



Folajimi Abegunde



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**THE SCAPEGOATING AND CONTROVERSIAL
PROSECUTION OF AN INNOCENT
NIGERIAN MAN AT THE HANDS OF THE U.S.
JUSTICE SYSTEM**



Folajimi Abegunde

**THE ELEPHANT IN THE ROOM:
AMERICA, THE LAND OF INJUSTICE?**



Folajimi Abegunde

Kevin Strickland exonerated after 42 years in Missouri prison

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MIDWEST INNOCENCE PROJECT

Kevin Strickland was sentenced in June 1979



Falsely convicted US trio freed after 36 years

26 November 2019



US man wrongfully imprisoned for 26 years pardoned

13 November 2021



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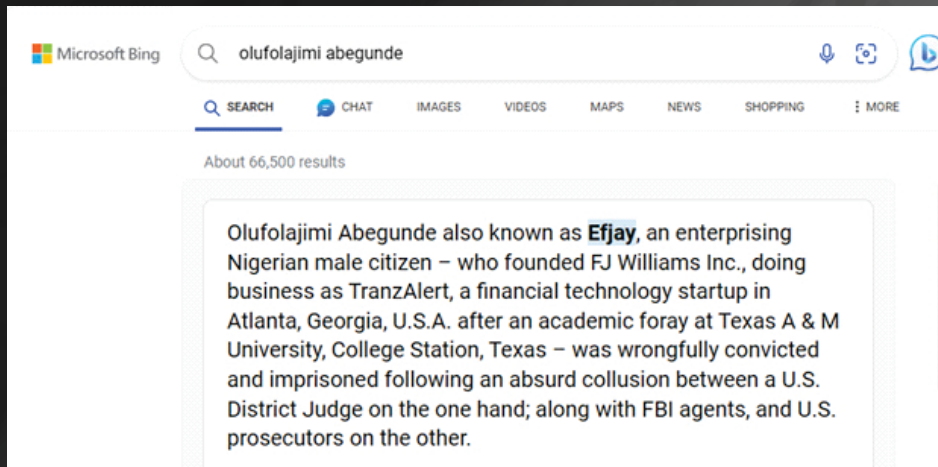
BOMBSHELL : INVESTIGATION EXPOSES COLLUSION AMONG U.S. JUDGE, PROSECUTOR & FBI AGENT IN THE CONVICTION & SENTENCING OF AN INNOCENT NIGERIAN MAN TO 78 MONTHS IN PRISON

By Abdallah El - kwebe



While the common perception of the U.S. justice system is that it is fair and just; the evidence found by this investigation reveals the exact opposite. Also, based on this investigation, it appears that there are two justice systems in the U.S., one that applies to whites, and one that applies to racial minorities – especially blacks. The investigation uncovered numerous instances of real-life cases portraying the most egregious forms of injustices in the U.S., take the following examples:

WHO IS ABEGUNDE?



Abegunde relocated to the U.S. from Nigeria in 2014 to pursue a Master of Business Administration (MBA) degree at Texas A & M University in College Station, Texas. Upon graduating with the class of 2016, and recognizing opportunities in the remittances industry, Abegunde incorporated FJ Williams Inc. doing business as (DBA) TranzAlert. The investigation found that TranzAlert, a financial technology startup was duly licensed and registered with all the extant industry regulatory bodies including the Financial Crimes Enforcement Network (FINCEN), U.S. Department of the Treasury, the Georgia Department of Banking and Finance, and the Central Bank of Nigeria (CBN). According to court records, these licenses and registrations permitted TranzAlert to engage in the currency exchange, and international remittance business.

According to publicly available financial regulatory documents, obtaining these licenses – that Abegunde business possessed – requires rigorous actions and uncommon resources both in the U.S. and Nigeria.



Financial Crimes Enforcement Network Department of the Treasury

MSB Registration Status Information

Date: 12/01/2016

The inclusion of a business on the MSB Registrant Search Web page is not a recommendation, certification of legitimacy, or endorsement of the business by any government agency.

The MSB Registrant Search Web page, which is updated on a weekly basis, contains entities that have registered as Money Services Businesses (MSBs) pursuant to the Bank Secrecy Act (BSA) regulations at 31 CFR 1022.380(a)-(f), administered by the Financial Crimes Enforcement Network (FinCEN).

Information contained on this site has been provided by the MSB registrant. FinCEN does not verify information submitted by the MSB. Information provided on this site reflects only what was provided directly to FinCEN. If an error or incomplete information is detected on this site, the registrant should follow the appropriate instructions for correcting a Registration of Money Services Business (RMSB) form.

MSB Registration Number: 31000095756201

Registration Type: Initial Registration

Legal Name: FJ Williams Inc.

DBA Name:

Street Address: 1014 Brookwood Valley Circle

City: Atlanta

State: GEORGIA

Zip: 30309

MSB Activities:

Dealer in foreign exchange, Money transmitter

States of MSB Activities:

Georgia

All States & Territories & Foreign Flag:

Number of Branches:

Authorized Signature Date: 11/15/2016

Received Date: 11/16/2016


Folajimi Abegunde



State of Georgia
DEPARTMENT OF BANKING AND FINANCE
2990 Brandywine Road, Suite 200
Atlanta, Georgia 30341

GA LICENSE# 53990

NMLS# 1561303

License is hereby granted to:

FJ Williams Inc

dba TranzAlert

Under the provisions of the Official Code of Georgia Annotated Section 7-1-680 et seq., the above named is licensed to engage in the business of **Money Transmission**. This license is not transferable, assignable, or subject to a change of ownership, and should be conspicuously posted in your place of business.

THIS LICENSE IS VALID UNTIL DECEMBER 31, 2018

Unless REVOKED, WITHDRAWN, SUSPENDED or EXPIRES prior to that date.
To verify validity of a license, please access the Department's website at: <http://dbf.georgia.gov/>
or access the NMLS website www.nmlsconsumeraccess.org

Rod Carnes

Rod Carnes, CFE
Deputy Commissioner
Acting Deputy Financial Institutions



CENTRAL BANK OF NIGERIA
Corporate Head Office
Central Business District
P.M.B. 0187, Garki, Abuja, FCT

TRADE AND EXCHANGE DEPARTMENT

09 46237800
09 46237804

E-mail address: ted@cbn.gov.ng

TED/PFO/BNK/CON/01/025

December 07, 2017

The Chief Executive Officer
FJ WILLIAMS INC. DBA TRANZALERT
1014 Brookwood Valley Circle
Atlanta, GA 30309
USA

Dear Sir,

**APPROVAL TO COMMENCE IN-BOUND INTERNATIONAL MONEY
TRANSFER SERVICE**

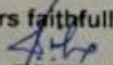
We refer to your application in respect of on the above subject and write to convey Management approval-in-principle for your company to commence operations of the International Money Transfer Service subject to the following conditions;

- i. That the service shall be for inward money remittances only;
- ii. Payment of a non-refundable application fee of N500,000.00;
- iii. Submission of a detailed roll-out plan to the Central Bank of Nigeria for consideration;
- iv. Submission of copies of agency agreement with Authorised Dealer Banks

However, you are not expected to commence any operations until you have fulfilled the above conditions and have been cleared by the Central Bank of Nigeria to commence.

Thank you.

