CLOSED

U.S. District Court
Northern District of Georgia (Atlanta)
CRIMINAL DOCKET FOR CASE #: 1:22−mj−00536−CCB All Defendants

Case title: USA v. Okojie	Date Filed: 06/17/2022
Other court case number: CR422−0084 USDC, Southern District of Georgia, Savannah	Date Terminated: 06/17/2022

Assigned to: Magistrate Judge Christopher C. Bly

Defendant (1)

Bernard Okojie
TERMINATED: 06/17/2022

represented by **Judy A. Fleming**
Federal Defender Program Inc.−Atl
Suite 1500, Centennial Tower
101 Marietta Street, NW
Atlanta, GA 30303
404−688−7530
Fax: 404−688−0768.
Email: Judy_Fleming@FD.Org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Public Defender or Community Defender Appointment

Pending Counts	**Disposition**
None	

Highest Offense Level (Opening)

None

Terminated Counts	**Disposition**
None	

Highest Offense Level (Terminated)

None

Complaints	**Disposition**
18:1349.F Attempt and Conspiracy to Commit Fraud	

Plaintiff

USA represented by **Alex R. Sistla**

Office of the United States
Attorney−ATL600
Northern District of Georgia
600 United States Courthouse
75 Ted Turner Dr., S.W.
Atlanta, GA 30303
404−581−6000
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Email: alex.sistla@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Date Filed	#	Page	Docket Text
06/17/2022			Arrest (Rule 40) of Bernard Okojie (jpa) (Entered: 06/21/2022)
06/17/2022	1		Minute Entry for proceedings held before Magistrate Judge Christopher C. Bly: Initial Appearance in Rule 5(c)(3) Proceedings as to Bernard Okojie held on 6/17/2022. Defendant ORALLY WAIVES identity hearing. Bond Hearing. Bond set at $10,000.00. Defendant released. (Attachments: # 1 Indictment, # 2 SW return) (Tape #FTR) (jpa) (Entered: 06/21/2022)
06/17/2022	2		ORDER APPOINTING FEDERAL PUBLIC DEFENDER Judy Fleming as to Bernard Okojie. Signed by Magistrate Judge Christopher C. Bly on 6/17/22. (jpa) (Entered: 06/21/2022)
06/17/2022	3		Appearance Bond on Rule 5(c)(3) Entered as to Bernard Okojie in amount of $10,000.00. (jpa) (Entered: 06/21/2022)
06/17/2022	4		ORDER Setting Conditions of Release as to Bernard Okojie. Signed by Magistrate Judge Christopher C. Bly on 6/17/22. (jpa) (Entered: 06/21/2022)
06/17/2022			Magistrate Case Closed. Defendant Bernard Okojie terminated. (jpa) (Entered: 06/21/2022)
06/21/2022			ELECTRONIC Transmittal of Rule 5(c)(3) Documents as to Bernard Okojie, sent to USDC, Southern District of Georgia. (docket sheet with attachments) (jpa) (Entered: 06/21/2022)

MIME−Version:1.0
From:ganddb_efile_notice@gand.uscourts.gov
To:CourtMail@localhost.localdomain
Bcc:
−−Case Participants: Judy A. Fleming (gajude@yahoo.com, ganat_ecf@fd.org, jenny_moore@fd.org, judy_fleming@fd.org), Alex R. Sistla (alex.sistla@usdoj.gov, caseview.ecf@usdoj.gov, nancy.blandford@usdoj.gov, usagan.criminaldocketing−courtnotices@usdoj.gov, usagan.motionsresponses@usdoj.gov), Magistrate Judge Christopher C. Bly (ganddb_efile_ccb@gand.uscourts.gov)
−−Non Case Participants:
−−No Notice Sent:

Message−Id:12615249@gand.uscourts.gov
Subject:Activity in Case 1:22−mj−00536−CCB USA v. Okojie Arrest − Rule 40
Content−Type: text/html

U.S. District Court

Northern District of Georgia

Notice of Electronic Filing

The following transaction was entered on 6/21/2022 at 2:48 PM EDT and filed on 6/17/2022

Case Name:	USA v. Okojie
Case Number:	1:22−mj−00536−CCB
Filer:	
Document Number:	No document attached

Docket Text:
Arrest (Rule 40) of Bernard Okojie (jpa)

1:22−mj−00536−CCB−1 Notice has been electronically mailed to:

Alex R. Sistla   alex.sistla@usdoj.gov, caseview.ecf@usdoj.gov, nancy.blandford@usdoj.gov, USAGAN.CriminalDocketing−CourtNotices@usdoj.gov, USAGAN.motionsresponses@usdoj.gov

