

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
Roger A.G. Sharpe, Clerk

Cause No. 1:22-cr-00099-TWP-DLP

a. Count 1 which charges that the defendant committed the offense of conspiracy to commit wire fraud, in violation of Title 18, United States Code, Section 1349.

b. Count 2 which charges that the defendant committed the offense of aggravated identity theft, in violation of Title 18, United States Code, Section 1028A(a)(1) and (c)(5).

c. Count 3 which charges that the defendant committed the offense of conspiracy to commit money laundering, in violation of Title 18, United States Code, Section 1956(h) and 1956(a)(1)(B)(i).

2. Potential Maximum Penalties:

a. The offense charged in Count 1 is punishable by a maximum sentence of twenty (20) years' imprisonment; a \$250,000 fine or twice the gross gain or loss resulting from the offense, whichever is greater; and three (3) years' supervised release following any term of imprisonment.

b. The offense charged in Count 2 is punishable by a term of imprisonment of two (2) years, concurrent with any other term of imprisonment imposed, including any term of imprisonment imposed for the felony during which the means of identification was transferred, possessed, or used.

c. The offense charged in Count 3 is punishable by a maximum sentence of twenty (20) years' imprisonment; a \$500,000 fine or twice the value of the property involved in the money laundering transaction, whichever is greater; and three (3) years' supervised release following any term of imprisonment.

3. Elements of the Offense: To sustain the offense(s) to which the defendant is pleading guilty, the Government must prove the following elements beyond a reasonable doubt:

Conspiracy to Commit Wire Fraud (18 U.S.C. § 1349):

- a. The conspiracy described in Count 1 existed;
- b. The defendant knowingly became a member of the conspiracy with an intent to advance the conspiracy.

Aggravated Identity Theft (1028A(a)(1) and (c)(5))

- a. The defendant committed the felony offense of conspiracy to commit wire fraud, Title 18, United States Code, Section 1349, as charged in Count 1;
- b. The defendant knowingly transferred, possessed, or used a means of identification;
- c. The defendant knew the means of identification belonged to another person;
- d. The defendant knew that such transfer, possession or use was without lawful authority; and
- e. The defendant did so during and in relation to the wire fraud as charged in Count 1.

Conspiracy to Commit Money Laundering (18 U.S.C. § 1956(h) and 1956(a)(1)(B)(i)):

- a. The conspiracy described in Count 3 existed;
- b. The defendant knowingly became a member of the conspiracy with an intent to advance the conspiracy.

Part 2: General Provisions

4. Sentencing Court's Discretion Within Statutory Range: The defendant agrees and understands that: (A) the Court will use its discretion to fashion a sentence within the statutory ranges set forth above; (B) the Court will consider the factors set forth in 18 U.S.C. § 3553(a) in determining the appropriate sentence within the statutory ranges; (C) the Court will

also consult and take into account the United States Sentencing Guidelines (“Sentencing Guidelines” or “U.S.S.G.”) in determining the appropriate sentence within the statutory ranges; (D) the Sentencing Guidelines are not mandatory or binding on the Court, but are advisory in nature; (E) restitution may be imposed; (F) by pleading “Guilty” to more than one offense (Count), the Court may order the sentences to be served consecutively one after another; (G) the final determination concerning the applicable advisory guideline calculation, criminal history category, and advisory sentencing guideline range will be made by the Court; and (H) by pleading “Guilty,” the Court may impose the same punishment as if the defendant had plead “Not Guilty,” had stood trial and been convicted by a jury.

5. Sentencing Court Not Bound by Guidelines or Recommendations: The defendant acknowledges that this Plea Agreement is governed by Federal Rule of Criminal Procedure 11(c)(1)(B) and that the determination of the defendant’s sentence is within the discretion of the Court. The defendant understands that if the Court decides to impose a sentence higher or lower than any recommendation of either party, or determines a different advisory sentencing guideline range applies in this case, or decides to impose a sentence outside of the advisory sentencing guideline range for any reason, then the defendant will not be permitted to withdraw this plea of guilty for that reason and will be bound by this plea of guilty.