Yours faithfully,


W.D GOTRING
DIRECTOR
TRADE AND EXCHANGE DEPARTMENT



Folajimi Abegunde

AN ACT OF GOODWILL SPARKED ABEGUNDE'S PERSECUTION BY THE US CRIMINAL JUSTICE SYSTEM

In August 2016, Ayodeji Ojo, along with his pregnant wife, and infant daughter, visited his long-time friend, Olufolajimi Abegunde, in Atlanta, Georgia, USA. While at Atlanta, Ojo possessed a Bank of America issued Cashier's Check for which Ojo needed to access the funds therein. According to Ojo, In order to speed up the process of accessing the funds, Ojo decided to open a new bank account, and then let the check go through the clearing process. Thus, Abegunde accompanied Ojo to a Wells Fargo Bank branch down the road from Abegunde's house. At the bank, Abegunde granted Ojo's request for the utilization of Abegunde's address, and phone number as part of the requirements for opening the new bank account. Upon opening the new account, the Bank of America cashier's check was thus deposited into the account after which Ojo was able to access the funds.

**FBI AGENT DAVID PALMER THAT INITIATED
ABEGUNDE'S PROSECUTION:
THERE IS NO CRIME IN GRANTING A
FRIEND PERMISSION TO USE
AN ADDRESS TO OPEN A BANK ACCOUNT**

17 Q. And that was the Wells Fargo account that
18 Mr. Alonso used to send money to Mr. Ojo?
19 A. I can't remember which account it was.
20 Q. But it was the same account that Mr. Ojo opened
21 using the address of Mr. Abegunde, wasn't it?
22 A. I believe so.
23 Q. Was there anything illegal about that?
24 Is there anything illegal about using an address,
25 you know, as a point of reference to a bank to open an

UNREDACTED TRANSCRIPT

CROSS - DAVID PALMER

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1 account?
2 A. No.
3 Q. And to your knowledge, if a person is from Nigeria
4 and visiting for two or three weeks in the United States
5 and attempts to open an account, can that person open an
6 account and give a Nigerian address?
7 A. I'm not certain on how bank-to-bank practices work
8 and how you establish having residency and things like
9 that.
10 Q. You've got specialized knowledge in it. It's not
11 normal that a bank would allow a person from Nigeria or
12 from China or anywhere else outside the scope of the
13 United States to give an address that's not local,
14 related to an account if you're the person representing
15 that bank and you're opening a bank account, right?
16 A. You're going to have to show some sort of address;
17 but as far as what documentation they're going to
18 require, I don't know from bank the bank what that is.
19 Q. It wouldn't be anything outside the scope of your

19 Q. It wouldn't be anything outside the scope of your
20 specialized knowledge to expect a person who's a customer
21 service representative or someone opening a bank account
22 to ask can I have a local address associated with this
23 account.

24 A. I would think that would be within normal
25 practices, yes.

UNREDACTED TRANSCRIPT

CROSS - SPECIAL AGENT MARCUS VANCE

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**FBI SPECIAL AGENT MARCUS VANCE:
THE CHECK OJO USED TO OPEN THE ACCOUNT
"HAD NOTHING TO DO WITH ANY SORT OF
DATA BREACH OR ANY SORT OF
BUSINESS E-MAIL COMPROMISE."**

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CROSS - SPECIAL AGENT MARCUS VANCE

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1 States, did he not?

2 A. I know he traveled when he was here. I don't
3 recall where he landed each time.

4 Q. At the time that this account was opened, do you
5 know what amount of money was in that account?

6 A. There was nothing when it was opened. The first
7 deposit was a roughly 26,000-dollar check.

8 Q. Do you remember approximately what time that would
9 have taken place?

10 A. I can check. I believe it was the first day.
11 Flipping forward a few pages, it's August 29th. So the
12 day of, when he set up the account, he deposited his
13 first check.

14 Q. That check had nothing to do with any sort of data

14 Q. That check had nothing to do with any sort of data
15 breach or any sort of business e-mail compromise that's
16 related to this case, did it?

17 A. Not that I'm aware of.

18 Q. In fact, it had nothing to do with anything that
19 you have investigated in this case, correct?

20 A. I know it was money made out to Mr. Ojo who is
21 affiliated with this case, but I don't know of any other
22 business e-mail compromises or anything like that
23 affiliated with that money.

24 Q. In other words, it's \$23,719 at that time when that
25 account was opened, correct?

UNREDACTED TRANSCRIPT

AN INFAMOUS \$9,000 DEPOSIT INTO OJO'S BANK ACCOUNT

In October 2016, \$9,000 was deposited into Ojo's account. According to court documents, in an interview with FBI Special Agent Kevin Hall regarding the \$9,000 deposit, "Ojo reported that he visited the United States for vacations, and he was recently in the United States for the birth of his child in El Paso, Texas. Ojo needed U.S. currency to pay for the birth which he received from Leke Adenuga via a wire transfer into his Wells Fargo account from Javier Alonso; however, the bank took the money back and closed Ojo's account."

THE \$9,000 DEPOSIT AMOUNTED TO PROCEEDS OF FRAUD

Meanwhile, according to court records, a fraud – in the form of a Business Email Compromise (BEC) – was perpetrated on a Washington State based real estate firm by the name "Whatcom Land Title" on "September 30, 2016." According to court records, Ms. Colleen Baldwin, the CEO of Whatcom Land Title, testified regarding the events surrounding the fraudulent compromise of an email account associated with her business. "During that day and through that chain of fraudulent e-mails, spoofing, we started getting inquiries. The first inquiry was talking about what time will the funds be available and can the seller now have you wire the funds to his account, investment account, I believe was the implicit instructions. Then they morphed into instructions to, oh, he needs the funds very quickly sent today."

Regarding the particular instruction that resulted the her company getting

defrauded, Ms. Baldwin added that "they were requesting that we immediately wire the funds to the account in Monterey -- Wells Fargo bank account in Monterey, California, and were provided with these alleged wiring instructions and for Marc Dryer and an additional name who was not a party to the transaction but was purportedly to on, on this account with Mr. Dryer and that was Luis Alonso."

In other words, a Business Email Compromise (BEC) was perpetrated on a real estate firm in Washington State, USA; and the proceeds of the fraud were wired to bank account of a certain Javier Luis Ramos Alonso, in Monterey, California.

"Ojo needed U.S. currency to pay for the birth which he received from Leke Adenuga via a wire transfer into his Wells Fargo account from Javier Alonso;"

HOW THE \$9,000 WAS DEPOSITED INTO OJO' ACCOUNT

Mr. Bryan Ancona, who was "employed as a financial crimes consultant" by Wells Fargo Bank, corroborated the fact that proceeds of the Business Email Compromise were deposited into Luis Alonso' account. Mr. Ancona confirmed that "this alleged wire transfer involve[d] a Wells Fargo customer named Luis J. Ramos Alonso." Mr. Ancona added that "I did see that Mr. Alonso' account received the wire, as indicated, with that amount and then that there were withdrawals from the account." Upon reviewing Alonso' account, Mr. Ancona further testified that he contacted Alonso. "Wells Fargo customers provide a primary and secondary contact phone number, and I contacted him [Alonso] with the phone number he provided. Upon contacting Alonso, Alonso "provide[d] a list of the accounts into which he conducted financial transactions."