Judy A. Fleming   Judy_Fleming@FD.Org, gajude@yahoo.com, GANAT_ECF@FD.ORG, jenny_moore@fd.org

1:22−mj−00536−CCB−1 Notice has been delivered by other means to:

Case 1:22-mj-00536-CCB Document 1 Filed 06/21/22 Page 1 of 4

MAGISTRATE'S CRIMINAL MINUTES - REMOVALS (Rule 5& 5.1)

FILED IN OPEN COURT

DATE: 6/ 17 /2022 @ 11:51

TAPE: FTR

TIME IN COURT:

MAGISTRATE JUDGE CHRISTOPHER C. BLY COURTROOM DEPUTY CLERK: JAMES JARVIS

CASE NUMBER: 1:22-MJ-536-CCB DEFENDANT'S NAME: Bernard Okojie

AUSA: Alex Sistla DEFENDANT'S ATTY: Judy Fleming

USPO / PTR: ( ) Retained ( ) CJA (X) FDP ( ) Waived

EXHIBITS ☐ Yes ☐ No

✓ ARREST DATE 6/17/22

✓ Initial appearance hearing held. ✓ Defendant informed of rights.

___ Interpreter sworn: ___

COUNSEL

✓ ORDER appointing Federal Defender as counsel for defendant.

___ ORDER appointing ___ as counsel for defendant.

___ ORDER: defendant to pay attorney's fees as follows: ___

IDENTITY / PRELIMINARY HEARING

✓ Defendant ORALLY WAIVES identity hearing. ___ WAIVER FILED

___ Identity hearing HELD. ___ Def is named def. in indictment/complaint; held for removal to other district.

___ Defendant ORALLY WAIVES preliminary hearing in this district only. ___ WAIVER FILED

___ Preliminary hearing HELD. ___ Probable cause found; def. held to District Court for removal to other district

___ Commitment issued. Detention hearing to be held in charging district

BOND/PRETRIAL DETENTION HEARING

___ Government motion for detention filed . ___ @

___ Pretrial hearing set for ___ @ ___ () In charging district.)

✓ Bond/Pretrial detention hearing held.

___ Government motion for detention ( ) GRANTED ( ) DENIED

___ Pretrial detention ordered. ___ Written order to follow.

✓ BOND set at $10,000 ✓ NON-SURETY ___ SURETY

___ cash ___ property ___ corporate surety ONLY

___ SPECIAL CONDITIONS: ___

✓ Defendant released.

___ Bond not executed. Defendant to remain in Marshal's custody.

___ Motion (___ verbal) to reduce/revoke bond filed.

___ Motion to reduce/revoke bond ___ GRANTED ___ DENIED

___ See page 2

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

UNITED STATES OF AMERICA	) INDICTMENT NO. CR422-0084
v.	) 18 U.S.C. § 1349) Conspiracy to Commit Wire and) Bank Fraud
BERNARD OKOJIE	) 18 U.S.C. § 1343) Wire Fraud) 18 U.S.C. § 1956(h)) Money Laundering Conspiracy

THE GRAND JURY CHARGES THAT:

At all times relevant to this Indictment:

INTRODUCTION

1. Beginning in or about May 2020 and continuing until in or about January 2021, **BERNARD OKOJIE** led a scheme to defraud the United States by submitting Economic Injury Disaster Loan ("EIDL") applications to the U.S. Small Business Administration ("SBA") for non-existent companies.

2. **OKOJIE** submitted these EIDL applications in his name, on behalf of companies he had made up, and in the names of others. For the EIDLs he submitted for others, he took a percentage of the fraudulent proceeds for his services orchestrating the fraud.

3. **OKOJIE** then ran the fraudulent proceeds through multiple bank accounts in the names of various companies in an effort to launder the funds.

4. Through this scheme, **OKOJIE** sought to take advantage of a program meant to help struggling businesses during a global pandemic, and to defraud the United States out of millions of dollars through the fraudulent EIDL applications he submitted.

5. **OKOJIE** committed this vast fraud scheme to enrich himself in the form of massive amounts of cash. He then used these funds for his own personal benefit, including spending thousands of dollars spent at stores like Gianni Versace and others.

The Defendant and His Purported Businesses

6. **OKOJIE** was an individual residing in Georgia who submitted EIDL applications for individuals in several states, including for an individual residing in the Southern District of Georgia.

7. B&K FREIGHT LLC was a Georgia limited liability company owned and controlled by **OKOJIE**.

8. KOJIE9 LC was a Georgia limited liability company owned and controlled by **OKOJIE**.

9. **OKOJIE** claimed ownership in many businesses that were purportedly located in Georgia, but were not actually in existence and were not registered corporate entities, including:

a. Kojie9 Home Care LLC, a purported Georgia health services business;

b. Kojie9 Plumbing Service LLC, a purported Georgia construction and contractors business; and

c. B & K Automobile Sale Inc., a purported Georgia car dealership.

