

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

United States Court
Southern District of Texas
FILED

OCT 03 2018

David J. Bradley, Clerk of Court

UNITED STATES OF AMERICA

§

§

v.

§

§

CRIMINAL NO. 18-068-SS2

UJU OKIGBO,

§

(a/k/a "Uju Ernest")

§

(a/k/a "Uju Ohazurike")

§

18 U.S.C. § 1349

MARITA RANALAN UNDERWOOD,

§

18 U.S.C. § 1343

JOHN CHRISTIAN RUTLEDGE,

§

18 U.S.C. § 1956(h)

OSA MAY MARTIN,

§

18 U.S.C. § 1956(a)(1)(B)(i)

TOCHUKWU NWOSISI, and

§

18 U.S.C. § 1957

UCHE VICTOR DIUNO

§

18 U.S.C. § 371

§

Defendants.

§

SECOND SUPERSEDING INDICTMENT

THE GRAND JURY CHARGES:

General Allegations

1. As described in this Indictment, an "advance-fee scheme" was a type of fraudulent scheme where victims were induced to pay certain fees on the false belief that payment must first be made to receive a promised good or service, when in reality the good or service was never going to be, and never was in fact, provided.

2. As described in this Indictment, an "investment scam" was a type of advance-fee scheme where the defendants and other co-conspirators impersonated various U.S. financial institutions and posed as those institutions' representatives at in-person meetings, over the phone, and over the Internet to fraudulently offer investment funding to U.S. and foreign residents in exchange for paying certain advance fees.

3. As described in this Indictment, an “inheritance scam” was a type of advance-fee scheme where the defendants and other co-conspirators impersonated various U.S. financial institutions and posed as those institutions’ representatives at in-person meetings, over the phone, and over the Internet to fraudulently offer to facilitate the transfer of a supposed inheritance to U.S. and foreign residents in exchange for paying certain advance fees.

4. The U.S. financial institutions in whose names the defendants and co-conspirators perpetrated the investment and inheritance scams include, but are not limited to:

a. BB&T Corporation (“BB&T”), a financial institution headquartered in Winston-Salem, North Carolina; and

b. JPMorgan Chase (“Chase”), a financial institution headquartered in New York, New York.

5. The actual BB&T and Chase, as well as the institutions’ employees, did not participate in the scams.

6. Both the investment scam and the inheritance scam involved the fabrication of U.S. government seals and documents, and the online impersonation of real U.S. government officials, to make the victims believe that various branches of the U.S. government were guaranteeing or facilitating the supposed investment or inheritance.

Roles in the Operation

7. The defendants and co-conspirators played the following roles in furtherance of the conspiracy:

a. Money Movers: The defendants referred to below as “money movers” were located in the United States and received the victims’ funds by MoneyGram or wire transfers into bank accounts they had opened and controlled. The money movers, at co-

conspirators' directions, would quickly dispose of the victims' funds upon their receipt by, including, but not limited to: (1) withdrawing the funds in cash; (2) wiring the funds to other money movers; (3) wiring the funds to exporters, who were under instructions to purchase various goods and ship them to co-conspirators in Nigeria; and (4) using the funds to purchase vehicles and then shipping them to co-conspirators in Nigeria.

b. Representatives: The defendants referred to below as "representatives" posed as agents or employees of financial institutions at in-person meetings with the victims. When visiting victims in foreign countries, representatives signed the supposed investment agreements and made sham visits to the local U.S. embassy or consulate to make the victim believe that the U.S. government, in exchange for cash payments, was sponsoring or guaranteeing the investment agreement. In reality, the representatives kept the cash payments for themselves.

c. Catchers: Unnamed co-conspirators referred to in this Indictment as "catchers" operated various online personalities, to include the identities of real U.S. government employees and supposed financial consultants, to lure victims into the scheme and convince victims that the supposed investment or inheritance was authentic.

d. Chairmen: The defendant and unnamed co-conspirators referred to in this Indictment as "chairmen" were leaders and organizers of the investment and inheritance scams. They controlled networks and groups of catchers, representatives, and money movers. They oversaw the recruitment of representatives and gave instruction to catchers on how to interact with victims in furtherance of the scam. Using telephone, online instant messaging, and email, chairmen served as the links between the money movers and catchers to ensure that there were U.S. bank accounts available to receive wire transfers from the victims whom the catchers had

convinced to make payments. Chairmen also instructed money movers on how to dispose of the funds wired into the U.S. bank accounts.

