

IN THE FEDERAL HIGH COURT OF NIGERIA  
IN THE CALABAR JUDICIAL DIVISION  
HOLDEN AT CALABAR  
ON FRIDAY THE 15<sup>TH</sup> DAY OF OCTOBER 2021  
BEFORE HIS LORDSHIP HONOURABLE JUSTICE IJEOMA L. OJUKWU  
JUDGE  
CHARGE NO: FHC/CA/117C/2021

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA - COMPLAINANT

AND

CHIMEZUO PAUL UGOCHUKWU - DEFENDANT  
(A.K.A kennethmaxwell81 and knudsonoliver0)

**PROCEEDING/JUDGMENT**

Defendant is present in court.

***Appearances***

J.O. Abolarin for the Prosecution.

Innocent O. Eze for the Defendant.

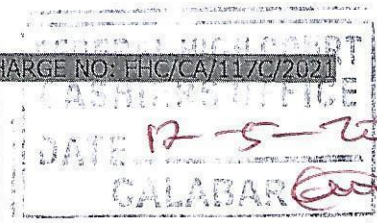


Prosecutor: We have a one count charge dated and filed 8<sup>th</sup> day of October 2021. The Defendant applied for a plea bargain which has been signed by the parties. We apply that the charge we read to the defendant to take his plea.

***Court:*** The Matter for Arraignment.

The Charge for which the Defendant is standing trial is couched as follows:

"That you Chimezuo Paul Ugochukwu (A.K.A Kennethmaxwell81 and Knudsonoliver0) sometimes in 2021 in Nigeria within the jurisdiction of this



CERTIFIED TRUE COPY  
FEDERAL HIGH COURT, CALABAR  
JOYLYNE COLE, ESQ.  
SENIOR REGISTRAR

12/05/2023

Honourable Court with intent to obtain property and gain advantage for yourself, fraudulently presented yourself as Kennethmaxwell81 and Knudsonoliver0 on Instagram and thereby committed an offence contrary to Section 22(2) (b) (i) & (ii) of the Cybercrimes (Prohibition, Prevention, etc) Act, 2015 and punishable under Section 22 (2) (b) (iv) of the same Act.

The Charge is read and explained to the Defendant in English language to the satisfaction of the Court and he appears perfectly to understand the Charge and Pleads as follows;

**Defendant:** I am guilty.

**Prosecution:** My lord the plea of the defendant is a reflection of the agreement he voluntarily entered. We urge the Court to Convict the Defendant in line with the Plea Bargain Agreement before this Court. It is filed 8<sup>th</sup> day of October 2021 and entered freely and voluntarily by the parties. We urge the court to consider and accept the terms of the agreement.

**Court to Defendant:** Did you voluntarily enter into a plea bargain agreement with the Prosecuting Authority EFCC?

**Defendant's Counsel:** Yes, my lord. We did. We are not objecting, the defendant freely entered into the agreement.

Defendant: Yes my lord, I voluntarily entered into the agreement.

**Court:** Having satisfied myself that the Defendant voluntarily entered into a plea Bargain Agreement with the Prosecuting Authority EFCC and in view of the direct, positive and unequivocal plea of guilt offered by the Defendant, I hereby find the Defendant Chimezuo Paul Ugochukwu (A.K.A Kennethmaxwell81 and Knudsonoliver0) Guilty as charged.

FEDERAL HIGH COURT  
CLERK'S OFFICE  
DATE 12-5-2023  
CALABAR

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DYLYNE COLE, ESQ.  
SENIOR REGISTRAR

*[Handwritten signature]*  
12/05/2023

**Allocutus:**

**Counsel:** Most respectfully my lord and on behalf of the convict, I plead with the court to temper justice with mercy. The Convict is a first time offender. We are asking that the court temper justice with mercy and exercise its discretion by showing grace to the convict. We urge the court to impose a non-custodial sentence since he has not wasted the time and resources of this court and has shown remorse. We so pray the court.

**Court to Prosecution:** Does the Convict have any known criminal record?

**Prosecution:** None to the best my knowledge.

**Court:** I have heard the allocution of learned counsel Innocent O. Eze on behalf of the Convict and his entreaty for the Court to impose a non-custodial sentence. I have also taken into consideration the circumstance of this crime and the fact that Convict has no know criminal records, therefore an adjudged first time offender. Being that the court is permitted to go outside the terms agreed by the parties and being that the Prosecuting Authority has made a proposal to the court, I have considered the entirety of the terms and submissions before me and I therefore sentence the convict as follows in view of Section 270 II (b) of the Administration of Criminal Justice Act.;

1. The Convict **Chimezuo Paul Ugochukwu (A.K.A Kennethmaxwell81 and Knudsonoliver0)** is sentenced to Six (6) months Imprisonment or to a fine of ₦100,000.00 (One Hundred Thousand Naira) only in the alternative.
2. The Convict shall forfeit the instrument of crime to the Federal Government of Nigeria, One black colored infinix S phone, being the

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FEDERAL HIGH COURT  
CASHIERS OFFICE  
DATE 12-5-2023  
CALABAR

instrument used in the commission of the said offence which was recovered in the course of investigation.

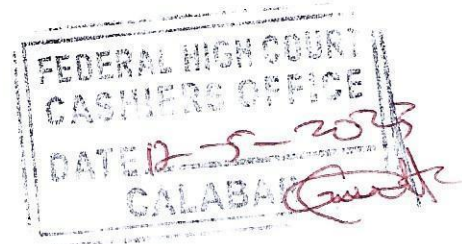
3. The EFCC shall dispose of the above items by public auction and the proceeds paid into Federal Government coffers.
4. That this Plea Bargain agreement is in relation to the one count charge of Cyber impersonation dated 7<sup>th</sup> day of October 2021 only and does not extend to any other criminal charge.
5. The Convict shall enter into an undertaking to be of good behaviour and refrain from any action that may bring him in conflict with the law.
6. Convict to be remanded at the Correctional Service until the sentence is complied with.

The Court so holds.



**HONOURABLE JUSTICE IJEOMA L. OJUKWU**  
**JUDGE**

**15/10/2021**



*cc of Record of Proceedings / Judgment - All to do*