The COVID-19 Pandemic and the CARES Act

10. The Coronavirus Aid, Relief, and Economic Security ("CARES") Act was a federal law enacted in or about March 2020 designed to provide emergency financial assistance to the millions who are suffering the economic effects caused by the COVID-19 pandemic.

11. Among other relief efforts, the United States sought to provide financial support to eligible businesses that could be used to offset certain business expenses.

12. The SBA was an executive branch agency of the United States government that provided support to entrepreneurs and small businesses. The SBA was headquartered in Washington, DC and maintained its computer servers outside of the State of Georgia. The SBA's mission was to maintain and strengthen the nation's economy by enabling the establishment and viability of small businesses and by assisting in the economic recovery of communities after disasters.

13. As part of this effort, the SBA enabled and provided for loans through banks, credit unions, and other lenders. These loans have government-backed guarantees. In addition, the SBA provided loans that came directly from the U.S. Government.

Economic Injury Disaster Loans

14. One source of relief provided by the CARES Act was the authorization for the SBA to provide EIDLs to eligible small businesses experiencing substantial financial disruption due to the COVID-19 pandemic.

15. In order to obtain an EIDL, a qualifying business had to submit an online application to the SBA and provide information about its operations, such as the number of employees, gross revenues for the twelve-month period preceding the disaster, and the cost of goods the business sold in the twelve-month period preceding the disaster. In the case of EIDLs, the twelve-month period was that preceding January 31, 2020. The applicant also had to certify that all the information in its application was true and correct to the best of the applicant's knowledge.

16. EIDL applications were submitted directly to the SBA online at https://covid19relief.sba.gov/#/ and processed by the agency with support from a government contractor, Rapid Finance. The amount of each loan was determined based, in part, on the information provided by the application about employment, revenue, and cost of goods, as described above. Any funds issued under an EIDL were issued directly by the SBA.

17. EIDL funds could be used for payroll expenses, sick leave, production costs, and business obligations, such as debts, rent, and mortgage payments.

The Paycheck Protection Program

18. Another source of relief provided by the CARES Act was the authorization of up to $349 billion in forgivable loans to small businesses for job

retention and certain other expenses, through a program referred to as the Paycheck Protection Program ("PPP"). In or around April 2020, Congress authorized over $300 billion in additional PPP funding.

19. In order to obtain a PPP loan, a qualifying business had to submit a PPP loan application signed by an authorized representative of the business. The PPP loan application required the business (through its authorized representative) to acknowledge the program rules and make certain affirmative certifications in order to be eligible to obtain the PPP loan. In the PPP loan application, the small business (through its authorized representative) had to state, among other things, its: (a) average monthly payroll expenses; and (b) number of employees. These figures were then used to calculate the amount of money the small business was eligible to receive under the PPP. In addition, a business applying for a PPP loan had to provide documentation showing its payroll expenses.

20. A PPP loan application must be processed by a participating lender, such as a financial institution. If a PPP loan is approved, the participating lender funds the PPP loan using its own monies, which are 100% guaranteed by the SBA. Data from the application, including the information about the borrower, the total amount of the loan, and the listed number of employees, is transmitted by the lender to the SBA in the course of processing the loan.

21. The PPP loan proceeds must be used by the business on certain permissible expenses—payroll costs, interest on mortgages, rent, and utilities. The PPP allows the interest and principal of the PPP loan to be entirely forgiven if the

business spends the loan proceeds on these expense items within a designated period of time and uses a certain percentage of the PPP loan proceeds on payroll expenses.

COUNT ONE
Conspiracy to Commit Wire and Bank Fraud
18 U.S.C. § 1349

22. The Grand Jury re-alleges and incorporates by reference the factual allegations contained in paragraphs 1 through 21 of this Indictment as if fully set forth herein.

23. Beginning in or about May 2020 and continuing until in or about January 2021, in the Southern District of Georgia, and elsewhere, the Defendant,

BERNARD OKOJIE,

with other co-conspirators, known and unknown, did conspire, confederate, and agree with each other to commit the following offenses:

a. wire fraud, that is, to devise and intend to devise a scheme and artifice to defraud individuals and to obtain money and property by means of materially false and fraudulent pretenses, representations and promises, and for the purpose of executing this scheme, and attempting to do so, caused to be transmitted by means of wire communication in interstate commerce signals and sounds, all in violation of Section 1343 of Title 18 of the United States Code; and

b. bank fraud, that is, to knowingly execute or attempt to execute a scheme and artifice to obtain any of the moneys, funds, credits, assets, securities, and other property under the custody and control of a financial institution by means of false and fraudulent pretenses, representations, and promises, all in violation of Section 1344 of Title 18 of the United States Code.

