

IN THE FEDERAL HIGH COURT OF NIGERIA
IN THE CALABAR JUDICIAL DIVISION
HOLDEN AT CALABAR
ON MONDAY THE 15TH DAY OF NOVEMBER 2021
BEFORE HIS LORDSHIP HONOURABLE JUSTICE IJEOMA L. OJUKWU
JUDGE
CHARGE NO: FHC/CA/133C/2021

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA - COMPLAINANT

AND

NWANJO COLLINS UGOCHUKWU - DEFENDANT
A.K.A AMELIE BOGAERT

PROCEEDING/JUDGMENT

Defendant is present.

Appearances

S.S. Aribido for the Prosecution.



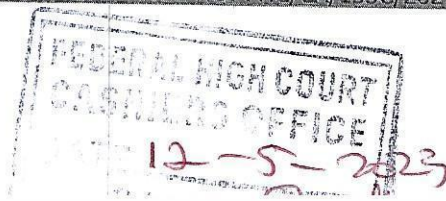
Innocent O. Eze holding the brief of Oko Essien for the Defendant.

Prosecutor: We have a one count charge dated 22nd day of October 2021 and filed 29th day of October 2021. We apply that he takes his plea.

Court: The Matter for Arraignment.

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

"That you Nwanjo Collins Ugochukwu (AKA Amelie Bogaert) sometimes in May 2021 in Nigeria within the jurisdiction of this





Honourable Court with intent to obtain property and gain advantage for yourself, fraudulently presented yourself as Amelie Bogaert and lured unsuspecting persons to invest through a fictitious Crypto currency Investment trading Platform (Treasure-firm.com) and thereby committed an offence contrary to Section 22 (2) (b) (i) of the Cyber Crime (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;

Defendant: I am guilty.

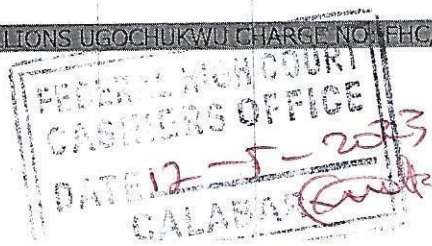
Prosecution: We urge the Court to Convict the Defendant based on his plea of guilt and in line with the Plea Bargain Agreement before this Court. It is filed 29th day of October 2021 and entered freely and voluntarily by the parties.

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

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

Defendant: I voluntarily entered into a plea bargain agreement with EFCC.

Court: Having satisfied myself that the Defendant voluntarily entered into a plea Bargain Agreement with the Prosecuting Authority EFCC, which was filed the 29th day of October 2021, and in view of the direct,



positive and unequivocal plea of guilt offered by the Defendant, I hereby find the Defendant Nwanjo Collins Ugochukwu (AKA Amelie Bogaert) Guilty as charged.



Allocutus:

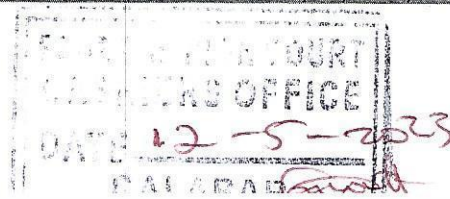
Counsel: My lord on behalf of the convict, I plead with the court to temper justice with mercy. We pray leniency. The Convict is a first time offender and has shown remorse. We are asking that the court temper justice with mercy. He is a young man of 22 years. He has expressed his remorse for the act and will never go back to a life of crime. We urge the court to impose a sentence of fine since the law permits my lord to impose a lesser sentence. We so urge the court.

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

Prosecution: None to my knowledge. No history of previous conviction.

Court: I have heard the allocution of learned counsel Innocent Eze on behalf of the Convict and his entreaty for the Court to impose a lesser sentence. I have also taken into consideration that the Convict has no known criminal records as stated by the learned prosecuting counsel S.S. Aribido, therefore an adjudged first time offender.

The Convict is a young adult who can channel his energy positively if well guided and if he would shun peer pressure and the get -rich- quick syndrome prevailing among the youths. In addition, I do not think that Custodial Sentence without more will afford him the time and opportunity for rehabilitation and reformation which is the fundamentals of 'punishment'. I will



CERTIFIED TRUE COPY
FEDERAL HIGH COURT SALABAR
12/05/2023
SENIOR REGISTRAR I

rather the society is rid of crime than offering society a temporal reprieve from crime.

Being that the convict has shown remorse and has not wasted the time and resources of this Court and having given ample consideration to the Plea Bargain Agreement dated 22nd day of October 2021, entered into and signed by all the relevant parties, I hereby sentence the Convict as follows in view of Section 270 II (b) of the Administration of Criminal Justice Act.

1. The Convict **Nwanjo Collins Ugochukwu (AKA Amelie Bogaert)** 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 one Huawei mobile phone which is the instrument of crime to the Federal Government of Nigeria, being the instrument used in the commission of the offence recovered by the Commission in the course of investigation.
3. The Economic and Financial Crimes Commission shall dispose of the above item by public auction and the proceeds paid into Federal Government coffers.
4. That this plea bargain agreement is only in relation to the one count charge preferred against the convict and does not apply to any other future criminal charges that may be brought against the convict by the commission.
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.

CASHIERS OFFICE
DATE 12-5-2023
SALABAR

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
15/11/2021

CERTIFIED TRUE COPY
FEDERAL HIGH COURT, CALABAR
JOYLYNE COLE, ESQ.
SENIOR REGISTRAR I
12/05/2023

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

CC of Record of Proceedings/Judgment - All 90.00
 0 1