6. Plea Agreement Based on Information Presently Known: The defendant recognizes and understands that this Plea Agreement is based upon the information presently known to the Government. The Government agrees not to bring other federal charges against the defendant based on information currently known to the United States Attorney for the Southern District of Indiana. The Government will inform the Court and the defendant at the time of

taking the defendant's plea whether the Government has obtained any information after the Plea Agreement was signed that may warrant bringing other federal charges against the defendant.

7. **No Protection From Prosecution for Unknown or Subsequent Offenses:** The defendant acknowledges and agrees that nothing in this agreement shall protect the defendant in any way from prosecution for any offense not specifically covered by this agreement, or not known to the United States Attorney for the Southern District of Indiana at this time. The defendant further acknowledges and agrees that nothing in this agreement shall protect the defendant in any way from prosecution for any offense committed after the date of this agreement.

8. **Rights Under Rule 11(b), Fed. R. Crim. P.:** The defendant understands that the Government has the right, in a prosecution for perjury or false statement, to use against the defendant any statement that the defendant gives under oath during the guilty plea colloquy. The defendant also understands that the defendant has the right: (A) to plead not guilty, or having already so pleaded, the right to persist in that plea; (B) to a jury trial; (C) to be represented by counsel--and if necessary have the court appoint counsel--at trial and at every other stage of the proceedings, including appeal; and (D) to confront and cross-examine adverse witnesses, to be protected from compelled self-incrimination, to testify and present evidence, and to compel the attendance of witnesses. The defendant also understands that the Constitution guarantees the right to be considered for release until trial¹; and if found guilty of the charges, the right to appeal the conviction on such charges to a higher court. The defendant understands that if the Court accepts this plea of guilty, the defendant waives all of these rights.

¹Title 18, U.S.C. §§ 3141-3156, Release and Detention Pending Judicial Proceedings.

Part 3: Sentence of Imprisonment

9. Sentencing Recommendation Pursuant to Federal Rule of Criminal

Procedure 11(c)(1)(B): The parties have not agreed upon a specific sentence. The parties reserve the right to present evidence and arguments concerning what they believe to be the appropriate sentence in this matter.

a. Government's Recommendation: The Government has agreed to recommend a term of imprisonment within the advisory sentencing guidelines, as calculated by the Court, *provided that* the defendant (i) continues to fully accept responsibility for the offense, (ii) does not commit a new criminal offense before the date of any sentencing, and (iii) does not otherwise violate the terms of any pre-trial release before the date of sentencing.

b. Defendant's Recommendation: The defendant understands that the defendant is free to recommend any sentence, including one below the advisory sentencing guidelines.

10. Placement: The defendant reserves the right to request that this Court recommend to the Federal Bureau of Prisons that the defendant serve any sentence of imprisonment imposed in this case at the location the defendant will provide during the sentencing hearing. The defendant acknowledges and understands that any recommendation by the Court is only a recommendation and does not bind the Federal Bureau of Prisons. The Government reserves the right to agree or disagree with the defendant's requested recommendation after considering such recommendation.

11. Programs and/or Treatment: The defendant may also request that this Court recommend to the Federal Bureau of Prisons that the defendant participate in specific programs

or receive specific treatment, while serving any sentence of imprisonment imposed in this case. The defendant acknowledges and understands that any recommendation by the Court is only a recommendation and does not bind the Federal Bureau of Prisons. The Government reserves the right to agree or disagree with the defendant's requested program or treatment recommendation after considering such recommendation.

12. Supervised Release: Both parties reserve the right to present evidence and arguments concerning whether the Court should impose a term of supervised release to follow any term of imprisonment in this case, the duration of any term of supervised release, and the terms and conditions of the release.

13. Conditions of Supervised Release: The parties understand and agree that the Court will determine which standard and special conditions of supervised release to apply in this case. The parties reserve the right to present evidence and arguments concerning these conditions.

Part 4: Monetary Provisions and Forfeiture

14. Mandatory Special Assessment: The defendant will pay a total of \$300 on the date of sentencing or as ordered by the Court to the Clerk, United States District Court, which amount represents the mandatory special assessment fee imposed pursuant to 18 U.S.C. § 3013.

