

IN THE FEDERAL HIGH COURT OF NIGERIA
IN THE IBADAN JUDICIAL DIVISION
HOLDEN AT IBADAN
ON WEDNESDAY THE 29TH DAY OF JANUARY, 2020
BEFORE HIS LORDSHIP, THE HONOURABLE
JUSTICE J.O. ABDULMALIK
JUDGE

SUIT NO: FHC/IB/139C/2019

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA - COMPLAINANT

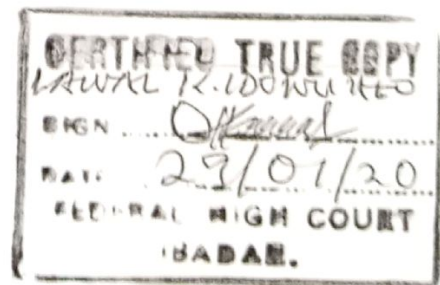
AND

HAMED SELIM ODUNEWU - DEFENDANT

JUDGMENT

On the 11th day December 2019, an application by the complainant to substitute the pending charge dated 30th day of August 2019 with an Amended Charge dated 15th day of November 2019 was granted. The Amended charge is set forth accordingly:-

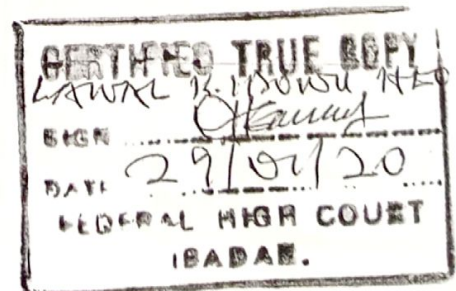
That you, Hamed Selim Odunewu (A.K.A. Robert Clinton), between 2016 and 2019, in Ibadan, within the jurisdiction of this Honourable Court, fraudulently impersonated yourself as Robert Clinton, a United States Soldier in Iraq, to Molly Parashack, also a citizen of United States, with the view to obtaining monetary advantage for yourself and thereby committed an offence punishable under Section 22 (2) (b) (i & ii) of the Cyber Crimes (Prohibition, Prevention Etc) Act, 2015.



Sequentially, the one count Amended Charge was read and explained to the Defendant in English language, after which he pleaded guilty to the Amended charge.

The learned counsel for Prosecution, called one Aisha Abdulkadir, an investigator with the Economic and Financial Crimes Commission (EFCC), Ibadan Zonal Office, Oyo State to present the facts of this case. She told court that pursuant to an intelligence report, the Defendant was among other suspects apprehended at Elebu area in Ibadan, Oyo State, by operatives of the EFCC for their involvement in internet fraud. She said the Defendant admitted to members of her team and herself at the Economic Governance Section in EFCC, that he is involved in internet romance scam, wherein he presents himself as a white male by name Robert Clinton and Jason Skipper. Also in furtherance of which the Defendant fraudulently benefited Five Hundred and Fifty United States Dollars and the sum of Forty Thousand Naira.

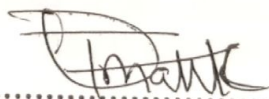
The sole witness for the prosecution also informed court that the Defendant's mobile phone was analysed at their ICT Section and corroborative chats between him and his victims were printed in aid of the offence charged. The prosecution via this witness exhibited a plea bargain agreement reached between the Defendant and Prosecution. I find it crucial to note that the Defence counsel raised no objection to the Prosecution's evidence and/or the exhibits tendered. He also elected not to test the



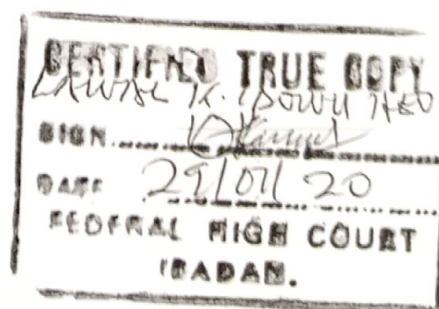
veracity of the Prosecution witness's testimony. The Defendant showed no cause why he should not be convicted as charged.

No doubt, the main aim of criminal trial is to ensure that a person, who has chosen to break any aspect of the criminal law, is not left to go scot-free, and for this reason the Prosecution has to establish the guilt of an accused person beyond reasonable doubt to pave the way for his punishment by law. Where as in this case, the Defendant has willingly entered into an agreement with the Prosecution to plead guilty for the offence charged, and to forfeit some of his properties in exchange for a lesser sentence, then the court without more, shall pronounce the guilt of the Defendant to the charge and pass the sentence accordingly. See **Nwude V FRN& Ors (2015) LPELR-25858 (CA)**

Therefore, predicated upon the unequivocal guilty plea entered by the Defendant to the offence and the plea bargain agreement, I hereby find you Hamed Selim Odunewu (A.K.A. Robert Clinton) guilty for the offence as charged.



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HON. JUSTICE J.O. ABDULMALIK
PRESIDING JUDGE
29/01/2020



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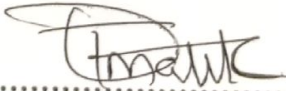
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BETWEEN:

FEDERAL REPUBLIC OF NIGERIA	-	COMPLAINANT
AND		
HAMED SELIM ODUNEWU	-	DEFENDANT

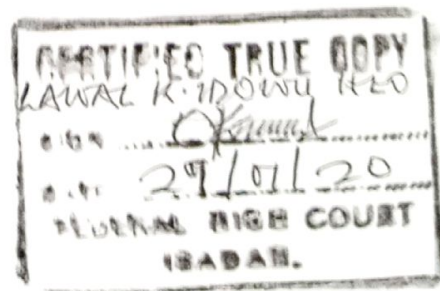
SENTENCE

Court: To act as deterrence to others, I hereby sentence convict to 12 (Twelve) Months imprisonment at the Nigerian Correctional Service's Custody Agodi to commence from 7th of August of 2019.


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HON. JUSTICE J.O. ABDULMALIK
PRESIDING JUDGE
29/01/2020

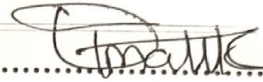
Court: I also order the following to be forfeited to the Federal Republic of Nigeria.

1. Five Hundred and Fifty Dollars (USD)
2. Forty Thousand Naira.
3. One Black Iphone X.
4. One Black Nokia Phone.
5. One Black Dell Laptop



Release for the above items shall be subject to a formal application by complainant on their letter head paper.

The items shall be forfeited via the Economic and Financial Crimes Commission Ibadan Zonal Office.



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HON. JUSTICE J.O. ABDULMALIK
PRESIDING JUDGE
29/01/2020

Parties: Defendant present in Court.

Appearance: S.M.H. Ibekwute Esquire for Prosecution.

- Timothy Ibitomisin Esquire for Defendant.

