

DUPLICATE

United States District Court
NORTHERN DISTRICT OF GEORGIA

FILED IN CHAMBERS

OCT 10 2018

2:19-mj-00867-NJK

UNITED STATES OF AMERICA

U.S. MAGISTRATE JUDGE
N.D. GEORGIA

v.

CRIMINAL COMPLAINT

PRINCE EMMANUEL GOZIEM OKOLI

Case Number: 1:18-MJ-1003-AJB

I, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about December 16, 2016, in Fulton County, in the Northern District of Georgia, defendant, PRINCE EMMANUEL GOZIEM OKOLI having devised a scheme, which involved the fraudulent misdirection of \$917,960.00 on 12/30/2016 from a real estate transaction through deception and the use of a spoofed email account resulted in at least \$458,750.00 being directed to bank accounts controlled by Okoli, in violation of Title 18, United States Code, Section(s) 1343, 2.

I further state that I am a(n) Special Agent and that this complaint is based on the following facts:

PLEASE SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof. Yes

Signature of Complainant
Steve Evans

Based upon this complaint, this Court finds that there is probable cause to believe that an offense has been committed and that the defendant has committed it. Sworn to before me, and subscribed in my presence

October 10, 2018

Date

at Atlanta, Georgia

City and State

ALAN J. BAVERMAN

UNITED STATES MAGISTRATE JUDGE

Name and Title of Judicial Officer

AUSA Brian M. Pearce / 2018R00110

Signature of Judicial Officer

AFFIDAVIT

I, STEVE EVANS, being first duly sworn on oath, depose and state as follows:

1. I am a Special Agent of the Federal Bureau of Investigation (FBI), currently assigned to the Atlanta Field Office. I have been employed by the FBI for over eleven years and work primarily on cybercrime matters. As a Special Agent of the FBI, I received extensive training on investigation of violations of federal statutes and I have conducted numerous federal investigations. Those investigations have included the preparation of and participating in the execution of arrest warrants. I have conducted numerous investigations that have resulted in information sufficient for probable cause to issue arrest warrants and search warrants. The range of Federal violations I have investigated which have resulted in arrest and search warrants is broad and has included fugitives, white collar crime, violent crime, and cybercrime. I personally acted as the affiant in affidavits for criminal complaint as well as testified before Federal Grand Jurys to obtain indictments.

2. This affidavit is submitted in support of a complaint charging PRINCE EMMANUEL GOZIEM OKOLI, year of birth 1984, with wire fraud in violation of Title 18, United States Code, § 1343.

3. The statements contained in this affidavit are based in part on my own personal observations, information provided by other law enforcement officers, information provided by other witnesses, and on my experience and background as a Special Agent of the FBI. The information contained in this affidavit is not an exhaustive account of everything I know about this case. Rather, it is only the facts that I believe are necessary to establish probable cause to obtain an arrest warrant PRINCE EMMANUEL GOZIEM OKOLI. If called as a witness to testify, I would testify as follows:

INVESTIGATIVE FINDINGS

4. The Federal Bureau of Investigation (FBI) is investigating OKOLI for receiving hundreds of thousands of dollars from an individual overseas through deceit and misrepresentation. In this case, the deceit and misrepresentation was in the form of a Business Email Compromise (BEC) scheme. A BEC is defined as a scheme to defraud targeted businesses working with vendors and/or businesses that regularly perform wire transfer payments. The scam takes several forms, but typically involves the use of fraudulent "spoofed" email addresses, confusingly similar domains and/or hacked email accounts to invent a fictitious transaction, or hijack a legitimate one, in an effort to misdirect the funds. BECs typically culminate in the fraudsters sending fraudulent wiring

instructions to a financial institution or other business directing the transfer of a large sum of funds to a bank account controlled by the fraudsters, on various pretenses (e.g., that the account belongs to the seller or intermediary acting on its behalf, or that the sender of the instructions is an employee of the corporate account holder with authority to authorize wire transfers on its behalf).

5. This BEC involved the fraudsters redirecting funds intended for the purchase of real estate. The Chief Executive Officer of a Swiss corporation and Swiss citizen, S.K., traveled to Belize in an effort to purchase beach property in Belize. S.K. found a property and he negotiated a purchase price of \$1,020,000.00 (all figures are in United States Currency). As part of the negotiation, S.K. communicated via two emails with the seller's attorney and paid a deposit of 10% of the seller's purchase price to the attorney. On or about December 13, 2016, S.K. received a third email with instructions on how to pay the balance, \$918,000.00, to complete the purchase.

6. Unbeknownst to S.K., the email he received purporting to be from the seller's attorney in Belize was fraudulent. It was a "spoofed" email deliberately created to deceive the recipient into believing he was communicating with the seller's attorney. The domain in the email address was one character different from the domain of the attorney: barrowandwilliams.com (real domain) versus barrowsandwilliams.com (fake domain).

7. The lengthy email which S.K. received included lawyerly verbiage that gave it the appearance it was from the attorney in Belize. The author included information about Belize-specific regulations on the purchase of property by a foreign company. The email included the standard confidentiality notice and legal disclaimers that are commonly part of emails from attorneys. Lastly, it included a professional signature block with the attorney's name and contact information. An attachment to the email contained the details of the escrow account to which S.K. was expected to wire the funds.

8. On December 20, 2016, the first of two wire transfers made by S.K. were effected based on the fraudulent instructions S.K. received in the spoofed email. S.K. sent the wires from his bank, UBS AG, in Zurich, Switzerland. The first was for \$459,980.00 and was sent to an account held by Citizens Bank on behalf of Boston Pro Sound, 119 Braintree Street, Allston, Massachusetts. The second wire transfer occurred on January 4, 2017 in the amount of \$457,980.00 and was directed to the same account for Boston Pro Sound.

9. Shortly thereafter, S.K. learned that the seller's attorney did not receive the funds as he had intended. S.K. then realized that the email from which he received wiring instructions was bogus. S.K. contacted Citizens Bank's fraud department and learned that the funds he had wired were subsequently wired to multiple accounts in the United States and overseas.

10. Two wire transfers out of Boston Pro Sound's account were to accounts with Bilantes Global, LLC listed as the beneficiary. One transfer was to an account held by J.P. Morgan Chase Bank, N.A. listing Bilantes Global, LLC, 2102 Henderson Mill Road, Atlanta, Georgia as beneficiary (account # 910565865). The second transfer was to an account held by Bank of America, N.A. listing Bilantes Global, LLC, 2475 S. Cobb Drive, Smyrna, Georgia as beneficiary (account # 334052211372). The transfers were in equal amounts of \$172,125.00 and occurred on December 30, 2016.

11. On January 4, 2017, another transfer was made. On January 9, 2017, \$114,500.00 was wired to the same Bilantes Global, LLC account held at Bank of America, N.A. In total, Bilantes Global, LLC accounts received \$458,750.00 from the three wire transfers from the Boston Pro Sound account at Citizen's Bank.

12. Records for J.P. Morgan Chase bank account # 910565865 reveal the inbound wire transaction for \$172,125.00 on December 30, 2016. Additionally, the records show that the account received a transfer of \$27,000.00 from the Bilantes Global, LLC account held at Bank of America on January 10, 2017. Also on January 10, 2017, \$10,000.00 was transferred via check to an account held by J.P. Morgan Chase Bank in the name of PRINCE OKOLI (account # 828612619). The Personal Signature Card maintained by the bank matched the name, social security account number, and date of birth for OKOLI.

13. Bank records obtained in this investigation showed withdrawals made from the two aforementioned J.P. Morgan Chase bank accounts. On January 10, 2017, a cash withdrawal of \$8,500.00 was made at a teller location at the Highland Station Branch, 4490 South Cobb Drive, SE, Smyrna, Georgia. At the same branch on the same day, the \$10,000.00 check transfer between the two accounts was also made. J.P. Morgan Chase Bank provided surveillance photographs that corresponded with these transactions. Below is one of the surveillance photographs:



14. On January 10, 2017, an \$8,500.00 cash withdrawal was made at the US 41 and Akers Mill Branch (2905 Cobb Parkway, SE, Atlanta, Georgia) from the funds that were just transferred into account # 828612619. Below is one of the surveillance photographs provided by the bank associated with that transaction:



15. On January 11, 2017, a cash withdrawal of \$7,000.00 was made at the Hiram Pavilion Branch, 5218 Jimmy Lee Smith Parkway, Hiram, Georgia. J.P. Morgan Chase also provided surveillance photographs from that branch which corresponded with the transaction, including this one:



16. The J.P. Morgan Chase bank records also revealed outbound international wire transactions. The first was in the amount of \$114,750 on January 3, 2017 to an account held by Agricultural Bank of China, Beijing, China for beneficiary Ruian Shanghong Luggage Co., Ltd. The second was on January

4, 2017 for \$55,000.00 to an account held by Guaranty Trust Bank, Lagos, Nigeria for beneficiary Francis Chukwu.

17. Records for Bank of America account # 334052211372 revealed wire transfers into the account that corresponded with the transfers from Boston Pro Sound: \$172,125.00 on December 30, 2016, and \$114,750.00 on January 4, 2017. The signature card for the account indicated that Prince Okoli was listed as the sole authorized signer for the account. A Nigerian passport was used as identification for Okoli when he opened the account. That passport number corresponds with the passport number used by OKOLI when entering the United States.

18. Bank of America records revealed a transfer was made between the Bilantes Global, LLC account (# 334052211372) and OKOLI's personal checking account (# 334049923378) in the amount of \$17,000.00 on January 4, 2017. OKOLI then made a cash withdrawal of \$6,500.00 at the West Vinings Branch, 4567 South Cobb, Drive, Smyrna, Georgia. Bank of America provided this surveillance photograph which corresponded with that withdrawal:



19. The records also show that on January 11, 2017, OKOLI made a cash withdrawal from the Bank of America account for Bilantes Global, LLC in the amount of \$8,000.00 at the Hiram Pavillion Branch, 4900 Jimmy Lee Smith Hwy, Hiram, Georgia. Bank of America provided the surveillance photograph below of that transaction:



20. Bank of America's records for the Bilantes Global, LLC account revealed outbound international wire transactions similar to those made from the J.P. Morgan Chase bank account. On January 3, 2017, a wire for \$114,750.00

was sent to the account held by Agricultural Bank of China for beneficiary Ruian Shanghong Luggage, as was done with the J.P. Morgan Chase account on the same day. On January 10, 2017, a wire for \$60,112.50 was sent to Guaranty Trust Bank which listed FC & C Oil and Gas Services as the beneficiary.

21. I checked with the Georgia Secretary of State Corporations Division website and learned that Bilantes Global, LLC was registered in 2015. The company's registered agent is listed as Prince Okoli.

22. I compared the surveillance photographs above with the Georgia driver's license photograph on record for OKOLI below. Based on this comparison and other evidence summarized herein, I believe the individual depicted in the surveillance photographs to be OKOLI.



INTERSTATE NEXUS

23. In Atlanta, Georgia, OKOLI established the bank accounts for Bilantes Global, LLC into which the fraudulently obtained proceeds were wired. The business was established by OKOLI using the Georgia Secretary of State

Division of Corporations. As a result of the fraud, the wire transfers were initiated by a bank in Switzerland, and received by a bank in New York, New York and Stockton, California. The fraudulently obtained funds were withdrawn in Georgia, among other locations.

CONCLUSION

24. The investigation has revealed that PRINCE EMMANUEL GOZIEM OKOLI was in receipt of at least \$458,750.00 in funds obtained through deception and fraud. A portion of those funds were then withdrawn in cash from accounts controlled by OKOLI.

25. Based upon the foregoing, there is probable cause to believe that PRINCE EMMANUEL GOZIEM OKOLI, engaged in and aided and abetted wire fraud in violation of Title 18, United States Code, §§ 1343 and 2.