One of the accounts Alonso deposited funds into was in the name of "Ayodeji Ojo." Mr. Ancona added that "9,000 was deposited in Mr. Ojo' account on October 6, 2016."

WELLS FARGO INVESTIGATOR: THE \$9,000 WAS UNDOUBTEDLY REVERSED THROUGH OJO'S AUTHORIZATION

Mr. Ancona then "reach[ed] out to the customer with the account listed at 9962, Mr. Ojo." Mr. Ancona reached Mr. Ojo via "the number he provided to Wells Fargo for contact." Mr. Ancona confirmed that, "based on the contents of that call, it ended up with a reversal of the deposit that had been in that [Ojo's] account." Mr. Ancona further testified that, "Mr. Ojo did not protest when I asked if he would return the funds." Mr. Ancona reinforced his testimony by stating that it was Ojo – and not Wells Fargo bank – that actually "authorized the reverse of the deposit into his account." Of the highest significance regarding the \$9,000 that was deposited into Ojo's account, Mr. Ancona confirmed that based on the information, based on his inquiry, "the money was immediately told to pay back to that person for whatever purpose." Mr. Ancona then reinforced this point by stating that Ojo authorized the reversal of the funds back to Alonso "Within a short period of time."

20 Q. And you placed that call to that telephone number;
 21 and you said a few moments ago, based on the contents of
 22 that call, it ended up with a reversal of the deposit
 23 that had been in that account, correct?
 24 A. Yes.
 25 Q. And from my understanding, based on that call, the

UNREDACTED TRANSCRIPT

20 Q. All right. You do recall there was absolutely
 21 nothing said about "keep the money in my account" or any
 22 protest or anything like that at all, right?
 23 A. Mr. Ojo did not protest when I asked if he would
 24 return the funds.
 25 Q. When you say "if he would return the funds," no

UNREDACTED TRANSCRIPT

CROSS - BRIAN ANCONA 104

1 funds at that point in time, the exact funds that you're
 2 referring to. He didn't have to go down the Wells Fargo
 3 or anything like that and write a check to Wells Fargo or
 4 pay cash to Wells Fargo, did he?
 5 A. No.

CROSS - BRIAN ANCONA 104

1 funds at that point in time, the exact funds that you're
 2 referring to. He didn't have to go down the Wells Fargo
 3 or anything like that and write a check to Wells Fargo or
 4 pay cash to Wells Fargo, did he?
 5 A. No.
 6 Q. In fact, he simply said, I'm assuming, that the
 7 funds can be paid to whomever those funds belonged to,
 8 right?
 9 A. He authorized the reverse of the deposit into his
 10 account.
 11 Q. Because of your inquiry into the account, right?
 12 A. Yes.

CROSS - BRIAN ANCONA 105

1 A. Yes.
 2 Q. At least a month would have passed at any point in
 3 August, right, if September, in other words, comes after
 4 August?
 5 A. At least a month.
 6 Q. And you're, I guess, somewhat convinced that
 7 Mr. Ojo did not make a deposit himself of that amount
 8 into any account, right?
 9 A. I'm sorry. I don't understand your question.
 10 Q. Do you know who deposited that amount into the
 11 account of Mr. Ojo?
 12 A. Mr. Alonso, if I'm saying his name correctly, told
 13 me he conducted the deposit.
 14 Q. And based on your information, based on your
 15 inquiry, the money was immediately told to pay back to
 16 that person for whatever purpose, right?
 17 A. Within a short period of time, yes.

FBI AGENTS INTERVIEW ABEGUNDE AND OJO

According to court records, about five months after Ojo unilaterally authorized the reversal of the \$9,000 deposit; around March 15, 2017, FBI Special Agent David Palmer –one of the FBI Case Agents that instituted the case against Abegunde –testified that, “As we reviewed the Wells Fargo records for the bank accounts that received the proceeds from the business email compromise, we looked at the address listed on the accounts and it led to 1014 Brookwood Valley Circle, Atlanta, Georgia. “Agent Palmer added that FBI agents “went to the address that was listed on the bank account in an attempt to interview Mr. Ojo, and in the process they found Mr. Abegunde and interviewed him there.”

THE FBI AGENTS REPORT OF THEIR ENCOUNTER WITH ABEGUNDE AND OJO DOES NOT ESTABLISH WRONGDOING

17. On March 15, 2017, **Abegunde** was interviewed by case agents. **Abegunde** advised that FJ Williams was a start-up company that also imported alcohol into the United States. For income he relied on savings from the sale of his Nigerian digital marketing and IT company. **Abegunde** reported that he was friends with Ayodeji Ojo and that Ojo was a Nigerian banker. **Abegunde** advised that he was not aware of Ojo's involvement with transferring money to Nigeria or whether Ojo knew people in California or Texas. **Abegunde** stated that Ojo was a person with integrity and would not participate in fraud schemes. **Abegunde** advised that he had spoken with Ojo regarding FJ Williams becoming a money transfer business. **Abegunde** needed a Nigerian banker to help get a license with the Central Bank of Nigeria. He was trying to make FJ Williams a competitor against Western Union. **Abegunde** stated that that FJ Williams complied with applicable U.S. anti-money laundering and “know your customer” regulations. According to **Abegunde**, FJ Williams offered an online wire transfer service that eliminated the need for physical store locations. **Abegunde** was aware of the extent of fraudulent activity that occurred in Nigeria and condemned it. In Nigeria there was a black market currency exchange that offered better rates than the Central Bank of Nigeria. A Nigerian that needed U.S. currency contacted a seller and paid him in Naira. The seller then contacted an associate in the U.S. who had obtained U.S. currency from U.S. citizens by false information. The associate then deposited the U.S. currency into the Nigerian's U.S. bank account. The Nigerian used the money to pay for things like medical bills. **Abegunde** was convinced that only the person who first obtained U.S. currency by false information was committing fraud.
18. On the same day, Ojo contacted the case agents and advised that **Abegunde** had let him know that the agents had stopped by his residence. Ojo stated that he had used **Abegunde's** address to open a Wells Fargo Bank account, but not for anything else. Ojo reported that he was not in a business relationship with **Abegunde**. Ojo would bring things like food to **Abegunde** from Nigeria. According to Ojo, **Abegunde** had asked for help with getting a money transmitter license in Nigeria. Ojo reported that he visited the United States for vacations and he was recently in the United States for the birth of his child in El Paso, Texas. Ojo needed U.S. currency to pay for the birth which he received from Leke Adenuga via a wire transfer into his Wells Fargo account from Javier Alonso; however, the bank took the money back and closed Ojo's account. Ojo advised that he had made similar transactions in the past to pay for medical treatments for his wife. Ojo

OJO FORWARDED THE CONTACT INFORMATION – OF THE VENDOR HE PROCURED THE \$9,000 FROM –TO ATLANTA FBI AGENT WHO MADE NO ATTEMPT TO CONTACT THE VENDOR

From: Ayodeji Ojo <dejiojoo@yahoo.com>
To: Kevin.hall@ic.fbi.gov <Kevin.hall@ic.fbi.gov>
Sent: Thursday, March 16, 2017, 3:31:34 PM GMT+1
Subject: Investigation

Good day Kevin,
My name is Ayodeji Ojo from Nigeria, we spoke as it regards illegal money transfer. Kindly find below the details of the person that I bought money from.