15. Fine: The parties reserve the right to present evidence and arguments concerning the issuance of a fine and amount of such fine.

16. Restitution:

a. The parties understand and agree that federal law requires mandatory restitution for the offenses charged in Counts 1 and 3 of the Information. Additionally, pursuant to 18 U.S.C. § 3663(a)(3), the parties further stipulate and agree that the

defendant's criminal conduct caused monetary losses to victims, and therefore the defendant agrees to pay restitution as follows:

Victim	Restitution Amount
Arkansas Division of Workforce Services	\$1,454,616.00
Small Business Administration (SBA)	\$1,223,400.00
Illinois Department of Employment Security	\$960,500.00
Indiana Department of Workforce Development	\$646,150.00
Other	\$12,300.00
Colorado Department of Labor and Employment	\$5,416.00
Internal Revenue Service (IRS)	\$2,600.00
Massachusetts Department of Unemployment Assistance	\$2,139.00
Kansas Department of Labor	\$1,006.00
Michigan Unemployment Insurance Agency	\$900.00
Total	\$4,309,027.00

b. The defendant agrees that, while the District Court sets the payment schedule, this schedule may be exceeded if and when the defendant's financial circumstances change. In that event, and consistent with its statutory obligations, the Government may take any and all actions necessary to collect the maximum amount of restitution in the most expeditious manner available.

17. No Effect on Other Claims: Nothing in this agreement prevents any identified or unidentified victim of these offenses from seeking additional restitution or other civil relief if they choose to do so and can demonstrate losses higher than the amount of the agreed restitution. However, at the present time, the United States has not received any such claims for additional restitution.

18. Obligation to Pay Financial Component of Sentence: If the defendant is unable to pay any financial component of the defendant's sentence on the date of sentencing, then the defendant agrees that the payment of the financial component should be a condition of supervised release. The defendant has a continuing obligation to pay the financial component of

the sentence. The defendant further agrees that as of the date of filing this Plea Agreement the defendant will provide all requested financial information, including privacy waivers, consents, and releases requested by the Government to access records to verify the defendant's financial disclosures, to the Government for use in the collection of any fines, restitution, and money judgments imposed by the Court and authorizes the Government to obtain credit reports relating to the defendant for use in the collection of any fines and restitution, and money judgments imposed by the Court. The defendant also authorizes the Government to inspect and copy all financial documents and information held by the United States Probation Office. If the defendant is ever incarcerated in connection with this case, the defendant may participate in the Bureau of Prisons Inmate Financial Responsibility Program.

19. Forfeiture: The defendant understands that any forfeiture order entered by the court is mandatory and is a part of defendant's sentence. The defendant stipulates and agrees to the immediate entry of a Preliminary Order of Forfeiture, pursuant to Federal Rule of Criminal Procedure 32.2(b)(2), against the defendant, directly forfeiting each of the following property items, which the parties stipulate and agree:

(1) consist of property items, real or personal, involved in the money laundering transactions that the defendant conducted as a part of the money laundering offense of conviction, or any property traceable to such property, and are therefore forfeitable under 18 U.S.C. § 982(a)(1);

(2) consist of property items, real or personal, involved in a transaction or attempted transaction in violation of 18 U.S.C. §1956, or any property traceable to such property, and are there therefore forfeitable under 18 U.S.C. 18 U.S.C. 981(a)(1)(A).

The property to be forfeited includes: **SEE ATTACHMENT A**

20. The defendant acknowledges and agrees that any and all property in which the defendant has an interest, and that is not already subject to direct forfeiture, is subject to

forfeiture as substitute assets under Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1) and Title 28, United States Code, Section 2461.

21. The defendant agrees not to oppose, and to withdraw any previously filed opposition to, any administrative or judicial forfeiture action related to the conduct described in the Information filed in this case. The defendant waives any right to receive any notices or pleadings filed in any forfeiture action related to the conduct described in the Information and agrees that a default or final judgment of forfeiture may be entered against the defendant's interest without further notice to the defendant or the defendant's attorney.