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The Object of the Conspiracy

24. It was the object of the conspiracy for **OKOJIE** and others to unlawfully enrich themselves by, among other things, obtaining EIDL and PPP proceeds under false and fraudulent pretenses, including by making false statements about **OKOJIE**'s and his coconspirators' companies' gross revenue.

Manner and Means

25. It was part of the conspiracy, and the manner and means thereof, that **OKOJIE** submitted, or caused to be submitted, one or more false and fraudulent applications for PPP loans to financial institutions, and multiple electronic applications for EIDLs from the SBA at https://covid19relief.sba.gov/#/, knowing the same to contain material false representations.

26. From May 2020 through January 2021, **OKOJIE** submitted, or caused to be submitted, no less than ten different EIDL applications to the SBA on behalf of various businesses purportedly owned and operated by **OKOJIE**. In each, **OKOJIE** falsely affirmed that the businesses had substantial gross revenue in the twelve months prior to January 31, 2020, including but not limited to:

a. On June 25, 2020, applying for an EIDL for "Bernard Okojie," and falsely stating that "Bernard Okojie" had $180,000 in gross revenue in the twelve months prior to January 31, 2020;

b. On June 27, 2020, applying for an EIDL for "kojie9 llc," and falsely stating that "kojie9 llc" had $160,000 in gross revenue in the twelve months prior to January 31, 2020;

c. On July 31, 2020, applying for an EIDL for "kojie9 home care llc," and falsely stating that "kojie9 home care llc" had $238,000 in gross revenue in the twelve months prior to January 31, 2020;

d. On August 1, 2020, applying for an EIDL for "kojie9 plumbing service llc," and falsely stating that "kojie9 plumbing service llc" had $219,900 in gross revenue in the twelve months prior to January 31, 2020;

e. On September 27, 2020, applying for an EIDL for "B & K Automobile Sale Inc" and falsely stating that "B & K Automobile Sale Inc" had $268,000 in gross revenue in the twelve months prior to January 31, 2020;

f. On October 16, 2020, applying for an EIDL for "kojie9 llc," and falsely stating that "kojie9 llc" had $243,600 in gross revenue in the twelve months prior to January 31, 2020; and

g. On January 12, 2021, applying for an EIDL for "B & k Freight LLC," and falsely stating that "B & k Freight LLC" had $187,000 in gross revenue in the twelve months prior to January 31, 2020.

27. From July 2020 through August 2020, **OKOJIE** also submitted, or caused to be submitted, at least eight different EIDL applications to the SBA on behalf of various businesses purportedly owned and operated by individuals known to **OKOJIE**. In return, the individuals paid **OKOJIE** a kickback in the form of a percentage of the EIDL amount received. In each, **OKOJIE** falsely affirmed that the

businesses had substantial gross revenue in the twelve months prior to January 31, 2020, including but not limited to:

a. On July 14, 2020, applying for an EIDL for Individual 1 of Locust Grove, Georgia, and falsely stating that Individual 1's business had $233,900 in gross revenue in the twelve months prior to January 31, 2020;

b. On July 16, 2020, applying for an EIDL for Individual 2 of Macon, Georgia, and falsely stating that Individual 2's business had $242,800 in gross revenue in the twelve months prior to January 31, 2020;

c. On July 20, 2020, applying for an EIDL for Individual 3 of Jonesboro, Georgia, and falsely stating that Individual 3's business had $234,000 in gross revenue in the twelve months prior to January 31, 2020;

d. On July 21, 2020, applying for an EIDL for Individual 4 of Savannah, Georgia, and falsely stating that Individual 4's business had $246,800 in gross revenue in the twelve months prior to January 31, 2020;

e. On July 21, 2020, applying for an EIDL for Individual 5 of Gloster, Mississippi, and falsely stating that Individual 5's business had $244,500 in gross revenue in the twelve months prior to January 31, 2020;

f. On July 23, 2020, applying for an EIDL for Individual 6 of McComb, Mississippi, and falsely stating that Individual 6's business had $246,900 in gross revenue in the twelve months prior to January 31, 2020;

g. On August 4, 2020, applying for an EIDL for Individual 7 of McComb, Mississippi, and falsely stating that Individual 7's business had $244,900 in gross revenue in the twelve months prior to January 31, 2020; and

h. On August 7, 2020, applying for an EIDL for Individual 8 of Lawrenceville, Georgia, and falsely stating that Individual 8's business had $238,500 in gross revenue in the twelve months prior to January 31, 2020.