Leke Adenuga
+2348127591677

Regards
Sent from Yahoo Mail on Android

WITHOUT CONTACTING LEKE ADENUGA, OJO, OR ABEGUNDE FOR FURTHER CLARIFICATIONS; ABEGUNDE WAS INDICTED FOR SIMPLY GRANTING OJO PERMISSION TO UTILIZE HIS ADDRESS AND PHONE NUMBER EVEN THOUGH ABEGUNDE WAS UNCONNECTED TO ANY FRAUDULENT FUNDS

According to Abegunde, he was not even aware that –on August 24, 2017 –he had been indicted alongside Javier Luis Ramos Alonso, and Ayodeji Ojo. Incidentally, while the Initial Indictment consisted of 26 pages, Abegunde’ name was barely mentioned in the body of the Initial Indictment. When Abegunde’ name was mentioned, there were no incriminating allegations levelled against Abegunde.

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20. SUMAILA HARDI WUMPINI, is a resident of Ghana who utilized and controlled the email account hardi765_new@hotmail.com and the Facebook account www.facebook.com/Wumpini.Hardy.

21. OLUFOLAJIMI ABEGUNDE is a Nigerian citizen residing in Atlanta, Georgia.

22. AYODEJI OLUMIDE OJO is a Nigerian citizen residing in Nigeria, but also lives with ABEGUNDE in Atlanta, Georgia, when he is in the United States.

23. DANA BRADY is a citizen of the United States, residing in Washington, who utilized and controlled the email account bradydana50@gmail.com.

24. JAMES DEAN is a citizen of the United States, residing in Indiana.

25. JAVIER LUIS RAMOS ALONSO is a resident of the United States, residing in California.

26. D.G. is a citizen of the United States, residing in Mississippi, who utilized and controlled the email accounts d212green696@yahoo.com and d212green696@gmail.com.

50. In order to accomplish the object of the conspiracy, the defendants BABATUNDE MARTINS, MAXWELL, VICTOR OKORHI, BENARD OKORHI, MIAH, WUMPINI, ABEGUNDE, OJO, BRADY, RAMOS, and their co-conspirators committed the following acts, among others, in furtherance of the conspiracy:

a. On or about May 16, 2015, the email accounts JimRoyAirSeal1@yahoo.com and drdenbrown@yahoo.com were created by MIAH or an unknown co-conspirator.

b. In or about May 2015, a dating website profile of "James Roy" was created by MIAH or an unknown co-conspirator.

c. In or about 2012, the identity "Sandra Lin" was created by MAXWELL or an unknown co-conspirator.

d. In or about May 26, 2000, email account papamart2000@yahoo.com was created by defendant MARTINS or an unknown co-conspirator.

e. In or about June 2013, BENARD OKORHI established the shell company Coolben Ltd., at least in part, for the purpose of receiving fraudulently obtained funds from United States-based co-conspirators.

COUNT 1
Conspiracy to Commit Fraud – 18 U.S.C. §1349

Paragraphs 1 through 34 are re-alleged and incorporated by reference as if fully set forth herein.

35. Beginning in at least 2012, and continuing thereafter until the date of this indictment, in the Western District of Tennessee and elsewhere, the defendants,

BABATUNDE MARTINS
VICTOR DANIEL FORTUNE OKORHI
BENARD EMURHWOHWOARIOGHO OKORHI
MAXWELL PETER
DENNIS MIAH
SUMAILA HARDI WUMPINI
OLUFOLAJIMI ABEGUNDE
AYODEJI OLUMIDE OJO
DANA BRADY
JAMES DEAN
JAVIER LUIS RAMOS ALONSO

knowingly and willfully conspired and agreed, together and with each other, and with other persons known and unknown to the grand jury, to commit the offenses of mail fraud, wire fraud, and bank fraud; that is, the defendants:

(a) Pursuant to Title 18, United States Code, Section 1341, devised and intended to devise a scheme and artifice to defraud and to obtain money and property by means of false and fraudulent pretenses, representations and promises, and for

q. In or about October 2016, ABEGUNDE and OJO agreed that OJO would use ABEGUNDE's address in the United States for the purpose of opening a Wells-Fargo bank account, knowing that OJO needed a United States address to associate with the account, as OJO was a resident of Nigeria and did not reside in the United States.

r. In or about April 16, 2014, within the Western District of Tennessee and elsewhere, BENARD OKORHI, using the email account Marc.Richards@aol.com, directed C.M. to obtain cash advances totaling \$1,950 from credit cards and send the proceeds to recipients in Ghana, Africa. C.M. was also instructed by BENARD OKORHI



MONTHS AFTER THE INDICTMENT THE FBI AND FEDERAL PROSECUTORS WERE NOT AWARE THAT OJO AUTHORIZED THE REVERSAL OF THE ILLICIT FUNDS THAT WERE DEPOSITED INTO OJO'S ACCOUNT BY ALONSO

During Abegunde' June 25, 2018 bond hearing, FBI Special Agent David Palmer –one of the FBI agents that instituted Abegunde' prosecution –stated that the funds Luis Alonso deposited into Ojo' account was spent by Ojo, and was never reversed. This leads to the reasonable inferences that there was a likely rush to judgment in Abegunde and Ojo' prosecution. It also leads to the conclusion there wasn' a thorough investigation.

Buttressing the key point that the FBI were not familiar with the facts of the case is the fact that rather than referring to Alonso' deposit into Ojo' account as a \$9,000 deposit; at the said bond hearing, FBI Special Agent David Palmer referred to the deposit as an \$8,000 deposit.

23 Q. The \$20,000 that came in on Mr. Alonso to Mr. Ojo's
24 account, I can't recall if I asked you this, did you see
25 where that was backed out and not disbursed?

UNREDACTED TRANSCRIPT

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CROSS - DAVID PALMER

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1 A. I'm not familiar with the \$20,000. I know at least
2 one, I believe it was an \$8,000 wire or deposit came in
3 and stayed in and then was used. And I believe
4 Mr. Abegunde explained it was used for hospital expenses
5 for Mr. Ojo while he was here to have a child in the U.S.

PERTINENT EXCULPATORY POINT RAISED AT THE JUNE 25, 2018 BOND HEARING

1 to testify to that.

2 **MR. MASSEY:** Your Honor, I would also say, if
3 I may, and then I think it's probably all I have to say
4 regarding the indictment, it appears that there is a
5 \$20,000 transfer from Mr. Alonso, who was here just a
6 moment ago, to Mr. Ojo's account, one that was opened,
7 and I think it's the account that was opened using
8 Mr. Abegunde's address, but it was through Mr. Ojo. It's
9 my understanding that that \$20,000 was inadvertent and it
10 was backed out, it was never used. That's the
11 information I have. I've not been able to confirm that,
12 which is one of the reasons I wanted to ask the agent if
13 that's consistent with their investigation.

14 In addition, I don't see anything that shows
15 Mr. Abegunde's connected with this.

16 **MS. IRELAND:** Your Honor, that's a matter for
17 trial. That's a factual assertion for defense to -- it
18 has nothing to do with whether Mr. Abegunde is a danger
19 to the community if released or if he will show as
20 ordered by the Court.