22. The defendant waives the requirements of Federal Rules of Criminal Procedure 32.2 and 43(a) regarding notice of the forfeiture in the Information, announcement of the forfeiture at sentencing, and incorporation of the forfeiture into the judgment. The defendant waives all rights to any further notice or right to participate in any ancillary proceeding or any other proceeding pertaining to this forfeiture. The defendant waives the right to be informed of any potential forfeiture at the time the defendant's guilty plea is accepted, pursuant to Rule 11(b)(1)(J).

23. This Court shall retain jurisdiction to settle any disputes arising from application of this cause. The defendant agrees that forfeiture of substitute assets, as authorized in this Plea Agreement and by 21 U.S.C. § 853(p), shall not be deemed an alteration of defendant's sentence and that forfeiture of the assets described above shall not be treated as satisfaction of any restitution, fine, cost of imprisonment, or any other penalty the Court may impose upon the defendant in addition to forfeiture.

24. The defendant hereby waives any and all constitutional and statutory challenges the defendant could raise on any ground and in any manner (including by direct appeal, habeas corpus, or any other means) to any forfeiture carried out in accordance with this plea agreement, including any argument that the forfeiture constitutes an excessive fine or punishment.

25. The defendant waives any right to receive notice or a hearing with respect to any motion, pleading, order, or any other action that the Government might take to carry out the abandonment, disposition, and/or destruction of the property. The defendant's waiver includes, without limitation, all common law, statutory, and constitutional claims or challenges, on any grounds, arising at any time from, or relating to, the seizure, abandonment, disposition, and destruction of the listed property. The defendant further agrees to hold the United States of America, its agents and employees, harmless from any claims whatsoever in connection with the seizure, abandonment, disposition, and destruction of the listed property.

Part 5: Factual Basis for Guilty Plea

26. The parties stipulate and agree that the following facts establish a factual basis for the defendant's plea(s) of guilty to the offense(s) set forth in Paragraph One, above, and that the Government would be able to establish the following facts beyond a reasonable doubt in the event this cause was to proceed to trial. The following information is only a summary of the Government's evidence. This Plea Agreement is not intended to foreclose the presentation of and the Government reserves the right to present additional evidence at the time of sentencing.

27. Between in or about February 2020 and in or about January 2021, the defendant and others, known and unknown, conspired to commit, and did commit, an international scam to defraud multiple state unemployment offices and other agencies in the United States, and conspired to launder the proceeds of that scam.

28. Conspirators in Nigeria provided the defendant with personally identifiable information (“PII”) of GoBank Victims, consisting of hundreds of individuals residing in locations throughout the United States. The defendant and other conspirators used that PII to purchase, open, and register GoBank prepaid debit cards and associated GoBank bank accounts. The purpose of these accounts was to receive stolen unemployment and other government benefits.

29. Conspirators submitted false and fraudulent unemployment applications and other state and federal benefit applications to unemployment agencies throughout the United States in the names of Benefit Victims, consisting of hundreds of individuals residing in locations throughout the United States, including in Indiana. The conspirators used PII of Benefit Victims to apply for unemployment benefits without the Benefit Victims knowledge or authorization. The applications directed that the benefits be deposited on the GoBank prepaid debit cards that the defendant and other conspirators opened.

30. For instance, on or about June 16, 2020, the defendant purchased a GoBank card and, on or about June 18, 2020 activated and registered the card in the name of S.W. (a GoBank Victim and Benefits Victim) using, among other things, S.W.’s name, date of birth, and social security number. Between June 22, 2020 and December 29, 2020, approximately \$16,722 of funds were deposited into the S.W. GoBank account from multiple state employment agencies, including \$8,388 in unemployment benefits from the Indiana Department of Workforce Development based on an application in the name of S.W. containing, among other things, S.W.’s name, date of birth, and social security number. The defendant and other conspirators used that GoBank card to withdraw funds and make purchases throughout Indiana and Illinois.

31. The real S.W. did not apply for unemployment nor was S.W. aware of or authorized the filing of such application. The real S.W. also did not register the GoBank card, nor was S.W. aware of or authorized such registration.

