

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

CHARGE NO: FHC/ASB/118C/2022

BETWEEN

FEDERAL REPUBLIC OF NIGERIA           ...   ...   COMPLAINANT  
AND  
ODOGUN RICHARD AKPESIRI (M)           ...   ...   DEFENDANT

ENROLLED ORDER

UPON THIS AMENDED CHARGE dated 30<sup>th</sup> September, 2022 but filed on 7<sup>th</sup> October, 2022.

Count 1

That you **ODOGUN MATHEW AKPESIRI (M)** sometime in the year 2021 in Asaba, Delta State within the jurisdiction of this Honourable Court did fraudulently impersonate the identity of DR. ELMIRE,, An American Military Doctor with intent to obtain money and thereby committed an offence contrary to Section 22(2) (b) (i) and (ii) of the Cybercrime (Prohibition, Prevention, etc) Act, 2015 and punishable under Section 22(2)(iv) of the same Act

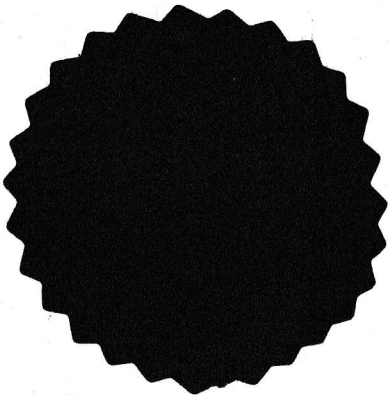
The Defendant having pleaded GUILTY to the Charge.

AND AFTER HEARING *I.K. Agwai Esq* for the prosecution applying that the Plea Bargain Agreement dated 30<sup>th</sup> September, 2022 but filed 7<sup>th</sup> October, 2022 be made the Judgment of the Court.

AND no legal representation for the Defendant.

AND THE COURT having observed that the Defendant is not represented however asked if he

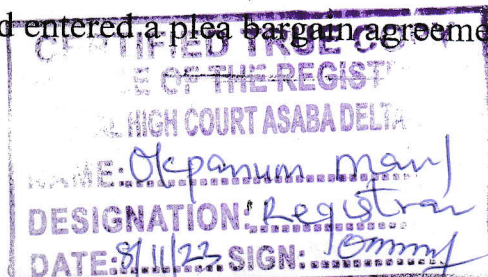
had entered a plea bargain agreement which



F. A. OLUBANJO  
PRESIDING JUDGE



*ML-3209-3245-4228*

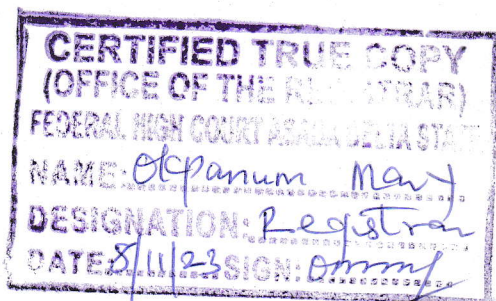


Defendant said he did. He signed it. That it was explained to him but he cannot remember what was explained to him. Defendant cannot explain the meaning of the Plea Bargain Agreement, this Court can therefore not make the terms thereof the Judgment of the Court.

**IT IS HEREBY ORDERED AS FOLLOWS:**

1. Defendant is found **GUILTY** as Charged.
2. He shall serve a term of 3 (Three) Years Imprisonment in the custody of the Nigerian Correctional Service (NCS) or option of ₦1,000,000.00 (One Million 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 instrumentality of crime recovered from him to the Federal Government of Nigeria through the Economic and Financial Crimes Commission (EFCC).
4. That the Bank Accounts through which the offence was committed shall be closed and the proceeds thereof forfeited to the Federal Government of Nigeria through Economic and Financial Crimes Commission (EFCC).
5. 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.
6. 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]*



*[Handwritten signature]*

ISSUED AT ASABA, under the seal of the Court  
and the Hand of the Presiding Judge this 3<sup>rd</sup> day of  
November, 2022.

*[Handwritten signature]*

**EFFIME E. AGAMGBOR**  
**REGISTRAR**

**CERTIFIED TRUE COPY**  
**(OFFICE OF THE REGISTRAR)**  
**FEDERAL HIGH COURT ASABA DELTA STATE**  
NAME: *Okpanun Manu*  
DESIGNATION: *Registrar*  
DATE: *8/11/23* SIGN: *[Signature]*

**IN THE FEDERAL HIGH COURT OF NIGERIA  
IN THE ASABA JUDICIAL DIVISION  
HOLDEN AT ASABA  
ON THURSDAY, THE 3RD DAY OF NOVEMBER, 2022  
BEFORE HIS LORDSHIP, THE HON. JUSTICE F. A. OLUBANJO  
JUDGE**

CHARGE NO: FHC/ASB/118C/22

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA ..... COMPLAINANT

AND

ODOGUN MATTHEW AKPESIRI ..... DEFENDANT

Defendant in court

I.K Agwai Esq for the Prosecution

*[Defendant is not represented, he is reminded of his right to be represented by a counsel]*

PROSECUTING COUNSEL: I apply to withdraw the charge dated 22nd June, 2022 and filed on 23rd June, 2022 and substitute with an amended charge dated 30th September and filed on 7th October, 2022

COURT: Ordered as prayed. Read the charge.

*Defendant in dock, unfettered*

*[Defendant speaks and understand English language]*

*Charge read to the defendant in English language, the charge was explained to the defendant.*

*Defendant understands the charge read and pleads as follows:*

*Defendant pleads guilty to the charge.*



DEFENDANT: I committed the offense

PROSECUTING COUNSEL: With the kind permission of the court, in view of the plea of the Defendant, may I humbly urge the court to take cognizance of section 270 of the Administration of Criminal Justice Act, 2015 and 274 subsection 2 of the same act to convict and sentence the defendant accordingly.

COURT: Defendant, the Prosecution said you entered into plea bargain agreement, do you know the meaning of the document you signed?

DEFENDANT: Yes my Lord, it says I should plead guilty to the offense.

COURT: You do not know the meaning, that means your lawyer did not explain to you.

DEFENDANT: He explain to me but I can't remember and my lawyer's car broke down on his way to court.

COURT: Defendant cannot explain the meaning of the plea bargain agreement, this court can therefore not make the terms thereof the judgment of the court. Defendant having pleaded guilty to the essential element of the charge dated 30th September, 2022 is found guilty. He shall serve a term of 3 years in the custody of the Nigeria Correctional service with option of 1 million Naira fine: He shall forfeit the instrumentality of crime recovered from him to the Federal Government of Nigeria through EFCC. The bank account through which the offense was committed shall be closed and the proceeds thereof forfeited to the Federal Government through EFCC

*Adedun 07/11/2023*

**PROCEEDINGS PREPARED & ARRANGED BY  
ADEWUMI O.F  
OFFICIAL COURT REPORTER  
3rd Day of November, 2022**



*MM-3209-3245-4228*