EVIDENCE ADDUCED AT ABEGUNDE'S TRIAL



Folajimi Abegunde

**ABEGUNDE'S BUSINESS
MET THE REGULATORY REQUIREMENTS
TO OPERATE IN THE U.S. AS A DEALER
IN CURRENCY EXCHANGE AND MONEY TRANSMITTER**

22 Q. And what does FinCEN do?
23 A. FinCEN is the administrator of the Bank Secrecy Act,
24 which is the federal anti money laundering statute.
25 Q. And what are your specific responsibilities at FinCEN?

UNREDACTED TRANSCRIPT

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TESTIMONY OF THEODORE VLAHAKIS 95

1 A. I am a compliance enforcement officer at FinCEN, and
2 so I testify as custodian of record. I enforce the
3 provisions of the Bank Secrecy Act, commonly known as the
4 BSA, and I conduct searches of records retained by FinCEN as
5 part of the Bank Secrecy Act.
6 Q. So as part of your role at FinCEN, are you familiar
7 with the process of registering what is known as a money
8 services business?
9 A. Yes, I am.

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TESTIMONY OF THEODORE VLAHAKIS 100

1 BY MR. FLOWERS:
2 Q. May I direct your attention, sir, to Page 2, and I'll
3 zoom out here. Do you see header information where it says
4 filing information?
5 A. Yes, I do.
6 Q. And an entry for valid registration?
7 A. Yes.
8 Q. So what is the filing date?
9 A. November 15th, 2016.
10 Q. And for what organization is this transcript?
11 A. F.J. Williams, Incorporated.
12 Q. And do you see an address associated with it?
13 A. Yes, I do.
14 Q. Okay. What is that?
15 A. 1014 Brookwood Valley Circle, Atlanta, Georgia, 30309.
16 Q. So I'm going to adjust the document slightly. Do you
17 see a compliance contact?

16 Q. So I'm going to adjust the document slightly. Do you
17 see a compliance contact?
18 A. Yes, I do.
19 Q. Who is listed as the compliance contact?
20 A. It is a Mr. Olufolajimi Abegunde. I'm sorry about
21 pronunciation.
22 Q. That's fine. And I will now direct your attention to
23 where it says primary transaction account. Do you see an
24 entry for that?
25 A. I do.

UNREDACTED TRANSCRIPT

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13 Q. May I direct your attention now to the next page.
14 A. Yes.
15 Q. Do you see a separate heading for money services and
16 product information?
17 A. I do.
18 Q. What, if anything, is listed under money services
19 business activities?
20 A. Dealer in foreign exchange and money transmitter.
21 Q. Do you see an entry below that? It says, registrant
22 is part of informal value transfer system?
23 A. I do.
24 Q. And what is indicated in that field?
25 A. No.

UNREDACTED TRANSCRIPT

FINCEN REGULATOR, MR. THEODORE VLAHAKIS: THERE IS NO RECORD OF ABEGUNDE ENGAGING IN WRONGDOING

17 CROSS-EXAMINATION

18 **BY MR. PERRY:**

19 Q. Is your title Agent Vlahakis, sir?

20 A. No, sir. I'm a compliance and enforcement officer.

21 So Mr. Vlahakis.

22 Q. I can just call you Mr. Vlahakis?

23 A. Yep.

24 Q. Prior to anything involved in the case that's bringing

25 you here today, had you ever had any sort of enforcement arm

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TESTIMONY OF THEODORE VLAHAKIS 136

1 action take place against Mr. Abegunde?

2 A. No, I did not.

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TESTIMONY OF THEODORE VLAHAKIS 136

1 action take place against Mr. Abegunde?

2 A. No, I did not.

3 Q. Was there ever a record of anyone making a complaint

4 to the enforcement arm of FinCEN?

5 A. No. Not that I know of, no.

6 Q. And you testified earlier that it appeared that back

7 in 2016, Mr. Abegunde on his own filled out the form and

8 registered with FinCEN, correct?

9 A. That's correct.

10 Q. And there was nothing that you have in your records

11 indicating that prior to that time, he had engaged in

12 anything wrong or illegal or that any entity forced him to

13 register with FinCEN?

14 A. Our records would not reflect that. That's right. I

15 have no knowledge of that.

10 Q. And there was nothing that you have in your records

11 indicating that prior to that time, he had engaged in

12 anything wrong or illegal or that any entity forced him to

13 register with FinCEN?

14 A. Our records would not reflect that. That's right. I

15 have no knowledge of that.

16 Q. And based on your involvement in the case to this day,

17 you don't have anything to offer to this jury indicating

18 that?

19 A. Correct.

20 Q. Now, you listed a number of different transactions

21 that you said were reported by different institutions to

22 FinCEN regarding transfers, et cetera, correct?

23 A. Yes, that's correct.

24 Q. Now, by the fact that you read those, that doesn't

25 indicate that there was any wrongdoing. That just means that

UNREDACTED TRANSCRIPT

20 Q. Now, you listed a number of different transactions

21 that you said were reported by different institutions to

22 FinCEN regarding transfers, et cetera, correct?

23 A. Yes, that's correct.

24 Q. Now, by the fact that you read those, that doesn't

25 indicate that there was any wrongdoing. That just means that

UNREDACTED TRANSCRIPT

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TESTIMONY OF THEODORE VLAHAKIS 137

1 there were transactions that were conducted, and they were

2 reported appropriately by the institution to FinCEN?

3 A. Correct.

4 Q. And there's nothing that would have led to any

5 investigation because a person is in another country, and

6 there are different transfers, et cetera, be they deposit or

7 withdrawals, and those withdrawals or deposits get referred

8 to or reported to FinCEN?

9 A. Correct.

11 Q. If he registers with FinCEN and he fills out his
12 forms, does not indicate that he's a foreign exchange service
13 or what is it, an FX service?
14 A. A money transmitter, for dealer foreign exchange.
15 Q. But that he's doing business as a currency business
16 such as Western Union. Okay? Are you following me so far?
17 A. Yes, sir.
18 Q. And the individuals that bring that money to him, is
19 there a requirement that he seek some form of an affidavit or
20 confirmation from the individual that deposits into his bank
21 or his organization or his institution, that they file any
22 sort of affidavit that the money is procured legally versus
23 illegally?
24 A. No, there is not.

25 Q. And does he have any duty whatsoever to follow up with

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TESTIMONY OF THEODORE VLAHAKIS

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1 there were transactions that were conducted, and they were
2 reported appropriately by the institution to FinCEN?

3 A. Correct.

4 Q. And there's nothing that would have led to any
5 investigation because a person is in another country, and
6 there are different transfers, et cetera, be they deposit or
7 withdrawals, and those withdrawals or deposits get referred
8 to or reported to FinCEN?

9 A. Correct.

10 Q. When a person reports to FinCEN or an institution, is
11 it by computer filing, or how does that work?

12 A. So all Bank Secrecy Act reports must be electronically
13 filed, correct.

14 Q. There are a number of documents that the financial
15 institution will tell you. For instance, if you are

12 A. I believe that's correct, yes.

13 Q. Not putting you on the spot mathematically --

14 A. That's fine.

15 Q. But apparently, I tender that -- or by way of a
16 question that August 29th until November 15th, 2016 would be
17 less than 180 days, correct?

18 A. Yes.

19 Q. So if there was a transaction that took place in that
20 window and Mr. Abegunde registered voluntarily without any
21 other entity asking him to, within the time frame that you
22 just stated, would that in and of itself seem that he was in
23 compliance with FinCEN?