The Defendants

8. Defendant UJU OKIGBO, a resident of Houston, Texas, was a money mover in the scheme.

9. Defendant MARITA RANALAN UNDERWOOD, a resident of Manila, Philippines, was a representative in the scheme.

10. Defendant JOHN CHRISTIAN RUTLEDGE, a resident of Yaphank, New York, was a representative in the scheme.

11. Defendant OSA MAY MARTIN, a resident of Carthage, Missouri, was a representative in the scheme.

12. Defendant TOCHUKWU NWOSISI, a resident of Indianapolis, Indiana, was a money mover in the scheme.

13. Defendant UCHE VICTOR DIUNO, a resident of Lagos, Nigeria, was a chairman in the scheme.

Other Relevant Entities and Individuals

14. U-4CS Services, LLC, and ONAC Services LLC, were companies owned and controlled by OKIGBO that purported to offer export services.

15. Indyrides, LLC, was a used car dealership and export company owned and controlled by NWOSISI.

16. Chase Executive #1 was a real executive with Chase whose identity was stolen and used in furtherance of the investment scam, in that emails were sent and phone calls made to victims under the pretense that it was actually Chase Executive #1.

17. BB&T Executive #1 was a real executive with BB&T whose identity was stolen and used in furtherance of the investment scam, in that emails were sent and phone calls made to victims under the pretense that it was actually BB&T Executive #1.

18. Representative #1 was a resident of Miami, Oklahoma and functioned as a representative in the conspiracy alongside MARTIN.

19. Representative #2 was a resident of Culpepper, Virginia and functioned as a representative in the conspiracy.

20. Representative #3 was a resident of Brown City, Michigan and functioned as a representative in the conspiracy.

21. Representative #4 was a resident of Gardena, California and functioned as a representative in the conspiracy.

Scope of the Scheme

22. The defendants and their co-conspirators perpetrated the investment and inheritance scam and scheme in over 20 countries, including the United States, and defrauded victims of more than \$7 million.

COUNT ONE

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

23. Beginning in or around October 2014, and continuing through in or about the date of the Indictment, in the Houston Division of the Southern District of Texas, and elsewhere, defendants,

**UJU OKIGBO,
MARITA RANALAN UNDERWOOD,
JOHN CHRISTIAN RUTLEDGE,
OSA MAY MARTIN,
and
UCHE VICTOR DIUNO**

did knowingly and willfully combine, conspire, confederate, and agree with others known and unknown to the grand jury to commit wire fraud, in violation of Title 18, United States Code, Section 1343, that is, having knowingly, and with the intent to defraud, devised and intending to devise a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and for the purpose of executing such scheme did knowingly transmit and cause to be transmitted by means of wire in interstate commerce, writings, signs, signals, pictures and sounds.

Purpose of the Conspiracy

24. It was a purpose of the conspiracy that the co-conspirators would unlawfully enrich themselves, in an amount that exceeded \$7 million, by deceiving victims into making payments to co-conspirators as part of purported investment and money transfer agreements with U.S. financial institution, when the payments were simply kept by the co-conspirators, who knew the agreements were shams.

Manner and Means of the Conspiracy

25. The manner and means by which the co-conspirators sought to accomplish the object and purposes of the conspiracy included, among other things, the following:

a. Catchers would send phishing emails to potential victims in over 20 countries around the world in the names of bogus or stolen personalities—either investment consultants, advisers, or bankers—in which the catcher would falsely promise the potential victim that an investment sum or inheritance, usually in the amount of tens of millions of U.S. dollars or euros, was available.

b. Using authentic-looking email addresses paired with falsely registered domain names, the catchers would then send additional fake emails claiming to be from BB&T or Chase employees who would supposedly facilitate the investment or inheritance.

c. Catchers, using these new personalities, would inform potential victims that a BB&T or Chase representative would visit them in the country where they lived to officially sign and ratify an agreement, when in truth and in fact the representative traveling to meet them had no employment relationship with BB&T or Chase.

