

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

ORDER

16-CR-627-1 (NGG)

-against-

SAMUEL MEBIAME,

Defendant.

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NICHOLAS G. GARAUFIS, United States District Judge.

On August 12, 2016, the Government filed a Complaint alleging that Defendant Samuel Mebiame had knowingly and willfully conspired to commit violations of the Foreign Corrupt Practices Act (“FCPA”), 15 U.S.C. § 78dd-3. (Compl. (Dkt. 1); see also Information (Dkt. 19).) See also 18 U.S.C. § 371 (defining the crime of conspiracy to commit offense or to defraud the United States). On December 9, 2016, Defendant appeared before Magistrate Judge Lois Bloom for the purposes of entering a guilty plea. (Dec. 9, 2016, Min. Entry; see also Tr. of Plea Proceedings (“Tr.”).) During those proceedings, Defendant consented to have the plea taken by Judge Bloom (Consent (Dkt. 18); see also Tr. at 2:14-3:20), and further consented to waive indictment and plead guilty to an information (Waiver of Indictment (Dkt. 20); see also Tr. at 7:22-9:15). Defendant allocuted that he “reached an agreement with at least one other person to provide improper benefits to certain government officials in certain African countries, including Guinea, in order to obtain business opportunities.” (Tr. at 23:10-13; see also id. at 23:14-24:7.)

Judge Bloom made the following findings: Defendant was competent; he was acting voluntarily; he fully understood the charges against him, his rights, and the consequences of his plea; and there was a factual basis for Defendant’s plea. (Id. at 24:15-19.) Judge Bloom

therefore recommended that the undersigned “should accept defendant’s plea of guilty to the information.” (Id. at 24:19-21.)

Rule 11 of the Federal Rules of Criminal Procedure specifies the requirements for considering and accepting a defendant’s guilty plea. “[A] district court judge in a felony prosecution [may] delegate to a magistrate judge the task of administering a Rule 11 allocution, provided the defendant consents.” United States v. Williams, 23 F.3d 629, 634 (2d Cir. 1994). The district court must then review the transcript of the defendant’s allocution to ensure that Rule 11’s requirements have been satisfied. See United States v. Brumer, 528 F.3d 157, 160 (2d Cir. 2008) (per curiam).

The court has reviewed the transcript of Defendant’s allocution and now finds that the proceedings before Judge Bloom fulfilled Rule 11’s requirements. The court finds that Defendant voluntarily consented to enter a guilty plea before a magistrate judge, and adopts Judge Bloom’s findings as to both Defendant’s state of mind during the plea proceedings and the factual basis underlying Defendant’s guilty plea. Accordingly, the court accepts Defendant’s plea of guilty to the single-count information.

SO ORDERED.

Dated: Brooklyn, New York
December 14, 2016

s/Nicholas G. Garaufis
NICHOLAS G. GARAUFIS
United States District Judge