24 A. He would be in compliance with our registration
25 requirements, yes.

UNREDACTED TRANSCRIPT

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TESTIMONY OF THEODORE VLAHAKIS

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Folajimi Abegunde

FBI AGENT VANCE: ABEGUNDE'S BUSINESS WAS LICENSED AND BONDED FOR \$100,000

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CROSS - MARCUS VANCE

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1 bond that you just read?

2 A. Yes, sir.

3 Q. So it does appear that he was licensed and bonded
4 during that time; does it not?

5 A. Yes.

6 Q. And you got a company at this point from what
7 you've established that has been properly incorporated or
8 at least there's no objection to it from the State of
9 Georgia, right?

10 A. Yes, that's my understanding.

11 Q. And it was licensed and bonded, right?

12 A. Yes.

13 Q. And it had policies and procedures in place in
14 accordance with FinCEN rules, right?

15 A. Yes.

16 Q. The company had the name of Mr. Abegunde on the
17 appropriate paperwork; did it not?

15 A. Yes.

16 Q. The company had the name of Mr. Abegunde on the
17 appropriate paperwork; did it not?

18 A. Yes.

19 Q. It's licensed and bonded for a hundred thousand
20 dollars?

21 A. Uh-huh.

22 Q. It also was registered with FinCEN?

23 A. Correct.

24 Q. And at times it seemed, according to your
25 testimony, that when Mr. Abegunde had an issue with

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CROSS - MARCUS VANCE

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1 individuals or the sources of income, he acted in

2 accordance with the company, the licensing, as well as

3 the policies that he created for that company in asking



Folajimi Abegunde

FBI AGENT VANCE: ABEGUNDE'S BUSINESS FACILITATED THE REMITTANCE OF FUNDS ON MULTIPLE OCCASIONS

EVEN THOUGH ABEGUNDE WAS NOT OBLIGED TO ASK THE SOURCES OF HIS CUSTOMERS 'FUNDS, ABEGUNDE STILL QUESTIONED HIS CUSTOMERS REGARDING THE SOURCE OF THEIR FUNDS

23 Q. I'm asking you whether or not he made the
24 transaction possible in order to buy the money from the
25 Bank of Nigeria?

UNREDACTED TRANSCRIPT

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CROSS - MARCUS VANCE

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1 A. Yes, it appears that he facilitated the transfer of
2 funds on multiple occasions.

3 Q. You said earlier, or I guess yesterday regarding
4 your testimony, that because it was in different
5 accounts, there seems to be some question regarding the
6 fact that these bonds were facilitated through different
7 accounts, right?

8 A. Yes.

9 Q. But the people who were associated with those
10 particular accounts never objected to anything to do with
11 that? There never was an objection for Mr. Abegunde to
12 use different accounts to facilitate the transactions?

13 A. I have only --

10 Q. And you testified earlier and you testified
11 yesterday and you re-read it this morning as well that
12 when Mr. Abegunde had a question about somebody, he did
13 ask about the sources of the money; did he not?

14 A. Yeah, there were times that he asked about the
15 source of the money, that's correct.

16 Q. And likewise, when there were people that he had
17 regular course and dealings with, when they were asking
18 or trying to buy money fast, he simply said "okay, give
19 me the money" at whatever places he had directed them to
20 do so; did he not?

21 A. If someone said fast, would he give someone else's
22 account to them; is that what you're asking me?

23 Q. I'm asking you whether or not he made the
24 transaction possible in order to buy the money from the
25 Bank of Nigeria?

UNREDACTED TRANSCRIPT


Folajimi Abegunde

FBI AGENT VANCE: IT IS NOT ILLEGAL TO FACILITATE THE REMITTANCE OF FUNDS

10 Q. But those things, which are communications between
11 people who are either friends or business associates,
12 that's not something that's illegal, is it?

13 A. What's the question?

14 Q. That's not something that is illegal, the fact that
15 a business person or a friend would have a communication
16 one way or the other regarding transactions, particularly
17 if the business of -- that business is transactions,
18 that's not something that is in any way wrong, is it?

19 A. Again, I guess that goes back to what we were
20 talking about before. It's not in and of itself illegal
21 to let someone use their account to put money into it to
22 help someone else out. If you were laundering funds that
23 are illicit through that account, that is illegal.

24 Q. Right. If you're laundering funds that are
25 illicit. But based on your testimony, you don't have

UNREDACTED TRANSCRIPT

**AGENT VANCE:
ABEGUNDE WAS CHARGED WITH FRAUD
FOR ONLY THE \$9,000 DEPOSIT INTO
OJO'S ACCOUNT AS NO OTHER TRANSACTION
INVOLVING ABEGUNDE WAS LINKED TO ILLICIT
ACTIVITY**

24 Q. Right. If you're laundering funds that are
25 illicit. But based on your testimony, you don't have

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CROSS - MARCUS VANCE

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1 anything to offer whether or not those funds were illicit
2 or illegal, do you?

3 A. Do I know that \$9,000 went into Mr. Ojo's account
4 that can be traced to illicit funds? I do know that.

5 Q. Right, that's one case, and you've established that
6 that's your belief. But what I'm saying is on the
7 numbers that you've been testifying about, the
8 communications that you've been testifying about, the
9 snippets here and the snippets there from 50,000 pages'
10 worth of documents, none of those transactions, other
11 than the one you're saying, the \$9,000, are in any way
12 from illicit funds, that you can say firsthand knowledge
13 are illicit funds, based on your investigation?

14 A. No, the charge is for the \$9,000 funds.

14 A. No, the charge is for the \$9,000 funds.

15 Q. That one transaction, correct?

16 A. Yes.

10 Q. Outside of that, in this wide scheme, is there any
11 other thing that you're saying or that you have by way of
12 testimony that brings Mr. Abegunde before this Court
13 other than that \$9,000 transaction?

14 A. You want me to list all the links to that account,
15 to Mr. Ojo's account?

16 Q. I want you to answer the question directly about
17 that. We've heard your version of it and the testimony
18 regarding it. Is there any other transaction that you
19 can say definitively came from somebody else, from some
20 romance scam or from anything illegal, that went through
21 any of those accounts?

22 A. The \$9,000 transaction is the one transaction that
23 I can state with a fact that is tied to illicit funds.

24 **MR. PERRY:** I don't have anything further,
25 Your Honor.

UNREDACTED TRANSCRIPT

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CROSS - MARCUS VANCE

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Folajimi Abegunde

**FBI AGENT
DAVID PALMER:
OF ALL ABEGUNDE'S
TRANSACTIONS,
I AM ONLY AWARE OF
THE SOURCE OF THE
\$9,000 DEPOSIT**

24 Q. You're not aware of any of the sources of the funds
25 other than that \$9,000, right?

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CROSS - DAVID PALMER

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1 A. Correct.



Folajimi Abegunde

THE EVIDENCE DEMONSTRATES THAT THERE WAS ABSOLUTELY NO CONNECTION BETWEEN ABEGUNDE AND THE \$9,000 DEPOSIT

Despite efforts by the prosecutors and FBI agents to draw a nexus between Abegunde and the \$9,000; upon scrutiny by Abegunde's attorney –via a laser focus on the \$9,000 deposit –the same FBI agents that investigated the case against Abegunde admitted that there was no evidence of any connection whatsoever. There was also an instance of unnecessary prevarication by FBI agent Vance, on the one hand; and an unnecessary interruption –via a call for a bench conference –by U.S. government prosecutor, Timothy Flowers.