28. It was further a part of the scheme that, after individuals for whom **OKOJIE** applied for EIDLs received their loan payments from the SBA, **OKOJIE** would receive a percentage of the fraudulent loan for his role in obtaining the fraudulent loan. Individuals made these payments to **OKOJIE** by depositing money into a bank account in the name of one of **OKOJIE**'s "businesses." These payments include:

a. A July 24, 2020 payment of $14,040 from Individual 3;

b. A July 27, 2020 payment of $30,575 from Individual 5;

c. A July 31, 2020 payment of $18,495 from Individual 4;

d. A July 31, 2020 payment of $15,510 from Individual 6;

e. An August 13, 2020 payment of $15,375 from Individual 7;

f. An August 17, 2020 payment of $17,550 from Individual 1;

g. An August 20, 2020 payment of $17,745 from Individual 8; and

h. An August 24, 2020 payment of $18,210 from Individual 2.

29. It was further part of the conspiracy that **OKOJIE** submitted, or caused to be submitted, one or more PPP applications containing representations that **OKOJIE** then and there knew to be false and fraudulent, including a PPP application to Lender 1, a financial institution, for a food services business in the name of Bernard Okojie. In connection with this PPP application, **OKOJIE** submitted, or caused to be submitted, a fake tax document to Lender 1 with fake gross receipt numbers.

All in violation of Title 18, United States Code, Section 1349.

COUNT TWO
Wire Fraud
18 U.S.C. §§ 1343 and 2

30. The Grand Jury re-alleges and incorporates by reference the factual allegations contained in paragraphs 1 through 21 of this Indictment as if fully set forth herein.

31. On or about July 21, 2020, in the Southern District of Georgia, and elsewhere, the Defendant,

BERNARD OKOJIE

aided and abetted by others, devised and intended to devise a scheme to defraud the United States, and to obtain money and property, by means of materially false and fraudulent pretenses, representations, and promises, and for the purpose of executing the scheme and artifice and to obtain money and property, caused interstate and foreign wire communications to be made, in furtherance of the scheme and artifice to defraud, to wit, the online submission of an EIDL application ending in 9966 in the name of Individual 4, who was claimed by **OKOJIE** in EIDL application 9966 to operate a seven-employee health services business in Savannah, Georgia that had 12-month gross revenue prior to January 31, 2020 of $246,800.00, when in truth and in fact, and as **OKOJIE** then and there knew, Individual 4 operated no such business and had no such revenue.

All in violation of Title 18, United States Code, Sections 1343 and 2.

COUNT THREE

Money Laundering Conspiracy

18 U.S.C. § 1956(h)

32. The Grand Jury re-alleges and incorporates by reference the factual allegations contained in paragraphs 1 through 21 of this Indictment as if fully set forth herein.

33. From in or about May 2020 up to and continuing until in or about January 2021, in the Southern District of Georgia and elsewhere, the Defendant,

BERNARD OKOJIE

and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit money laundering, in violation of Title 18, United States Code, Sections 1956(a)(1)(B)(i), 1956(a)(1)(B)(ii), and 1957.

34. It was part and an object of the conspiracy that **OKOJIE**, and others known and unknown, knowing that the property involved in certain financial transactions represented the proceeds of some form of unlawful activity, would and did conduct and attempt to conduct such financial transactions that in fact involved the proceeds of specified unlawful activity, that is, the wire and bank fraud schemes and conspiracy charged in Counts One and Two of this Indictment, knowing that the transactions were designed in whole and in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i).

35. It was also a part and an object of the conspiracy that **OKOJIE**, and others known and unknown, knowing that the property involved in certain financial

transactions represented the proceeds of some form of unlawful activity, would and did conduct and attempt to conduct such financial transactions that in fact involved the proceeds of specified unlawful activity, that is, the wire and bank fraud schemes and conspiracy charged in Counts One and Two of this Indictment, knowing that the transactions were designed in whole and in part to avoid a transaction reporting requirement under State and Federal law, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(ii).

36. It was also part and an object of the conspiracy that **OKOJIE**, and others known and unknown, within the United States, knowingly engaged and attempted to engage in monetary transactions in criminally derived property of a value greater than $10,000.00 that was derived from specified unlawful activity, that is, fraud schemes involving COVID-19 stimulus funds, including EIDL funds and PPP funds, in violation of Title 18, United States Code, Section 1957.

All in violation of Title 18, United States Code, Section 1956(h).

FORFEITURE ALLEGATION

The allegations contained in Counts One through Three of this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and 982(a) and Title 28, United States Code, Section 2461(c).

Upon conviction of one or more of the offenses in violation of Title 18, United States Code, Sections 1349 and 1343 set forth in Counts One and Two of this Indictment, **DEFENDANT** shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of such violation.

