

RECEIVED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ APR 18 2023 ★

LONG ISLAND OFFICE

MRM:BTK
F.#2021R00754

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- X

UNITED STATES OF AMERICA

- against -

ODERA ODABI,
also known as "Chief Odera Odabi,"

Defendant.

----- X

THE GRAND JURY CHARGES:

INDICTMENT

Cr. No. **CR 23 169**

(T. 18, U.S.C., §§ 981(a)(1)(C), 982(a)(1),
982(b)(1), 1349, 1956(a)(1), 1956(h),
and 3551 et seq.; T. 21, U.S.C., § 853(p);
T. 28, U.S.C., § 2461(c))

SEYBERT, J.

INTRODUCTION

DUNST, M.J.

At all times relevant to this Indictment, unless otherwise indicated:

A. The Defendant and Relevant Entities

1. The defendant ODERA ODABI, also known as "Chief Odera Odabi," was a resident of Georgia.

2. SunTrust Bank ("SunTrust") was a financial institution as defined in Title 18, United States Code, Section 20, and was headquartered in Atlanta, Georgia. The deposits of SunTrust were insured by the Federal Deposit Insurance Corporation.

3. Oh-Dabi Properties, LLC ("Oh-Dabi") was an entity that maintained an account at SunTrust and that was based in Georgia. ODABI operated Oh-Dabi.

4. American Commodity Exchange, Inc. ("American Commodity") was an entity that maintained an account at SunTrust and that was based in Georgia. ODABI operated American Commodity.

5. The International Monetary Fund (“IMF”) was an intergovernmental organization, consisting of approximately 190 member countries, that carried out transactions and operations directly with those member countries. The IMF’s primary purpose was to ensure the stability of the international monetary system—the system of exchange rates and international payments that enables countries and their citizens to transact with each other.

B. Scheme to Defraud

6. Beginning in or about April 2020, the defendant ODERA ODABI, also known as “Chief Odera Odabi,” together with others, engaged in a scheme to defraud John Doe, an elderly resident of Suffolk County, New York, whose identity is known to the Grand Jury, of approximately \$5.3 million, which was deposited into various bank accounts that ODABI and his co-conspirators controlled. As part of the scheme, ODABI, together with others, informed John Doe, through text messages, emails and telephone calls that occurred in Suffolk County, New York and elsewhere, that approximately \$2 million was needed to obtain a purported Certificate of Origination from the IMF to secure the release of funds obtained in connection with the alleged inheritance of property located in Singapore. In fact, the IMF did not issue such certificates, and had issued a notice alerting the public to fraudulent schemes involving such certificates.

7. From approximately May 2021 to December 2021, the defendant ODERA ODABI, also known as “Chief Odera Odabi,” together with others, sent John Doe text messages and emails directing John Doe to mail checks and send wire transfers totaling approximately \$2 million to Oh-Dabi and American Commodity in order to obtain the purported IMF Certificate of Origination. Pursuant to those directives, John Doe sent checks and wire transfers totaling approximately \$2 million to Oh-Dabi and American Commodity, which were deposited in

accounts that Oh-Dabi and American Commodity maintained at Sun Trust. Rather than sending that money to the IMF to obtain the purported IMF Certificate of Origination, ODABI and his co-conspirators diverted approximately \$1.8 million to unrelated purposes, including purchases at an Apple Store and Luis Vuitton, a luxury goods retailer. Based upon a suspicion of fraud, on or about September 14, 2021, SunTrust closed all bank accounts maintained by Oh-Dabi and American Commodity and refused to release the remaining approximately \$197,000 of the money that John Doe had sent.

COUNT ONE

(Conspiracy to Commit Mail and Wire Fraud)

8. The allegations contained in paragraphs one through seven are realleged and incorporated as if fully set forth in this paragraph.

9. In or about and between April 2020 and December 2021, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant ODERA ODABI, also known as “Chief Odera Odabi,” together with others, did knowingly and intentionally conspire to:

(a) devise a scheme and artifice to defraud John Doe, and to obtain money and property from John Doe by means of materially false and fraudulent pretenses, representations and promises, and for the purpose of executing such scheme and artifice, cause mail matter to be delivered by mail and private and commercial interstate carriers, according to the directions thereon, contrary to Title 18, United States Code, Section 1341; and

(b) devise a scheme and artifice to defraud John Doe, and to obtain money and property from John Doe by means of materially false and fraudulent pretenses, representations and promises, and for the purpose of executing such scheme and artifice, transmit and cause to be transmitted, by means of wire communication in interstate and foreign

commerce, writings, signs, signals, pictures and sounds, contrary to Title 18, United States Code, Section 1343.

(Title 18, United States Code, Sections 1349 and 3551 et seq.)

COUNT TWO
(Conspiracy to Commit Money Laundering)

10. The allegations contained in paragraphs one through seven are realleged and incorporated as if fully set forth in this paragraph.

11. In or about and between May 2021 and December 2021, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant ODERA ODABI, also known as “Chief Odera Odabi,” together with others, did knowingly and intentionally conspire to conduct financial transactions affecting interstate and foreign commerce, including deposits, transfers and withdrawals of funds and monetary instruments, which in fact involved the proceeds of specified unlawful activity, to wit: mail fraud and wire fraud, in violation of Title 18, United States Code, Sections 1341 and 1343, knowing that the property involved in the financial transactions represented the proceeds of some form of unlawful activity and that the transactions were designed in whole and in part to conceal and disguise the nature, location, source, ownership and control of the proceeds of specified unlawful activity, contrary to Title 18, United States Code, Section 1956(a)(1)(B)(i).

(Title 18, United States Code, Sections 1956(h), 1956(a)(1) and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION
AS TO COUNT ONE

12. The United States hereby gives notice to the defendant that, upon his conviction of the offense charged in Count One, the government will seek forfeiture in accordance with Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), which require any person convicted of such offense to forfeit any property, real or personal, constituting, or derived from, proceeds obtained directly or indirectly as a result of such offense.

13. If any of the above-described forfeitable property, as a result of any act or omission 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;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Section 981(a)(1)(C); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c))

CRIMINAL FORFEITURE ALLEGATION
AS TO COUNT TWO

14. The United States hereby gives notice to the defendant that, upon his conviction of the offense charged in Count Two, the government will seek forfeiture in accordance with Title 18, United States Code, Section 982(a)(1), which requires any person convicted of such offense to forfeit any property, real or personal, involved in such offense, or any property traceable to such property.

15. If any of the above-described forfeitable property, as a result of any act or omission 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

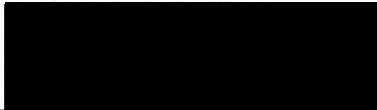
divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1), to seek forfeiture of any other

property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Sections 982(a)(1) and 982(b)(1); Title 21, United States Code, Section 853(p))

A TRUE BILL



FOREPERSON



BREON PEACE
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

No.

UNITED STATES DISTRICT COURT

EASTERN District of NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

ODERA ODABI, also known as "Chief Odera Odabi,"

Defendant.

INDICTMENT

(T. 18, U.S.C., §§ 981(a)(1)(C), 982(a)(1), 982(b)(1), 1349, 1956(a)(1), 1956(h), and 3551 *et seq.*; T. 21, U.S.C., § 853(p); T. 28, U.S.C., § 2461(c))

A true bill.

Foreperson

Filed in open court this ----- *day,*

of ----- *A.D. 20* -----

Clerk

Bail, \$ -----

Bradley T. King, Assistant U.S. Attorney (631) 715-7900