BLATANT PREVARICATION BY FBI AGENT VANCE, UNNECESSARY INTERFERENCE BY U.S. PROSECUTOR TIMOTHY FLOWER, AND ASTUTE DEFENSE BY ABEGUNDE'S ATTORNEY

18 Q. \$9,000 --
19 A. Yes.
20 Q. -- was reversed back to Wells Fargo, right?
21 A. Yes, it was.
22 Q. \$9,000, according to your investigation, came from
23 a breach of someone's account at some point, correct?
24 A. That's correct.
25 Q. And that \$9,000 is somehow connected to the Western

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CROSS - MARCUS VANCE

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1 District of Tennessee and it brings us to court today,
2 right?
3 A. That is correct.
4 Q. Now, \$9,000 is all I'm asking you about at this
5 point.
6 A. Okay.

6 A. Okay.
7 Q. That \$9,000 would have been deposited into that
8 account, correct?
9 A. Yes, it went from Mr. Ramos's account to Mr. Ojo's
10 account.
11 Q. And there's nobody that, between back in 2016 until
12 March of 2019, that has conveyed the fact that
13 Mr. Abegunde knew or should have known where that \$9,000
14 came from other than your independent opinion, right?
15 A. Are you asking if anyone else has investigated
16 this?
17 Q. What I'm asking you is --
18 **MR. FLOWERS:** Your Honor, may we approach
19 again?
20 **THE COURT:** Yes.
21 (Sidebar commenced as follows:)
22 **MR. FLOWERS:** It's basically getting into a
23 jury question. He's asking the witness to get into a
24 jury question.

21 (Sidebar commenced as follows:)
22 **MR. FLOWERS:** It's basically getting into a
23 jury question. He's asking the witness to get into a
24 jury question.
25 **THE COURT:** I'm not sure, Mr. Perry, you want
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1 the answer to this question. You're asking this agent
2 what he knows about whether Mr. Abegunde should have
3 known that \$9,000 --

4 **MR. PERRY:** No, Your Honor, I'm a trial
5 lawyer. I've gone through every one of those documents.
6 I've gone through all of the computer documents that
7 they've tried to throw out haphazardly. I put them in
8 order. He does not know. And I wouldn't ask a question
9 that I didn't know the answer to. He's trying to avoid

4 **MR. PERRY:** No, Your Honor, I'm a trial
5 lawyer. I've gone through every one of those documents.
6 I've gone through all of the computer documents that
7 they've tried to throw out haphazardly. I put them in
8 order. He does not know. And I wouldn't ask a question
9 that I didn't know the answer to. He's trying to avoid
10 it. And he's got an objection to try to avoid it because
11 I'm --

12 **THE COURT:** No, Mr. Perry, you just asked
13 whether the investigator knows, has any information, that
14 Mr. Abegunde knew or should have known where that money
15 comes from. That is the question for the jury. And I
16 think you're asking this investigator to provide a
17 closing statement.

18 **MR. PERRY:** Your Honor, well, I mean, that's
19 what I do, but the other part of that is in a conspiracy
20 case, there has to be some link to the conspiracy. There
21 has not been -- there has to be a link in the chain, and
22 here the only testimony by any layperson has been through

18 **MR. PERRY:** Your Honor, well, I mean, that's
19 what I do, but the other part of that is in a conspiracy
20 case, there has to be some link to the conspiracy. There
21 has not been -- there has to be a link in the chain, and
22 here the only testimony by any layperson has been through
23 him who has specialized knowledge. And what I'm asking
24 him goes to the heart of this case, and the heart of it
25 is there's no one who knows that Mr. Abegunde knew where
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CROSS - MARCUS VANCE 75

1 the source of this money came from that they've offered.
2 And --

3 **THE COURT:** That's not the question you asked,
4 sir.

5 **MR. PERRY:** Well, I'll ask it that way. I'll
6 rephrase, but I don't think that --

5 **MR. PERRY:** Well, I'll ask it that way. I'll
6 rephrase, but I don't think that --

7 **MR. FLOWERS:** That opens the door, Mr. Perry,
8 to me going through almost exhaustively -- when he opens
9 the door, I can go through -- I would like to go over
10 point by point with the evidence we have to demonstrate
11 and do that. I'm not quite sure that that's where
12 Mr. Perry wants to go. I'm happy --

13 **MR. PERRY:** Don't worry about where I want to
14 go.

15 **THE COURT:** You have your redirect but just --
16 That's not the question you asked, Mr. Perry.

17 **MR. PERRY:** What was the question, Your Honor?

18 **THE COURT:** Do you have any evidence from any
19 of these documents that Mr. Abegunde knew or should have
20 known the source of those funds?

21 **MR. PERRY:** I'll rephrase it. I'll rephrase
22 it. I'll rephrase it.

23 **THE COURT:** Okay.

24 (Sidebar concluded.)



Folajimi Abegunde

FBI AGENT VANCE: I DON'T KNOW THAT ABEGUNDE KNEW THAT THE FRAUDULENT \$9,000 RESULTED FROM ILLICIT FUNDS

14 Q. And you said you've been involved in the
15 investigation in this case from the beginning?
16 A. Correct.
17 Q. And based on your investigation in the case, I
18 don't have a person, like in some cases, that has
19 directly conveyed the fact that they know directly that
20 Mr. Abegunde knew the source of the funds that came into
21 that account on that day. That's all I'm asking you.
22 A. Do I know that he knew the direct source of the
23 funds, like that he knew they were coming from Whatcom
24 originally?
25 Q. Yes.

UNREDACTED TRANSCRIPT

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1 A. I don't know that he knew that they were coming
2 from Whatcom originally through Mr. Ramos. I do not know
3 that.

FBI AGENT DAVID PALMER: ABEGUNDE WAS NOT CONNECTED TO THE \$9,000 DEPOSIT

9 Q. And what I'm asking is there's no information that
10 you have that indicates that the instruction to deposit
11 that money to the account of Mr. Ojo came from
12 Mr. Abegunde?
13 A. No, this is the flow of money.
14 Q. Correct. And I'm going to ask it -- and I'm going
15 to try to keep the tone soft. There's nothing in the
16 dots indicating that Mr. Abegunde directed that \$9,000
17 deposit into the account of Mr. Ojo? Do you have another
18 demonstrative that shows that Mr. Abegunde made that
19 direction is all I'm asking.
20 A. We've shown messages from Mr. Abegunde directing
21 money to be deposited into Mr. Ojo's account on that day,
22 but I don't have anything specific showing that it was
23 definitely that \$9,000.
24 Q. That's all my question regarding the \$9,000, that's
25 all I'm asking. You don't have anything wherein

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CROSS - DAVID PALMER

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1 Mr. Abegunde directed \$9,000 into that account?
2 A. We just have the messages where he's directing
3 money on the day that it was deposited but not that
4 specific transaction.