Additionally, upon conviction of violating Title 18, United States Code, Section 1956(h) as alleged in Count Three of this Indictment, **DEFENDANT** shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 982(a), any property, real or personal, involved in the offense, or any property traceable to such property.

If any of the property described above, as a result of any act or commission 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,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

A True Bill.

Foreperson

David H. Estes
United States Attorney

Jonathan A. Porter
Assistant United States Attorney
*Lead Counsel

Patricia G. Rhodes
Assistant United States Attorney
Chief, Criminal Division

Patrick J. Schwedler
Assistant United States Attorney
*Co-lead Counsel

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA, **Plaintiff,** **vs.** **BERNARD OKOJIE,** **Defendant.**	**CRIMINAL CASE NO.** **1:22-MJ-536-CCB**

ORDER APPOINTING COUNSEL

JUDY FLEMING

The above-named defendant has testified under oath or has filed with the Court an affidavit of financial status and hereby satisfied this Court that he or she is financially unable to employ counsel.

Accordingly, the **FEDERAL DEFENDER PROGRAM, INC.**, is hereby appointed to represent this defendant in the above-captioned case unless relieved by an Order of this Court or by Order of the Court of Appeals.

Dated at Atlanta, Georgia this 17th day of June, 2022.

CHRISTOPHER C. BLY
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT

for the

Northern District of Georgia

United States of America v. Bernard Okojie *Defendant*	) Case No.	1:22-MJ-536-CCB

APPEARANCE BOND

Defendant's Agreement

I, BERNARD OKOJIE *(defendant)*, agree to follow every order of this court, or any court that considers this case, and I further agree that this bond may be forfeited if I fail:

(X) to appear for court proceedings;
(X) if convicted, to surrender to serve a sentence that the court may impose; or
(X) to comply with all conditions set forth in the Order Setting Conditions of Release.

Type of Bond

( ) (1) This is a personal recognizance bond.

(X) (2) This is an unsecured bond of $ 10,000

( ) (3) This is a secured bond of $ __________, secured by:

( ) (a) $ __________, in cash deposited with the court.

( ) (b) the agreement of the defendant and each surety to forfeit the following cash or other property *(describe the cash or other property, including claims on it — such as a lien, mortgage, or loan — and attach proof of ownership and value)*:

____________________ .

If this bond is secured by real property, documents to protect the secured interest may be filed of record.

( ) (c) a bail bond with a solvent surety *(attach a copy of the bail bond, or describe it and identify the surety)*:

____________________ .

Forfeiture or Release of the Bond

Forfeiture of the Bond. This appearance bond may be forfeited if the defendant does not comply with the above agreement. The court may immediately order the amount of the bond surrendered to the United States, including the security for the bond, if the defendant does not comply with the agreement. At the request of the United States, the court may order a judgment of forfeiture against the defendant and each surety for the entire amount of the bond, including interest and costs.

Release of the Bond. The court may order this appearance bond ended at any time. This bond will be satisfied and the security will be released when either: (1) the defendant is found not guilty on all charges, or (2) the defendant reports to serve a sentence.

Declarations

Ownership of the Property. I, the defendant – and each surety – declare under penalty of perjury that:

(1) all owners of the property securing this appearance bond are included on the bond;
(2) the property is not subject to claims, except as described above; and
(3) I will not sell the property, allow further claims to be made against it, or do anything to reduce its value while this appearance bond is in effect.

Acceptance. I, the defendant – and each surety – have read this appearance bond and have either read all the conditions of release set by the court or had them explained to me. I agree to this Appearance Bond. I, the defendant – and each surety – declare under penalty of perjury that this information is true. (See 28 U.S.C. § 1746.)

Date: 6/17/2022

Defendant's signature

(1) Surety/property owner – printed name

(1) Surety/property owner – signature and date

(1) Surety/property owner's address

(1) Surety/property owner's city/state/zip

(2) Surety/property owner – printed name

(2) Surety/property owner – signature and date

(2) Surety/property owner's address

(2) Surety/property owner's city/state/zip

(3) Surety/property owner – printed name

(3) Surety/property owner – signature and date

(3) Surety/property owner's address

(3) Surety/property owner's city/state/zip

CLERK OF COURT

Date: ____________

Signature of Clerk or Deputy Clerk

APPROVED

Date: 6/17/2022

Signature, United States Magistrate Judge

UNITED STATES DISTRICT COURT

for the

NORTHERN DISTRICT OF GEORGIA

UNITED STATES OF AMERICA	)	
v.	)	
	)	**Case No.: 1:22-MJ-536-CCB**
BERNARD OKOJIE	)	
Defendant	)	

ORDER SETTING CONDITIONS OF RELEASE

IT IS ORDERED that the defendant's release is subject to these conditions:

(1) *The defendant must not violate federal, state, or local law while on release.*

(2) *The defendant must cooperate in the collection of a DNA sample if it is authorized by 42 U.S.C. § 14135a.*

(3) *The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.*

(4) *The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the court may impose.*

The defendant must appear: ______________________________

Place

____

on ______________________________

Date and Time

If blank, defendant will be notified of next appearance.

