El fully understood his choice, the district court advised him of the risks of self-representation as well as the charges and potential criminal consequences if he were convicted. The court also inquired about any impairments that would affect his understanding of the warnings. El affirmed that he understood the law and wished to forgo counsel. Throughout the proceedings, the court continued to remind him of the risks of proceeding pro se, going so far as to appoint him standby counsel at the government's request. El insisted on representing himself.

Counsel next considers whether El could make a nonfrivolous argument that federal courts do not have jurisdiction over him because he is a sovereign citizen. But counsel properly recognizes that we have repeatedly rejected such nonsensical arguments. *See Bey v. State*, 847 F.3d 559, 559–60 (7th Cir. 2017) (collecting cases).

Counsel also correctly rejects any argument that the evidence was insufficient to sustain El's convictions. The evidence here, viewed in the light most favorable to the government, *see Jackson v. Virginia*, 443 U.S. 307, 319 (1979); *United States v. Scott*, 150 F.4th 929, 934 (7th Cir. 2025), was more than sufficient to convict El of the three charges. With respect to the wire fraud offenses, the testimony of government agents—as well as bank statements and loan applications—established that El and his codefendants knowingly falsified PPP and EIDL applications and received over $600,000 in direct deposits and wire transfers from codefendants, thus supporting El's convictions under 18 U.S.C. § 1349 and § 1343. *See United States v. Pacilio*, 85 F.4th 450, 462 (7th Cir. 2023). As for the mail-fraud offense, the government introduced sufficient evidence to convict under 18 U.S.C. § 1349 and § 1341, including falsified lien-release letters and witness testimony that revealed the defendants' fraudulent scheme, the use of the mail, and El's individual participation in the scheme. *See United States v. Agbi*, 84 F.4th 702, 708 (7th Cir. 2023). Testimony from representatives of PNC Bank and Carvana established that the lien-release letters that El submitted were counterfeit, and bank statements reflected that El and the codefendants received deposits after the lien-free cars were sold. As for the conviction of unlawful monetary transactions, bank statements introduced for both schemes showed transfers between El and his codefendants, connecting them to the wire and mail fraud schemes. *See* 18 U.S.C. §§ 1349, 1957.

Counsel also considers whether El could plausibly argue that the district court wrongly violated his Sixth Amendment right to confront adverse witnesses when it admitted recordings of a codefendant incriminating El. *See Bruton v. United States*, 391 U.S. 123, 126–27 (1968). At trial, the Government had introduced a codefendant's recorded confession identifying El as the person who directed him to sell cars in the title-washing scheme and who showed him how to submit fraudulent loan applications.

But counsel later learned that the portions of the recordings naming El were not admitted into evidence or played at trial. Because the factual basis of a *Bruton* claim does not exist, counsel rightly concludes that no nonfrivolous argument can be raised in connection with these recordings.

Next, counsel evaluates whether El could plausibly raise a procedural challenge to his sentence but concludes, correctly, that any such challenge would be frivolous. El agreed with the calculation of the guidelines range, so any potential challenge would be reviewed, at best, for plain error, *see United States v. Boyle*, 28 F.4th 798, 802 (7th Cir. 2022), and we see no error here. At sentencing, El received a 20-level increase in offense level because the intended loss exceeded $9.5 million. *See* U.S.S.G. § 2B1.1(b)(1)(K). Despite the actual loss only being $1.2 million, the court, following comment n.3(A) of U.S.S.G. § 2B1.1, imposed its sentence based on the intended loss ($9.9 million), which exceeded the actual loss. Counsel's inquiry focuses on the 20-level increase and considers whether El should be resentenced based upon the actual loss amount. But since El's sentencing, the Sentencing Commission adopted language that the offense level should be calculated using "the greater of the actual loss or intended loss." U.S.S.G. § 2B1.1(b)(1)(A); *see United States v. Ponle*, 110 F.4th 958, 963 (7th Cir. 2024). The court here calculated El's guidelines range with the higher intended loss amount rather than the lower actual loss amount, so we would not conclude that there was any error in the loss amount used. We would also agree with counsel that the court correctly applied the remaining relevant guidelines to calculate El's recommended sentencing range.

Finally, counsel considers whether there are any nonfrivolous arguments that El's sentence was substantively unreasonable. His within-guidelines sentence is presumptively reasonable, and we would uphold it if the court adequately explained its reasoning. *See United States v. Major*, 33 F.4th 370, 384–85 (7th Cir. 2022). Here, the court explained the sentence with reference to the § 3553(a) factors, including the nature of the offense (noting that El "engaged in the most pronounced conduct" of the defendants and received the most money); El's history and characteristics (emphasizing his prior federal fraud conviction for the same offense); and the need for the sentence to promote respect for the law (highlighting El's "utter, unmitigated lack of respect for the law as an institution in our society").

We GRANT counsel's motion to withdraw and DISMISS the appeal.