32. The defendant had over 1,400 GoBank cards in her possession in the names of others.

33. Once the government benefits were transferred to the GoBank accounts, the defendant used the GoBank prepaid debit cards to withdraw the funds in the form of U.S. Currency, bring the currency to Walmart locations throughout Indiana and Illinois, and convert the cash to money orders. The defendant used fictitious driver's licenses to show proof of identification for the withdrawal of the money. ATM withdrawals using GoBank prepaid debit cards in Indiana caused wire transmissions in interstate or foreign commerce.

34. The defendant then, at the direction of her co-conspirators in Nigeria, provided the money orders to other individuals whose role in the scheme was to send or transfer the stolen funds back to the conspirators, including those in Nigeria. The defendant conversed and coordinated with these other individuals, meeting them at various locations in Indiana and Illinois to deliver the money orders.

35. The defendant retained a portion of the proceeds for her participation in the scheme.

36. The conspiracy caused at least **\$5,475,459.00** in actual and attempted identified losses to state and federal agencies, including the following:

Victim	Actual Loss	Attempted Loss
Arkansas Division of Workforce Services	\$1,454,616.00	\$154,356.00
Small Business Administration (SBA)	\$1,223,400.00	
Illinois Department of Employment Security	\$960,500.00	\$3,876

Indiana Department of Workforce Development	\$646,150.00	\$260,900.00
Other	\$12,300.00	
Colorado Department of Labor and Employment	\$5,416.00	
Internal Revenue Service (IRS)	\$2,600.00	\$717,642.00
Massachusetts Department of Unemployment Assistance	\$2,139.00	
Kansas Department of Labor	\$1,006.00	
Michigan Unemployment Insurance Agency	\$900.00	\$29,658.00
Total	\$4,309,027.00	\$1,166,432.00

Part 6: Other Conditions

37. Background Information: The defendant acknowledges and understands that no limitation shall be placed upon the Court's consideration of information concerning the background, character, and conduct of the defendant for the purpose of imposing an appropriate sentence. The defendant acknowledges and understands that the Government is not prohibited from providing information concerning background, character, and conduct of the defendant for the purpose of recommending or advocating an appropriate sentencing guideline calculation and sentence.

38. Good Behavior Requirement: The defendant agrees to fully comply with all conditions of release imposed by the Court during all stages of this case. If the defendant fails to fully comply with such conditions, then the Government may withdraw from this Plea Agreement.

39. Compliance with Federal and State Laws: The defendant understands that the obligations of the Government in this Plea Agreement are expressly contingent upon the defendant abiding by federal and state laws.

Part 7: Sentencing Guideline Stipulations

40. Guideline Computations: Pursuant to Section 6B1.4 of the Sentencing Guidelines, the parties agree to the Stipulations below. The parties understand and agree that these Stipulations are binding on the parties but are only a recommendation to the Court and that the Court will determine the advisory sentencing guidelines applicable in this case. The parties agree that no stipulation regarding any factors in Chapter 4, Criminal History Category, of the Sentencing Guidelines has been made, and that such determination will be made by the Court. The 2021 version of the Sentencing Guidelines has been used by the parties to make the stipulations set forth below.

Conspiracy to Commit Wire Fraud and Conspiracy to Commit Money Laundering

41. Applicable Guidelines: The applicable guideline for Count 1 (Conspiracy to Commit Wire Fraud) is U.S.S.G. § 2B1.1 and Count 3 (Conspiracy to Commit Money Laundering) is U.S.S.G. § 2S1.1. U.S.S.G. § 2S1.1(a)(1) incorporates U.S.S.G. §§ 2B1.1.

42. Grouping: The parties stipulate that Count 1 (Conspiracy to Commit Wire Fraud) and Count 3 (Conspiracy to Commit Money Laundering) are grouped together into a single Group, pursuant to and 3 are grouped together U.S.S.G. § 3D1.1.

43. Base Offense Level: The parties stipulate that the **base offense level is seven (7)**, pursuant to U.S.S.G. § 2B1.1(a)(1).

44. Loss: The parties stipulate that the actual and attempted loss exceeded **\$3,500,000.00 [\$5,475,459.00]**. Accordingly, the offense level is **increased by eighteen (18) levels**, pursuant to U.S.S.G. § 2B1.1(b)(1)(J).