(5) *The defendant must sign an Appearance Bond, if ordered.*

ADDITIONAL CONDITIONS OF RELEASE

Pursuant to 18 U.S.C. § 3142(c)(1)(B), the court may impose the following least restrictive condition(s) only as necessary to reasonably assure the appearance of the person as required and the safety of any other person and the community.

IT IS FURTHER ORDERED that the defendant's release is subject to the conditions marked below:

( ) (6) The defendant is placed in the custody of:
Person or organization ______
Address *(only if above is an organization)* ______
City and state ______ Tel. No. ______
who agrees to (a) supervise the defendant, (b) use every effort to assure the defendant's appearance at all court proceedings, and (c) notify the court immediately if the defendant violates a condition of release or is no longer in the custodian's custody.

Signed: ______ ______
Custodian *Date*

(X) (7) The defendant must:
(X) (a) submit to supervision by and report for supervision to the U. S. Probation Office,
telephone number (404) 215-1950, no later than before leaving the courthouse.
(X) (b) continue to actively seek or maintain employment.
( ) (c) continue or start an education program.
(X) (d) surrender any passport to: U. S. Probation Office by June 21, 2022
(X) (e) not obtain a passport or other international travel document.
( ) (f) abide by the following restrictions on personal association, residence, or travel: ______
(X) (g) avoid all contact, directly or indirectly, with any person who is or may be a victim or witness in the investigation or prosecution, including: ______
( ) (h) get medical or psychiatric treatment: ______
( ) (i) return to custody each ______ at ______ o'clock after being released at ______ o'clock for employment, schooling, or the following purposes: ______
( ) (j) maintain residence at a halfway house or community corrections center, as the pretrial services office or supervising officer considers necessary.
(X) (k) not purchase, possess or acquire a firearm, destructive device, or other weapon.
(X) (l) not use alcohol ( ) at all (X) excessively.
(X) (m) not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.
( ) (n) submit to testing for a prohibited substance if required by the pretrial services office or supervising officer. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing.
( ) (o) participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the pretrial services office or supervising officer.
( ) (p) participate in one of the following location restriction programs and comply with its requirements as directed.
( ) (i) **Curfew.** You are restricted to your residence every day ( ) from ______ to ______, or ( ) as directed by the pretrial services office or supervising officer; or
( ) (ii) **Home Detention.** You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities approved in advance by the pretrial services office or supervising officer; or
( ) (iii) **Home Incarceration.** You are restricted to 24-hour-a-day lock-down at your residence except for medical necessities and court appearances or other activities specifically approved by the court; or
( ) (iv) **Stand Alone Monitoring.** You have no residential curfew, home detention, or home incarceration restrictions. However, you must comply with the location or travel restrictions as imposed by the court.
Note: Stand Alone Monitoring should be used in conjunction with global positioning system (GPS) technology.

ADDITIONAL CONDITIONS OF RELEASE

( ) (q) submit to the following location monitoring technology and comply with its requirements as directed:
( ) (i) Location monitoring technology as directed by the pretrial services or supervising officer; or
( ) (ii) Radio Frequency; or
( ) (iii) GPS
( ) (iv)

( ) (r) pay all or part of the cost of location monitoring based upon your ability to pay as determined by the pretrial services or supervising officer.

(X) (s) report as soon as possible, to the pretrial services or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.

(X) (t) Defendant's travel is restricted to the Northern District of Georgia and the Southern District of Georgia unless the supervising officer has approved travel in advance.

( ) (u)

Advice of Penalties and Sanctions

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in a term of imprisonment, a fine, or both.

While on release, if you commit a federal felony offense, the punishment is an additional prison term of not more than ten years; if you commit a federal misdemeanor offense, the punishment is an additional prison term of not more than one year. This sentence will be consecutive (i.e., in addition to) any other sentence you receive.

