

IN THE FEDERAL HIGH COURT OF NIGERIA  
IN THE ASABA JUDICIAL DIVISION  
HOLDEN AT ASABA

CHARGE NO: FHC/ASB/123C/2022

BETWEEN

FEDERAL REPUBLIC OF NIGERIA      ...      ...      COMPLAINANT  
AND  
HAPPINESS AYO USOMATA (M)      ...      ...      DEFENDANT

ENROLLED ORDER

UPON THIS AMENDED CHARGE dated 20th July, 2022 but filed on 26th July, 2022.

Count 1

That you HAPPINESS AYO USOMATA (M) sometime between January, 2021 and 23rd May, 2022 in Asaba, Delta State within the jurisdiction of this Honourable Court did fraudulently impersonate the identity of BENJAMIN LUCAS with intent to obtain money and thereby committed an offence contrary to Section 22(2) (b) (ii) of the Cybercrime (Prohibition, Prevention, etc) Act, 2015 and punishable under Section 22(2)(b)(iv) of the same Act

The Defendant having pleaded GUILTY to the Charge.

AND AFTER HEARING *Francis A. Jirbo Esq* with *I.K. Agwai Esq* for the prosecution applying that the Plea Bargain Agreement dated 20th July, 2022 but filed 26th July, 2022 be made the Judgment of the Court.

AND *B.E. Ambrose (Mrs)* for the Defendant not opposing.

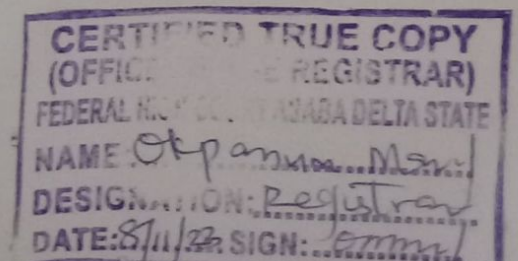


*F. A. Olubanjo*

F. A. OLUBANJO  
PRESIDING JUDGE



*NAL-3209-3245-4228*



IT IS HEREBY ORDERED AS FOLLOWS:

1. Defendant is found GUILTY as Charged.
2. He is sentenced to 5 (Five) Years Imprisonment in the custody of the Nigerian Correctional Service (NCS) or option of ₦300,000.00 (Three Hundred Thousand Naira) fine payable into the account which fines levied by this Court are paid. Sentence to commence from today.
3. That the Convict shall forfeit the balance of the sum of ₦312,049.67 (Three Hundred and Twelve Thousand, Forty Nine Naira, Sixty Seven Kobo) in his Zenith Bank Account Number: 2283706509 as proceeds of crime to the Federal Government of Nigeria through the Economic and Financial Crimes Commission (EFCC).
4. That the convict's Zenith Bank Account Number: 2283706509 be permanently closed.
5. That the Convict shall also forfeit one iphone X Max with IMEI Number: 357276091092788 recovered from him as instrumentality of the crime with which he is convicted to the Federal Government of Nigeria through the Economic and Financial Crimes Commission (EFCC).
6. That Nothing shall preclude the prosecution from proceeding to attach and forfeit to the Federal Government of Nigeria any property that may be traced to the Convict as having been purchased with proceeds of the crime with which he is herein convicted.
7. That convict shall make undertaking to be of good behaviour and that he will never be involved in committing internet fraud or any offences again.

*[Handwritten signature]*