d. Co-conspirators would pose as financial institution employees, including BB&T Executive #1 and Chase Executive #1, on phone calls with the potential victims, using spoofed phone numbers that made it appear the calls were originating from the states where BB&T and Chase were respectively headquartered.

e. Catchers would convince victims to purchase first-class airline tickets and pay for business hotel accommodations for the representatives to travel from the United States to their country or their city in the United States by misrepresenting that such expenses were required per the agreement with the financial institution.

f. Catchers would convince victims that the U.S. government was sponsoring the investment or inheritance and that, as evidence of this sponsorship, the U.S. embassy would supposedly notarize and ratify the investment agreement, when in truth and in fact neither the U.S. government nor any U.S. embassy or consulate was sponsoring the investment opportunity with the financial institution.

g. Catchers would convince victims that the U.S. embassy or consulate charged a notarization fee, due in cash to the representatives, ranging from approximately \$5,000 to \$10,000, when in truth and in fact no U.S. embassy or consulate charged such a fee.

h. After receiving the cash, the representatives would enter the U.S. embassy or consulate and wait in the consular affairs section on the false pretense that U.S. government employees were notarizing the agreement in exchange for the fees, and then give or email the victims fraudulent receipts that purported to be issued, and fraudulent agreements that purported to be notarized, by U.S. embassies or consulates.

i. After the representatives visited the embassies, the catchers would then make additional requests of victims that they pay various up-front fees before the investment funding could be released, which caused victims to make MoneyGram payments and interstate and international wire transfer payments to bank accounts under the control of money movers in, among other places, the Southern District of Texas.

j. Catchers would continue to fabricate additional reasons why more payments were needed before the investment funding could supposedly be released, until a victim gave up and ceased communicating with the catchers.

k. The money movers, upon co-conspirators' instructions, would quickly disburse the victims funds upon receiving them, including by withdrawing the victims' funds and purchasing, among other things, cars, which would then be shipped to co-conspirators in Nigeria.

l. The money movers would continue to open new bank accounts in the United States, even when banks would flag and close the accounts due to suspicious transactions, to ensure that the catchers would be able to continue convincing victims that wiring money to a U.S.-based bank was part of a legitimate investment or money transfer agreement.

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

COUNTS TWO AND THREE

Wire Fraud
(18 U.S.C. §§ 1343 and 2)

26. The Grand Jury re-alleges and incorporates by reference, as though fully set forth herein paragraphs 1 through 22, 24 and 25 of the Indictment.

27. On or about the dates set forth below in the Houston Division of the Southern District of Texas and elsewhere, Defendants herein, aiding and abetting others known and unknown to the Grand Jury, having knowingly, and with the intent to defraud, devised and intending to devise, and willfully participated in, a scheme and artifice to defraud, as described in paragraph 25, including all subparagraphs, and for obtaining money by means of false and fraudulent pretenses, and for the purpose of executing such scheme, did knowingly transmit and cause to be transmitted by means of wire communications in interstate and foreign commerce, writings, signs, signals, pictures, and sounds, as more fully set forth in the counts below.

COUNT	DATE	DEFENDANT	WIRE
TWO	November 17, 2016	UJU OKIGBO	Text message from OKIGBO to co-conspirator in Nigeria giving details of account at Prosperity Bank ending in 2876 for victims to wire money into
THREE	November 8, 2017	UJU OKIGBO	\$249,975 wire transfer from Australia to BB&T account ending in 7823 in the Southern District of Texas

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

COUNT FOUR

**Conspiracy to Launder Monetary Instruments
(18 U.S.C. § 1956(h))**

28. The Grand Jury re-alleges and incorporates by reference, as though fully set forth herein, paragraphs 1 through 22, 24 and 25 of the Indictment.

29. Beginning in or around October 2014 and continuing through in or about the date of the Indictment, in the Houston Division of the Southern District of Texas, and elsewhere, the defendants,

**UJU OKIGBO,
TOCHUKWU NWOSISI,
and
UCHE VICTOR DIUNO**

with others known and unknown to the Grand Jury, knowingly conspired, combined, and agreed to commit the following offenses in violation of Title 18, United States Code, Sections 1956 and 1957, to wit:

- a. to knowingly conduct and attempt to conduct financial transactions, affecting interstate and foreign commerce, involving the proceeds of a specified unlawful activity, that is, wire fraud, in violation of Title 18, United States Code, Section 1343, knowing that the property involved in the financial transactions represented the proceeds of some form of unlawful activity constituting a felony under state or federal law, and knowing 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 said specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i);
- b. to knowingly engage and attempt to engage, within the United States, in monetary transactions in criminally derived property of a value greater than \$10,000, such funds involving the proceeds of a specified unlawful activity, that is, wire fraud, in violation of Title 18, United States Code, Section 1343 and in violation of Title 18, United States Code, Section 1957.

Purpose of the Conspiracy

30. It was a purpose of the conspiracy that the co-conspirators would engage in financial transactions with proceeds of advance-fee schemes so that the defendants and co-conspirators could enrich themselves and ensure that perpetrators of the fraud in Nigeria could receive criminal proceeds without detection or interference by victims, banking authorities, and law enforcement.

Manner and Means of the Conspiracy

31. The manner and means by which the defendants and co-conspirators sought to accomplish the object and purposes of the conspiracy included, among other things, the following:

a. Upon co-conspirators' instructions, money movers would open bank accounts into which victims of the investment and inheritance scams would make payments believing the payments were mandatory to receive their funding.

b. After receiving victims' funds, money movers normally took the following actions, among others not listed below, almost immediately: (1) wired the funds to other money movers; (2) wired the funds to exporters who received the proceeds in exchange for shipping goods to co-conspirators in Nigeria; (3) withdrew the funds in cash, check, or card debits as personal payment for their laundering services; and (4) purchased vehicles that they then shipped to co-conspirators in Nigeria.

c. When victims of the scam would attempt to recall a fraudulently induced wire transfer, the money movers would reject the recall and rely on co-conspirators and catchers to pacify the victims with more lies and misrepresentations.

d. Money movers would continue to open new bank accounts into which victims of the scam made payments even after other accounts used in the conspiracy were flagged for suspicious transactions and closed by the banks hosting the accounts.

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

COUNTS FIVE THROUGH SEVEN

Concealment Money Laundering
(18 U.S.C. §§ 1956(a)(1)(B)(i) and 2)

32. The Grand Jury re-alleges and incorporates by reference, as though fully set forth herein paragraphs 1 through 22, 24, 25, 30, and 31 of the Indictment.

33. On or about the following dates, in the Houston Division of the Southern District of Texas, and elsewhere, the following defendants, conducted, attempted to conduct, aided and abetted others to conduct, and willfully caused others to conduct the following financial transactions, affecting interstate and foreign commerce, that in fact involved the proceeds of a specified unlawful activity, that is, wire fraud, in violation of Title 18, United States Code, Section 1343, knowing that (a) the property involved in the transactions represented the proceeds of some form of unlawful activity constituting a felony under state or federal law, and (b) the transactions were designed in whole and in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of such specified unlawful activity:

COUNT	DATE	DEFENDANTS	FINANCIAL TRANSACTION
FIVE	January 26, 2015	UJU OKIGBO	Purchase of cashier's check made out to I.O. in the amount of \$15,000 from BB&T account ending in 3778 with memo line "Payment for 2010 Honda Crosstour"
SIX	September 15, 2016	UJU OKIGBO	Purchase of cashier's check made out to auto broker in the amount of \$17,844 from Bank of America account ending in 7028
SEVEN	December 6, 2017	TOCHUKWU NWOSISI and UCHE VICTOR DIUNO	Deposit of \$5,000 check drawn on BMO Harris account ending in 0638 into a Bank of America account ending in 6437

All in violation of Title 18, United States Code, Sections 1956(a)(1)(B)(i) and 2.

COUNTS EIGHT THROUGH TEN**Transactions in Proceeds of Specified Unlawful Activity
(18 U.S.C. §§ 1957 and 2)**

34. The Grand Jury re-alleges and incorporates by reference, as though fully set forth herein paragraphs 1 through 22, 24, 25, 30, and 31 of the Indictment.