It is a crime punishable by up to ten years of imprisonment and a $250,000 fine or both to: obstruct a criminal investigation; tamper with a witness, victim or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If after release, you knowingly fail to appear as required by the conditions of release, or to surrender for the service of sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

(1) *an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, you shall be fined not more than $250,000 or imprisoned for not more than 10 years, or both;*
(2) *an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, you shall be fined not more than $250,000 or imprisoned for not more than five years, or both;*
(3) *any other felony, you shall be fined not more than $250,000 or imprisoned not more than two years, or both;*
(4) *a misdemeanor, you shall be fined not more than $100,000 or imprisoned not more than one year, or both.*

A term of imprisonment imposed for failure to appear or surrender shall be in addition to the sentence for any other offense. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

Signature of Defendant

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Address

McDonough, GA 470-981-2360

City and State *Telephone*

Directions to United States Marshal

(✓) *The defendant is ORDERED released after processing.*

( ) *The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.*

Date: 6/17/2022

CCB

Signature of Judicial Officer

CHRISTOPHER C. BLY, U.S. MAGISTRATE JUDGE

Name and Title of Judicial Officer

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICE U.S. ATTORNEY U.S. MARSHAL

MIME−Version:1.0
From:ganddb_efile_notice@gand.uscourts.gov
To:CourtMail@localhost.localdomain
Bcc:
−−Case Participants: Alex R. Sistla (alex.sistla@usdoj.gov, caseview.ecf@usdoj.gov, nancy.blandford@usdoj.gov, usagan.criminaldocketing−courtnotices@usdoj.gov, usagan.motionsresponses@usdoj.gov), Judy A. Fleming (gajude@yahoo.com, ganat_ecf@fd.org, jenny_moore@fd.org, judy_fleming@fd.org), Magistrate Judge Christopher C. Bly (ganddb_efile_ccb@gand.uscourts.gov)
−−Non Case Participants: File Clerks (ganddb_file_clerks@gand.uscourts.gov)
−−No Notice Sent:

Message−Id:12615483@gand.uscourts.gov
Subject:Activity in Case 1:22−mj−00536−CCB USA v. Okojie Termination of Magistrate Case
Content−Type: text/html

U.S. District Court

Northern District of Georgia

Notice of Electronic Filing

The following transaction was entered on 6/21/2022 at 3:21 PM EDT and filed on 6/17/2022

Case Name:	USA v. Okojie
Case Number:	1:22−mj−00536−CCB
Filer:	
Document Number:	No document attached

Docket Text:
Magistrate Case Closed. Defendant Bernard Okojie terminated. (jpa)

1:22−mj−00536−CCB−1 Notice has been electronically mailed to:

Alex R. Sistla   alex.sistla@usdoj.gov, caseview.ecf@usdoj.gov, nancy.blandford@usdoj.gov, USAGAN.CriminalDocketing−CourtNotices@usdoj.gov, USAGAN.motionsresponses@usdoj.gov

Judy A. Fleming   Judy_Fleming@FD.Org, gajude@yahoo.com, GANAT_ECF@FD.ORG, jenny_moore@fd.org

1:22−mj−00536−CCB−1 Notice has been delivered by other means to:

MIME−Version:1.0
From:ganddb_efile_notice@gand.uscourts.gov
To:CourtMail@localhost.localdomain
Bcc:
−−Case Participants: Alex R. Sistla (alex.sistla@usdoj.gov, caseview.ecf@usdoj.gov, nancy.blandford@usdoj.gov, usagan.criminaldocketing−courtnotices@usdoj.gov, usagan.motionsresponses@usdoj.gov), Judy A. Fleming (gajude@yahoo.com, ganat_ecf@fd.org, jenny_moore@fd.org, judy_fleming@fd.org), Magistrate Judge Christopher C. Bly (ganddb_efile_ccb@gand.uscourts.gov)
−−Non Case Participants:
−−No Notice Sent:

Message−Id:12615487@gand.uscourts.gov
Subject:Activity in Case 1:22−mj−00536−CCB USA v. Okojie Transmittal of Rule 5(c)(3) Documents
Content−Type: text/html

U.S. District Court

Northern District of Georgia

Notice of Electronic Filing

The following transaction was entered on 6/21/2022 at 3:22 PM EDT and filed on 6/21/2022

Case Name:	USA v. Okojie
Case Number:	1:22−mj−00536−CCB
Filer:	
Document Number:	No document attached

Docket Text:
ELECTRONIC Transmittal of Rule 5(c)(3) Documents as to Bernard Okojie, sent to USDC, Southern District of Georgia. (docket sheet with attachments) (jpa)

1:22−mj−00536−CCB−1 Notice has been electronically mailed to:

Alex R. Sistla   alex.sistla@usdoj.gov, caseview.ecf@usdoj.gov, nancy.blandford@usdoj.gov, USAGAN.CriminalDocketing−CourtNotices@usdoj.gov, USAGAN.motionsresponses@usdoj.gov

Judy A. Fleming   Judy_Fleming@FD.Org, gajude@yahoo.com, GANAT_ECF@FD.ORG, jenny_moore@fd.org

1:22−mj−00536−CCB−1 Notice has been delivered by other means to: