

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X
:
UNITED STATES OF AMERICA : SEALED SUPERSEDING
: INDICTMENT
- v. - :
: S4 18 Cr. 117 (KPF)
EMEKA NNAWUBA, :
a/k/a "Benjamin Alabie," :
:
Defendant. :
:
- - - - - X

COUNT ONE
(Conspiracy to Commit Bank Fraud)

The Grand Jury charges:

OVERVIEW

1. From at least in or about 2016 up to and including at least in or about 2018, EMEKA NNAWUBA, a/k/a "Benjamin Alabie," the defendant, participated in a scheme to defraud banks and launder the proceeds of frauds perpetrated against dozens of victims. Among other things, NNAWUBA used false identities and false passports to open bank accounts; received or attempted to receive nearly \$1,000,000 in fraud proceeds; withdrew tens of thousands of dollars of fraud proceeds in cash; and transferred hundreds of thousands of dollars of fraud proceeds to bank accounts controlled by co-conspirators in an effort to conceal the source of funds.

2. The funds laundered by EMEKA NNAWUBA, a/k/a "Benjamin Alabie," the defendant, were procured principally by (a) romance

scams, in which members of the scheme trolled dating websites to find unsuspecting women and stole their money on false pretenses; and (b) business compromise scams, in which members of the scheme impersonated individuals, professionals, or businesses in the course of otherwise ordinary financial transactions, and then fraudulently induced the counterparties to those transactions to transfer funds to bank accounts controlled and operated by NNAWUBA or other members of the scheme.

STATUTORY ALLEGATIONS

3. From at least in or about 2016 up to and including at least in or about 2018, in the Southern District of New York and elsewhere, EMEKA NNAWUBA, a/k/a "Benjamin Alabie," the defendant, and others known and unknown, willfully and knowingly, did combine, conspire, confederate, and agree together and with each other to commit bank fraud, in violation of Title 18, United States Code, Section 1344.

4. It was further a part and object of the conspiracy that EMEKA NNAWUBA, a/k/a "Benjamin Alabie," the defendant, and others known and unknown, would and did execute and attempt to execute a scheme and artifice to defraud a financial institution, the deposits of which were then insured by the Federal Deposit Insurance Corporation ("FDIC"), and to obtain moneys, funds, credits, assets, securities, and other property

owned by, and under the custody and control of, such financial institution, by means of false and fraudulent pretenses, representations, and promises, in violation of Title 18, United States Code, Section 1344.

(Title 18, United States Code, Section 1349.)

COUNT TWO
(Conspiracy to Commit Money Laundering)

The Grand Jury further charges:

5. From at least in or about 2016 up to and including at least in or about 2018, in the Southern District of New York and elsewhere, EMEKA NNAWUBA, a/k/a "Benjamin Alabie," the defendant, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate Title 18, United States Code, Sections 1956 and 1957.

6. It was further a part and an object of the conspiracy that EMEKA NNAWUBA, a/k/a "Benjamin Alabie," the defendant, and others known and unknown, knowing that the property involved in certain financial transactions, to wit, cash transactions and wire transfers, represented the proceeds of some form of unlawful activity, would and did conduct and attempt to conduct such financial transactions, which in fact involved the proceeds of specified unlawful activity, to wit, the conspiracy to commit bank fraud alleged in Count One, in violation of Title 18,

United States Code, Section 1349, and wire fraud, in violation of Title 18, United States Code, Section 1344, knowing that the transactions were designed in whole or in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of the specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i).

7. It was a further part and an object of the conspiracy that EMEKA NNAWUBA, a/k/a "Benjamin Alabie," the defendant, and others known and unknown, within the United States, knowingly would and did engage and attempt to engage in monetary transactions in criminally derived property of a value greater than \$10,000 that was derived from specified unlawful activity, to wit, wire fraud, in violation of Title 18, United States Code, Section 1957(a).

(Title 18, United States Code, Section 1956(h).)

FORFEITURE ALLEGATIONS

8. As a result of committing the offense alleged in Count One of this Superseding Indictment, EMEKA NNAWUBA, a/k/a "Benjamin Alabie," the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(2)(A), any and all property constituting or derived from, proceeds obtained directly or indirectly, as a result of the commission of said offense, including but not

limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense.

9. As a result of committing the offense alleged in Count Two of this Indictment, EMEKA NNAWUBA, a/k/a "Benjamin Alabie," the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), any and all property, real and personal, involved in said offense, or any property traceable to such property, including but not limited to a sum of money in United States currency representing the amount of property involved in said offense.

Substitute Asset Provision


10. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 982;
Title 21, United States Code, Section 853; and
Title 28, United States Code, Section 2461.)


FOREPERSON


GEOFFREY S. BERMAN
United States Attorney

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EMEKA NNAWUBA,
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Defendant.

SEALED SUPERSEDING INDICTMENT

S4 18 Cr. 117 (KPF)

(18 U.S.C. §§ 1349 and 1956(h).)

GEOFFREY S. BERMAN
United States Attorney



Foreperson