35. On or about the following dates, in the Houston Division of the Southern District of Texas, and elsewhere, the defendant,

UJU OKIGBO

did knowingly engage in, attempt to engage in, and aided and abetted others who engaged in the following monetary transactions within the United States, by, through, and to a financial institution affecting interstate and foreign commerce, in criminally derived property of a value greater than \$10,000, such funds involving the proceeds of a specified unlawful activity, that is, wire fraud, in violation of Title 18, United States Code, Section 1343:

COUNT	DATE	FINANCIAL TRANSACTION
EIGHT	December 5, 2014	Wire transfer of \$170,000 from BB&T account ending in 3778 to Texas Capital Bank account ending in 7772 for purchase of house located on Magnolia Sky Drive in Richmond, Texas
NINE	September 19, 2016	Purchase of cashier's check in the amount of \$105,047.60 made out to Momentum Land Rover from funds in Bank of America account ending in 7028
TEN	December 20, 2017	Deposit of cashier's check in the amount of \$249,732.48 from BB&T Account ending in 7823 into Woodforest National Bank account ending in 1503

All in violation of Title 18, United States Code, Sections 1957 and 2.

COUNT ELEVEN

**Conspiracy to Wrongfully Use Government Seals
(18 U.S.C. § 371)**

36. The Grand Jury re-alleges and incorporates by reference, as though fully set forth herein, paragraphs 1 through 22, 24, 25, 30, and 31 of the Indictment.

37. Beginning in or around October 2014 and continuing through in or about the date of the Indictment, in the Houston Division of the Southern District of Texas, and elsewhere, the defendants,

**MARITA RANALAN UNDERWOOD
JOHN CHRISTIAN RUTLEDGE,
and
OSA MAY MARTIN**

with others known and unknown to the Grand Jury, knowingly conspired, combined, and agreed to commit the following offense against the United States, namely, to fraudulently and wrongfully affix and impress the seal of a department and agency of the United States, to and upon a certificate, instrument, commission, document, and paper, in violation of Title 18, United States Code, Section 1017.

Purpose of the Conspiracy

38. It was a purpose of the conspiracy that the defendants and co-conspirators would unlawfully enrich themselves by deceiving victims of the investment scam and the inheritance scam with bogus documents that contained false and fraudulent seals of the U.S. government and its agencies, to ensure the victims would believe the investment or inheritance was legitimate and that payments they had made, and would make in the future, were part of a legitimate transaction rather than a scam.

Manners and Means of the Conspiracy

39. The manner and means by which the defendants and co-conspirators sought to accomplish the object and purposes of the conspiracy included, among other things, the following:

a. Catchers would convince victims of the investment scam that the U.S. embassy or consulate where they lived would ratify or notarize the investment agreement, and that the victims needed to give the representatives approximately \$5,000 to \$10,000 in cash for that purpose.

b. A representative would enter the U.S. embassy or consulate on the pretense that an official at the embassy was going to ratify or notarize the investment agreement and that the cash they carried from the victim was for that purpose, when in reality: (a) the representative intended to keep the money, and (b) the investment agreement was not notarized in the embassy or consulate.

c. Co-conspirators would create bogus documents to make it look like, during the course of the representative's embassy or consulate visit, the notarization had occurred and the payment had been made; those bogus documents included, among others, a signature page of the bogus investment agreement that would contain a false stamp or seal of the U.S. embassy or consulate, and a receipt for the cash payment purporting to be from the U.S. embassy or consulate that contained a false seal of the U.S. Department of State.

d. On some occasions, a representative would carry into the U.S. embassy or consulate a pre-printed investment agreement with a U.S. government seal already fraudulently printed on it as well as a fake payment receipt for that embassy or consulate; these documents

would then be given to the victim upon the representative's exit from the embassy, or shortly thereafter.

e. On other occasions, a representative would make the same sham visit to the U.S. embassy or consulate, but inform the victims that the financial institution would email the victim the receipt and notarized agreement, knowing that the co-conspirators would be emailing the victim the same bogus documents containing the false and fraudulent seals of the U.S. government in furtherance of the scam.

f. The falsely notarized investment agreements and receipts, as well as additional documents containing false U.S. government seals, would be used to induce additional fraudulent payments from victims.

