

UNITED STATES DISTRICT COURT

Southern District of Indiana

UNITED STATES OF AMERICA

v.

OLUWATOBI SENSI SETON

JUDGMENT IN A CRIMINAL CASE

Case Number: 1:22CR00099-001

USM Number: 33083-509

Dominic D. Martin

Defendant's Attorney

THE DEFENDANT:

- ☒ pleaded guilty to counts 1-3
- ☐ pleaded nolo contendere to count(s) which was accepted by the court.
- ☐ was found guilty on count(s) after a plea of not guilty

The defendant is adjudicated guilty of these offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18§§ 1343 and 1349	Conspiracy to Commit Wire Fraud	01/31/2021	1
18§§ 1028A(a)(1) and (c)(5)	Aggravated Identity Theft	06/18/2020	2
18§§ 1956(a)(1)(B)(i) and (h)	Conspiracy to Commit Money Laundering	01/31/2021	3

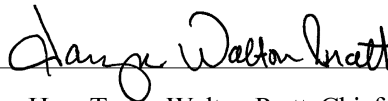
The defendant is sentenced as provided in pages 2 through 10 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on count(s)
- ☐ Count(s) dismissed on the motion of the United States.

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

August 9, 2023

Date of Imposition of Sentence:



Hon. Tanya Walton Pratt, Chief Judge
United States District Court
Southern District of Indiana

Date: 8/22/2023

A CERTIFIED TRUE COPY

Roger A.G. Sharpe, Clerk
U.S. District Court
Southern District of Indiana

By


Deputy Clerk

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IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for terms of **41 months on each of Counts 1 and 3, to be served concurrently, and 24 months on Count 2, to be served consecutively, for a total of 65 months.**

☒ The Court makes the following recommendations to the Bureau of Prisons: **Placement at FCI Waseca, MN, and opportunity to participate in programming.**

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

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at

☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 2 p.m. on

☐ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant was delivered on _____ to _____
at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

BY: _____
DEPUTY UNITED STATES MARSHAL

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SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of **1 year on each of Counts 1 through 3, to be served concurrently.**

MANDATORY CONDITIONS

1. You shall not commit another federal, state, or local crime.
2. You shall not unlawfully possess a controlled substance.
3. You shall refrain from any unlawful use of a controlled substance. You shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
☐ The above drug testing condition is suspended, based on the court's determination that you pose a low risk of future substance abuse. *(check if applicable)*
4. ☒ You shall make restitution in accordance with 18 U.S.C. §§ 3663 and 3663A or any other statute authorizing a sentence of restitution. *(check if applicable)*
5. ☒ You shall cooperate in the collection of DNA as directed by the probation officer. *(check if applicable)*
6. ☐ You shall comply with the requirements of the Sex Offender Registration and Notification Act (34 U.S.C. § 20901, et seq.) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in the location where you reside, work, are a student, or were convicted of a qualifying offense. *(check if applicable)*
7. ☐ You shall participate in an approved program for domestic violence. *(check if applicable)*

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant shall comply with the conditions listed below.

CONDITIONS OF SUPERVISION

1. You shall surrender as directed to the U.S. Immigration and Customs Enforcement. If you are released from the custody of U.S. Immigration and Customs Enforcement for any reason, you shall report to the nearest U.S. Probation Office within 72 hours of your release.
2. If released from confinement, not deported or removed, or you re-enter the United States, you shall report to the nearest probation office within 72 hours.
3. You shall obtain the proper documentation from U.S. Immigration and Customs Enforcement authorizing you to work in the United States.

I understand that I and/or the probation officer may petition the Court to modify these conditions, and the final decision to modify these terms lies with the Court. If I believe these conditions are being enforced unreasonably, I may petition the Court for relief or clarification; however, I shall comply with the directions of my probation officer unless or until the Court directs otherwise. Upon a finding of a violation of probation or supervised release, I understand that the court may (1) revoke supervision, (2) extend the term of supervision, and/or (3) modify the condition of supervision.

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These conditions have been read to me. I fully understand the conditions and have been provided a copy of them.

(Signed)

Defendant

Date

U.S. Probation Officer/Designated Witness

Date

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CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties in accordance with the schedule of payments set forth in this judgment.

	<u>Assessment</u>	<u>Restitution</u>	<u>Fine</u>	<u>AVAA Assessment*</u>	<u>JVTA Assessment**</u>
TOTALS	\$300.00	\$4,296,727.00			

- ☐ The determination of restitution is deferred until. An *Amended Judgment in a Criminal Case (AO245C)* will be entered after such determination.
- ☒ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss***</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
SEE PAGES 9 and 10			
Totals			

- ☐ Restitution amount ordered pursuant to plea agreement \$
- ☐ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).
- ☒ The court determined that the defendant does not have the ability to pay interest and it is ordered that:
- ☒ the interest requirement is waived for the ☐ fine ☒ restitution
- ☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

* Amy, Vicky, and Andy Child Pornography Victim Assistance Act of 2018, Pub. L. No. 115-299.

** Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22.

*** Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

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SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties is due as follows:

- A** ☐ Lump sum payment of \$ _____ due immediately, balance due
☐ not later than _____, or
☐ in accordance with ☐ C, ☐ D, ☐ E, or ☐ F below; or
- B** ☒ Payment to begin immediately (may be combined with ☐ C, ☐ D, ☒ F or ☒ G below); or
- C** ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D** ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E** ☐ Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F** ☒ If this case involves other defendants, each may be held jointly and severally liable for payment of all or part of the restitution ordered herein and the Court may order such payment in the future. The victims' recovery is limited to the amount of loss, and the defendant's liability for restitution ceases if and when the victims receive full restitution.
- G** ☒ Special instructions regarding the payment of criminal monetary penalties:

Any unpaid restitution balance during the term of supervision shall be paid at a rate of not less than 10 % of the defendant's gross monthly income.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number)	Total Amount	Joint and Several Amount	Corresponding Payee

- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s): _____
- ☒ The defendant shall forfeit the defendant's interest in the following property to the United States: **SEE PAGES 7 and 8**

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) AVAA assessment, (5) fine principal, (6) fine interest, (7) community restitution, (8) JVTa assessment, (9) penalties, and (10) costs, including cost of prosecution and court costs.

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FORFEITURES

Item No.	Description	Location Seized
1	\$2,091.00 USD	Seized by the Monroe County Sheriff's Department on January 12, 2021
2	1,321 prepaid Cards	Seized by the Monroe County Sheriff's Department on January 12, 2021
3	Fifty-two (52) sealed Visa prepaid cards	Seized by the Monroe County Sheriff's Department on January 12, 2021
4	One (1) sealed American Express card and one (1) American Express card	Seized by the Monroe County Sheriff's Department on January 12, 2021
5	Black and Red Acer laptop computer (serial no. NHQSWAA001927032B33400)	Seized by the Monroe County Sheriff's Department on January 12, 2021
6	Thirty-two (32) Visa prepaid cards	Seized by the Monroe County Sheriff's Department on January 12, 2021
7	Black USB Drive	Seized by the Monroe County Sheriff's Department on January 12, 2021
8	Four (4) Alcatel cell phones with batteries and charger	Seized by the Monroe County Sheriff's Department on January 12, 2021
9	White HP laptop computer (serial no.5CD74614D)	Seized by the Monroe County Sheriff's Department on January 12, 2021
10	Twelve (12) sealed GreenDot Visa cards and One (1) sealed MyVanilla card	Seized by the Monroe County Sheriff's Department on January 12, 2021
11	Three (3) New York identification cards, Five (5) Texas identification cards, and Two (2) California identification cards.	Seized by the Monroe County Sheriff's Department on January 12, 2021
12	One (1) black iPhone & 1 Silver iPhone, FCC ID BCG-E2945A	Seized by the Monroe County Sheriff's Department on January 12, 2021
13	\$63,260 cash	800 E. North Street, Storage Unit 2041, Crown Point, Indiana
14	Silver Meizu Phone; Pro5 TD-LTE	7937 West 19th Street, Unit D47, Indianapolis, Indiana
15	Black LG Cell Phone; Model LM-X420MM; IMEI: 359962-10-383255-4	7937 West 19th Street, Unit 047, Indianapolis, Indiana

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16	Black Coolpad Phone	7937 West 19th Street, Unit 047, Indianapolis, Indiana
17	Grey iPhone S, Model A1688, FCC ID: BCG-E2946A, IC: 579C-E2946A	7937 West 19th Street, Unit 047, Indianapolis, Indiana
18	\$19,800 cash	7937 West 19th Street, Unit 047, Indianapolis, Indiana
19	\$1,500 cash	1330 Morton Avenue, Unit A3, Martinsville, Indiana
20	\$210,840.08	GoBank Accounts - Seizure Warrant (21-mj-0073)
21	\$261,093.39	GoBank Accounts - Seizure Warrant (21-mj-0745)

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RESTITUTION

<u>Name of Payee</u>	<u>Total Loss**</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
Arkansas Division of Workforce Services Attn: Mark Talley P.O. Box 2981 Little Rock, Arkansas 72203	\$1,048,500.00	\$1,048,500.00	1
U.S. Small Business Administration Office of Disaster Assistance Attn: Executive Office 14925 Kingsport Road Ft. Worth, TX 76255	\$1,223,400.00	\$1,223,400.00	2
Illinois Department of Employment Security Attn: Gilbert Muniz 33 South State Street, 10 th Floor Chicago, IL 60603	\$1,366,616.00	\$1,366,616.00	1
Indiana Department of Workforce Development Attn: John Millikan 10 North Senate Ave. Indianapolis, In 46204	\$646,150.00	\$646,150.00	1
Colorado Department of Labor and Employment Attn: Josh Krieg 251 East 12 th Ave. Denver, CO 80203	\$5,416.00	\$5,416.00	1
Internal Revenue Service Attn: IRS-RAC Attn: Mail Stop 6261, Restitution 333 West Pershing Ave. Kansas City, MO 64108	\$2,600.00	\$2,600.00	2
Commonwealth of Massachusetts Department of Unemployment Assistance UI Benefit Collections Attn: Sheila Tunney PO Box 9699 Boston, MA 02114	\$2,139.00	\$2,139.00	1

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Kansas Department of Labor Attn: Paul Nicholson 266 North Main, Suite 100 Wichita, KS 67202-1514	\$1,006.00	\$1,006.00	1
State of Michigan Unemployment Insurance- Restitution Department Dept# 771760 P.O. BOX 77000 Detroit, MI 48277	\$900.00	\$900.00	1
Total	\$4,296,727.00	\$4,296,727.00	