Folajimi Abegunde

**FBI AGENT VANCE:
 ABEGUNDE AND ALONSO –
 ABEGUNDE'S CO-DEFENDANT
 THAT DEPOSITED THE \$9,000
 INTO OJO'S ACCOUNT
 – NEVER KNEW EACH OTHER**

20 Q. Do you have any knowledge of Mr. Abegunde and
 21 Mr. Alonso having met each other prior to their being
 22 arrested in connection with this case?
 23 A. I do not.
 24 Q. Do you have any record of any communications
 25 between the two of them at all?
 UNREDACTED TRANSCRIPT

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CROSS - MARCUS VANCE 102
 1 A. I do not.
 2 Q. Do you have any indication of any financial
 3 transactions between the two of them before -- at any
 4 point in time?
 5 A. Not other than the one that we have been talking
 6 about.

7 Q. So you don't know whether Mr. Alonso even knew that
 8 Mr. Abegunde existed; is that correct?
 9 A. I have no way of knowing.
 10 Q. But he's a codefendant with Mr. Abegunde in this
 11 case?
 12 A. That is correct.
 13 Q. Mr. Alonso is charged with being involved in a
 14 criminal conspiracy; is that correct?
 15 A. Yes, sir.

**ABEGUNDE'S
 CO-DEFENDANT ALONSO:
 I DON'T KNOW ABEGUNDE**

25 Q. When is the first time you saw Mr. Abegunde?
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TESTIMONY OF JAVIER RAMOS-ALONSO 188
 1 A. When he get in Mason, in the jail.
 2 Q. In the jail?
 3 A. Yeah.
 4 Q. Have you ever spoken to him before that?
 5 A. No, never.
 6 Q. Had any communication with him whatsoever before that?
 7 A. No, not nothing.
 8 Q. Did you even know that he existed before that?
 9 A. No.

**FBI AGENT DAVID PALMER:
 ABEGUNDE DID NOT ENGAGE
 IN ROMANCE SCAMS**

11 Q. From the information that -- the data that you
 12 downloaded from Mr. Abegunde's devices --
 13 A. Yes.
 14 Q. -- there never was an attempt to try to engage in a
 15 romance or pretending to be Tammy or anything like that from
 16 his data, correct?
 17 A. Correct.
 18 **MR. PERRY:** I don't have anything further at this
 19 time.
 20 **THE COURT:** Thank you, Mr. Perry.
 21 Mr. Garrett?
 22 **MR. GARRETT:** Thank you, Judge.
 23
 24 CROSS-EXAMINATION
 25 BY MR. GARRETT:
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TESTIMONY OF AGENT DAVID PALMER 80

**FBI AGENT DAVID PALMER:
ABEGUNDE DID NOT ENGAGE
IN SPOOFING OR PHISHING
OTHER PEOPLE'S EMAIL ACCOUNTS**

21 Q. And there's nothing that you extracted from those
22 computers that in any way indicated that Mr. Abegunde was
23 engaged in any sort of phishing or anything along those
24 lines, correct?
25 A. No.

UNREDACTED TRANSCRIPT

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TESTIMONY OF AGENT DAVID PALMER 78

1 Q. There were no -- there were no spoofed accounts,
2 things like that, on Mr. Abegunde's computer?
3 A. Not that I recall.
4 Q. And there were -- and you extracted a lot of data from
5 Mr. Abegunde's computer, correct?
6 A. That is correct.
6 A. That is correct.
7 Q. Most of it seemed to engage in, I guess, business
8 finance type of information?
9 A. There was a lot of financial information, correct.
10 Q. A lot of schoolwork and things from his days when he
11 was in college, in graduate school?
12 A. Correct.

**FBI AGENT DAVID PALMER:
ABEGUNDE WAS NOT
INVOLVED IN ANY
BUSINESS EMAIL
COMPROMISE**

5 Q. And at the time that you first -- I guess that
6 Mr. Abegunde came into this case, you're investigating
7 regarding that transaction that took place October 3,
8 2016, correct?
9 A. Yes, it was part of a series of business email
10 compromises I was investigating related to Memphis.
11 Q. And you went through Mr. Abegunde's computer in
12 great detail, right?
13 A. I did.
14 Q. And you also went through his telephone?
15 A. I did.
16 Q. And you checked over 50,000 pages' worth of
17 documents of some sort?
18 A. There were a lot of documents, yes, sir.
19 Q. And not one was a business email compromise coming
20 from Mr. Abegunde, correct?
21 A. No, he was not the business email compromise
22 component of this case.



**DESPITE THE LACK OF EVIDENCE,
ABEGUNDE WAS CONVICTED AND SENTENCED
TO 78 MONTHS IN PRISON**

Case 2:17-cr-20238-SHL Document 323 Filed 10/23/19 Page 3 of 8 PageID 1598

AO 245B (Rev. 02/18) Judgment in Criminal Case
Sheet 2 — Imprisonment

Judgment — Page 3 of 8

DEFENDANT: OLUFOLAJIMI ABEGUNDE
CASE NUMBER: 2:17CR20238-7-SHL

IMPRISONMENT

The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of:

78 MONTHS Incarceration as each of counts 1, 3, and 5 of the superseding indictment and 60 months as to count 4 of the superseding indictment to be served concurrent to each other for a total term of incarceration of 78 MONTHS.

The court makes the following recommendations to the Bureau of Prisons:

1. The Defendant be designated to a facility as close to Memphis, TN as possible to be near appellate counsel for a complicated appeal.

The defendant is remanded to the custody of the United States Marshal.



Folajimi Abegunde

**WITHOUT ANY SCINTILLA OF EVIDENCE
CONNECTING ABEGUNDE TO ILLICIT FUNDS,
ABEGUNDE WAS ORDERED TO PAY
\$57,911.62 IN RESTITUTION**

Case 2:17-cr-20238-SHL Document 323 Filed 10/23/19 Page 7 of 8 PageID 1602

AO 245B (Rev. 02/18) Judgment in a Criminal Case
Sheet 5 — Criminal Monetary Penalties

Judgment — Page 7 of 8

DEFENDANT: OLUFOLAJIMI ABEGUNDE
CASE NUMBER: 2:17CR20238-7-SHL

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>JVTA Assessment*</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS	\$ 400.00 (DUE IMMEDIATELY)	\$ 0.00	\$ 0.00	\$ 57,911.62



Folajimi Abegunde

**AMERICAN PROPAGANDA AND
THE PERPETUATION OF
MISINFORMATION ABOUT ABEGUNDE
– VIA THE ISSUANCE OF PERNICIOUS,
AND CONSEQUENTIALLY MISLEADING
PRESS RELEASES
– BY THE U.S. DEPARTMENT OF JUSTICE
AND THE MEDIA**

Despite the fact that the evidence establishes that there was absolutely no connection between Abegunde, and any form of financial related fraudulent activity; upon Abegunde's "conviction" the U.S. Department of Justice, the FBI, and multiple media outlets perpetrated the false misrepresentation that Abegunde had participated in a \$15 Million scam. As a result of this, Abegunde has suffered severe reputational damage.



Folajimi Abegunde



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Nigerian Citizen Sentenced for Role in International Cyber-Fraud Scheme: Olufolajimi Abegunde, a citizen of Nigeria residing in Atlanta, Georgia, received 78 months in prison for his role in an international cyber fraud scheme.



justice.gov
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Nigerian Citizen Sentenced in International Money Laundering, Fake Romance Scheme


BY **ASHER STOCKLER** ON 10/24/19 AT 6:15 PM EDT

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DEMAND JUSTICE FOR ABEGUNDE A VICTIM OF RACIAL INJUSTICE IN AMERICA



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Folajimi Abegunde