45. 10 or More Victims: The parties stipulate that the offense involved ten (10) or more victims. Accordingly, the offense level is **increased by 2 levels**, pursuant to U.S.S.G. § 2B1.1(b)(2)(A)(i).

46. Sophisticated Means: The parties stipulate that a substantial part of the fraudulent scheme was committed from outside the United States or the offense involved sophisticated means and the defendant intentionally engaged in or caused the conduct constituting sophisticated means. Accordingly, the offense level is **increased by 2 levels**, pursuant to U.S.S.G. § 2B1.1(b)(10)(B), (b)(10)(C).

47. Money Laundering: The parties stipulate that the defendant was convicted under 18 U.S.C. § 1956. Accordingly, the offense level is **increased by 2 levels**, pursuant to U.S.S.G. § 2S1.1(b)(2)(B).

48. Acceptance of Responsibility: To date, the defendant has demonstrated a recognition and affirmative acceptance of personal responsibility for the defendant's criminal conduct. Based upon the defendant's willingness to accept a Plea Agreement and enter a plea of guilty to the criminal conduct noted in this agreement and the Defendant's agreement to cooperate in and not to contest the forfeiture of the property described above, the Government agrees that the defendant should receive a **two (2) level reduction** *provided* the defendant satisfies the criteria set forth in U.S.S.G § 3E1.1(a) up to and including the time of sentencing. The defendant timely notified the Government of defendant's intention to enter a plea of guilty, thereby permitting the Government and the Court to allocate their resources efficiently. After the defendant enters a plea of guilty, the Government intends to file a motion pursuant to U.S.S.G. § 3E1.1(b) requesting that the Court **decrease the offense level by one (1) additional**

level. The parties reserve the right to present evidence and arguments concerning the defendant's acceptance of responsibility at the time of sentencing.

49. **Final Offense Level:** The Final Offense Level for Counts 1 and 2 is **twenty-eight (28)**.

Aggravated Identity Theft

50. **Applicable Guidelines:** The applicable guideline for Count 2 is U.S.S.G. § 2B1.6.

51. **Aggravated Identity Theft:** The parties agree that the guideline sentence is the **twenty-four (24) month** term of imprisonment required by statute.

Part 8: Waiver of Right to Appeal

52. **Direct Appeal:** The defendant understands that the defendant has a statutory right to appeal the conviction and sentence imposed and the manner in which the sentence was determined. Acknowledging this right, and in exchange for the concessions made by the Government in this Plea Agreement, the defendant expressly waives the defendant's right to appeal the conviction and sentence imposed in this case on any ground, including the right to appeal conferred by 18 U.S.C. § 3742. The defendant further expressly waives any and all challenges to the statute to which the defendant is pleading guilty on constitutional grounds, as well as any challenge that the defendant's admitted conduct does not fall within the scope of the applicable statute. This waiver of appeal specifically includes all provisions of the guilty plea and sentence imposed, including the length and conditions of supervised release and the amount of any fine.

53. **Later Legal Challenges:** Additionally, the defendant expressly agrees not to contest, or seek to modify, the defendant's conviction or sentence or the manner in which either

was determined in any later legal proceeding, including but not limited to, an action brought under 18 U.S.C. § 3582 or 28 U.S.C. § 2255, except as follows:

a. **Ineffective Assistance of Counsel:** As concerns the Section 2255 waiver, the waiver does not prevent claims, either on direct or collateral review, that the defendant received ineffective assistance of counsel.

b. **Retroactive Sentencing Guidelines Reductions:** As concerns this Section 3582 waiver, should the United States Sentencing Commission and/or Congress in the future amend the Sentencing Guidelines to lower the guideline range that pertains to the defendant's offense(s) and explicitly make such an amendment retroactive, the Government agrees that it will not argue that this waiver bars the defendant from filing a motion with the district court pursuant to 18 U.S.C. § 3582(c)(2) based on that retroactive Guidelines amendment. However, if the defendant files such a motion, the Government may oppose the motion on any other grounds. Furthermore, should the defendant seek to appeal an adverse ruling of the district court on such a motion, this waiver bars such an appeal.