Acts in Furtherance of the Conspiracy

40. In furtherance of the conspiracy, and to effect the objects thereof, defendants and other persons known and unknown to the grand jury, performed or caused the performance of one or more of the following acts, among others, in the Southern District of Texas and elsewhere:

41. On or about December 2, 2014, after having receiving a falsely notarized investment agreement and bogus receipt from UNDERWOOD and co-conspirators, victim T.D. made a \$100,000 wire payment from Canada to a BB&T bank account ending in 3778, in the name of U-4CS Services, LLC, in the Southern District of Texas.

42. On or about September 25, 2015, after having received a falsely notarized investment agreement and bogus receipt from RUTLEDGE and co-conspirators, victim P.N. made wire payments amounting to \$24,940, in two equal amounts of \$12,470, from Denmark to

BB&T bank account ending in 3778, in the name of U-4CS Services, in the Southern District of Texas.

43. On or about January 7, 2016, after having received a falsely notarized investment agreement and bogus receipt from MARTIN and co-conspirators, victim J.K. made a \$50,000 wire payment from South Korea to a Bank of America bank account ending in 3244, in the name of U-4CS Services, LLC, in the Southern District of Texas.

All in violation of Title 18, United States Code, Section 371.

NOTICE OF FORFEITURE

(18 U.S.C. § 981(a)(1)(C))

44. Pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), the United States gives notice to defendants,

**UJU OKIGBO,
MARITA RANALAN UNDERWOOD,
JOHN CHRISTIAN RUTLEDGE,
OSA MAY MARTIN,
and
UCHE VICTOR DIUNO**

that in the event of conviction of any of the conspiracy and wire fraud offenses charged in Counts One through Three of this Indictment, all property, real or personal, which constitutes or is derived from proceeds traceable to such offense, is subject to forfeiture.

NOTICE OF FORFEITURE

(18 U.S.C. § 982(a)(1))

45. Pursuant to Title 18, United States Code, Section 982(a)(1), the United States gives notice to defendants,

**UJU OKIGBO,
TOCHUKWU NWOSISI,
and
UCHE VICTOR DIUNO**

that in the event of conviction of any money laundering offense as charged in Counts Four through Ten of this Indictment, all property, real or personal, involved in money laundering offenses or traceable to such property, is subject to forfeiture.

Property Subject to Forfeiture

46. The property subject to forfeiture includes, but is not limited to, the following property:

- a. 2014 Land Rover Range Rover, VIN No. SALGS3TF3EA183561;
- b. real property on Magnolia Sky Drive in Richmond, Texas, together with all

improvements, buildings, structures and appurtenances, and legally described as follows:

Lot Thirty-One (31), in Block Nine (9), of WATERVIEW ESTATES, Sec. 1, a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20040042 of the Map Records of Fort Bend, Texas.

- c. \$99,473.80 seized from a Woodforest National bank account with an account number ending in 1503, held in the name of ONAC Services LLC.

Money Judgment and Substitute Assets

47. The United States may seek the imposition of a money judgment against each defendant. In the event that a condition listed in Title 21, United States Code, Section 853(p)

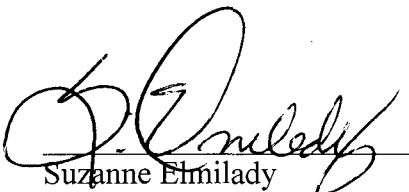
exists, the United States will seek to forfeit any other property of the defendants in substitution up to the total value of the property subject to forfeiture.

A TRUE BILL

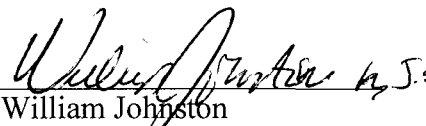
Original Signature on File

~~FOREPERSON OF THE GRAND JURY~~

RYAN K. PATRICK
UNITED STATES ATTORNEY

By: 
Suzanne Elmilady
Assistant United States Attorney
(713) 567-9000

SANDRA MOSER
ACTING CHIEF
Fraud Section, Criminal Division
U.S. Department of Justice

By: 
William Johnston
Trial Attorney
(202) 514-2000