c. **Motions for Compassionate Release:** As concerns the Section 3582 waiver, the defendant reserves the right to file motions seeking a "compassionate release" sentence reduction pursuant to the First Step Act of 2018 and 18 U.S.C. § 3582(c)(1)(A)(i). Any such motion must be based on one or more "extraordinary and compelling reasons" set forth in U.S.S.G. § 1B1.13 and the governing interpretations of that provision and its application notes (or, in the event of amendment of that U.S.S.G. provision or the relevant application notes, the provision(s), if any, with the same effect at the time of the filing of the motion for sentence reduction). The defendant further

agrees that under application note 1(D), as it appears in the 2018 Guidelines Manual, the defendant may assert only those reasons set forth in the relevant Bureau of Prisons program statement in effect at the time of the defendant's motion (currently Program Statement 5050.50). The government further reserves the right to oppose any motion for compassionate release on any other grounds.

54. No Appeal of Supervised Release Term and Conditions: The defendant waives the right to appeal the length and conditions of the period of supervised release.

Part 9: Presentence Investigation Report

55. The defendant requests and consents to the commencement of a presentence investigation by probation officers of the United States District Court for purposes of preparing a Presentence Investigation Report at this time and prior to the entry of a formal plea of guilty.

56. The defendant further requests and consents to the review of the defendant's Presentence Investigation Report by a Judge, defendant's counsel, the defendant, and the Government at any time, including prior to entry of a formal plea of guilty.

Part 10: Immigration Consequences

57. The defendant recognizes that pleading guilty may have consequences with respect to the defendant's immigration status if the defendant is not a citizen of the United States. Under federal law, a broad range of crimes are removable offenses, including the offenses to which the defendant is pleading guilty. The defendant also recognizes that removal will not occur until service of any sentence imposed in this case has been completed. Removal and other immigration consequences are the subject of a separate proceeding, however, and the defendant understands that no one, including the defendant's attorney or the Court, can predict to a certainty the effect of the conviction in this case on the defendant's immigration status. The

defendant nevertheless affirms that the defendant wants to plead guilty regardless of any immigration consequences that this plea may entail, even if the consequence is the defendant's removal from the United States.

Part 11: Statement of the Defendant

58. By signing this document, the defendant acknowledges the following:

a. I have received a copy of the Information and have read and discussed it with my attorney. I believe and feel that I understand every accusation made against me in this case. I wish the Court to omit and consider as waived by me all readings of the Information in open Court, and all further proceedings including my arraignment.

b. I have told my attorney the facts and surrounding circumstances as known to me concerning the matters mentioned in the Information, and believe and feel that my attorney is fully informed as to all such matters. My attorney has since informed, counseled and advised me as to the nature and cause of every accusation against me and as to any possible defenses I might have in this case.

c. I have read the entire Plea Agreement and discussed it with my attorney.

d. I understand all the terms of the Plea Agreement and those terms correctly reflect the results of plea negotiations.

e. Except for the provisions of the Plea Agreement, no officer or agent of any branch of Government (federal, state or local), nor any other person, has made any promise or suggestion of any kind to me, or within my knowledge to anyone else, that I would receive a lighter sentence, or probation, or any other form of leniency, if I would plead "Guilty." I respectfully request that the Court consider in mitigation of punishment at the time of sentencing the fact that by voluntarily pleading "Guilty" I have saved the

Government and the Court the expense and inconvenience of a trial. I understand that before it imposes sentence, the Court will address me personally and ask me if I wish to make a statement on my behalf and to present any information in mitigation of punishment.

f. I am fully satisfied with my attorney's representation during all phases of this case. My attorney has done all that anyone could do to counsel and assist me and that I fully understand the proceedings in this case against me.

g. I make no claim of innocence, and I am freely and voluntarily pleading guilty in this case.

h. I am pleading guilty as set forth in this Plea Agreement because I am guilty of the crime(s) to which I am entering my plea.

i. I understand that if convicted, a defendant who is not a United States Citizen may be removed from the United States, denied citizenship, and denied admission to the United States in the future.

j. My attorney has informed me, and I understand, that I have the right to appeal any conviction and sentence that I receive, unless I have waived my right to appeal as part of this Plea Agreement. If I have not waived my right to appeal, I understand that I must file a Notice of Appeal within fourteen (14) days of the entry of the judgment in this case; I further understand that the Clerk of the Court will prepare and file a Notice of Appeal on my behalf if I ask that to be done. I also understand that the United States has the right to appeal any sentence that I receive under this Plea Agreement.

k. My attorney has informed me, and I understand, that if I provide or cause to be provided materially false information to a judge, magistrate-judge, or probation office, then Section 3C1.1 of the Sentencing Guidelines allows the Court to impose a two-level increase in the offense level.

l. If this cause is currently set for trial on the Court's calendar, I request that this date be continued to permit the Court to consider this proposed guilty Plea Agreement. I further understand that any delay resulting from the Court's consideration of this proposed guilty Plea Agreement, up to and including the date on which the Court either accepts or rejects my guilty plea, will be excluded in computing the time within which trial of this cause must commence, pursuant to 18 U.S.C. § 3161(h)(1)(G).

[INTENTIONALLY OMITTED]

Part 12: Certificate of Counsel

59. By signing this document, the defendant's attorney and counselor certifies as follows:

m. I have read and fully explained to the defendant all the accusations against the Defendant which are set forth in the Information in this case;

n. To the best of my knowledge and belief each statement set forth in the foregoing petition to enter plea of guilty and Plea Agreement is in all respects accurate and true;

o. The plea of "Guilty" as offered by the defendant in the foregoing petition to enter plea of guilty and Plea Agreement accords with my understanding of the facts as related to me by the defendant and is consistent with my advice to the defendant;

p. In my opinion, the defendant's waiver of all reading of the Information in open Court, and in all further proceedings, including arraignment as provided in Rule 10, Fed. R. Crim. P., is voluntarily and understandingly made; and I recommend to the Court that the waiver be accepted by the Court;

q. In my opinion, the plea of "Guilty" as offered by the defendant in the foregoing petition to enter plea of guilty and Plea Agreement is voluntarily and understandingly made and I recommend to the Court that the plea of "Guilty" be now accepted and entered on behalf of the defendant as requested in the foregoing petition to enter plea of guilty and Plea Agreement.

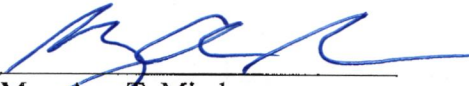
Part 13: Final Provision

60. **Complete Agreement:** The defendant acknowledges that no threats, promises, or representations have been made, nor agreements reached, other than those set forth in this document, to induce the defendant to plead guilty. This document is the complete and only Plea Agreement between the defendant and the United States Attorney for the Southern District of Indiana and is binding only on the parties to the Plea Agreement, supersedes all prior understandings, if any, whether written or oral, and cannot be modified except in writing, signed by all parties and filed with the Court, or on the record in open court.

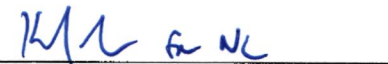
Respectfully submitted,

ZACHARY A. MYERS
United States Attorney

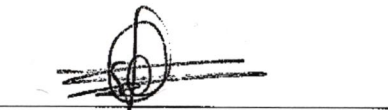
8/2/22
DATE


Mary Ann T. Mindrum
Assistant United States Attorney

8-2-22
DATE


Nicholas J. Linder
Criminal Chief

07/27/2022
DATE


Oluwatobi Sensi Seton
Defendant

08/01/2022
DATE

Dominic D. Martin
Dominic Martin
Counsel for Defendant

ATTACHMENT A

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 S/N 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 S/N 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

Item No.	Description	Location Seized
15	Black LG Cell Phone; Model LM-X420MM; IMEI: 359962-10-383255-4	7937 West 19th Street, Unit D47, Indianapolis, Indiana
16	Black Coolpad Phone	7937 West 19th Street, Unit D47, Indianapolis, Indiana
17	Grey iPhone S, Model A1688, FCC ID: BCG-E2946A, IC: 579C-E2946A	7937 West 19th Street, Unit D47, Indianapolis, Indiana
18	\$19,800 Cash	7937 West 19th Street, Unit D47, 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)