

**IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY**

**IN THE ABUJA JUDICIAL DIVISION**  
**HOLDEN AT GWAGWALADA- ABUJA**

**THIS WEDNESDAY THE 15<sup>TH</sup> DAY OF DECEMBER, 2023**

**BEFORE HIS LORDSHIP: HON. JUSTICE ALIYU YUNUSA SHAFI**

**SUIT NO: FCT/HC/CR/147/2023**

**BETWEEN:**

**FEDERAL REPUBLIC OF NIGERIA..... COMPLAINANT**

**AND**

**PATRICK CHIBIKE EZISI (AKA LEAVITT LAYLA)..... DEFENDANT**

Defendant: present in court

Offence: section 321 of the penal code punishable under section 324 of the penal code.

Appearance: C. M. Annede for prosecution EFCC.

Defendant: TarungwaAnandefor the defendant holding the brief of H. N. Gbenga for the defendant.

Prosecution: before the court is a one count charge dated 6-12-2023 and filed on 13/12/2023, we apply that the charge be read to the defendant to enable him take his plea

Court: the one court charge is read and explained to the defendant. the defendant is called upon to reply to the said charge.

Court defendant do you understand the charge?

Defendant yes I understand the charge

Court: defendant are you guilty or not guilty?

Defendant I am guilty.

Prosecution: In view of the plea entered by the defendant pray that the defendant be convicted accordingly.

Court: in accordance to the provisions of section (112(8) of the ACJA 2015 I shall proceed to convict the defendant base on his plea.

### CONVICTION

I am satisfied that the Defendant before the court understands the content of the charge read and explained to him in English language and pleaded guilty knowing fully well the consequence of his plea, I will accept the defendant's plea of guilty and will proceed to convict the defendant for the offence punishable under section 324 of the penal code triable by this court.

Prosecution: we have a plea bargain agreement dated and filed on the 13-12-2023 we adopt the terms of the plea bargain agreement urging the court to consider the terms and sentence the defendant accordingly.

In the course of our investigation iPhone 13 promax and HP laptop was recovered and the sum of \$140 also being restituted by the convict, we apply that the item be auctioned through public sale by the EFCC and the proceedsrealised be forfeited to the EFCC the \$140 to be paid to the Coffers of the FGN.

Allocutus:

I am very sorry for my actions and I'm seeking for mercy from the court.

I have fraudulently acted before, I pray the court to temper justice with mercy and I'm a first time offender and have shown remorsefulness and had restitutedthe proceed of crime and even went further to raise a further draft of N 235,000

Court: the terms of the plea bargain agreement entered is hereby adopted by this court.

### SENTENCE

The defendant Patrick ChibikeEzisi (aka Leavitt Layla) was convicted for the offence of false pretence contrary to section 321 and punishable under section 324 of the penal code.

Brief summary of the case;

The defendant sometime in the year 2023 in Abuja within the Jurisdiction of this Honourable Court of The Federal Capital Territory, pretended to be one Leavitt Leyla, a Fashion Stylist based in Texas and in that assumed character did obtain the sum of \$140 (One Hundred and Forty United State of America Dollars) from one Robert Johnson a truck driver in United Staes of America using Google chat with gmail account [Laylaleavitti@gmail.com](mailto:Laylaleavitti@gmail.com)

The defendant pleaded guilty to the one count charge and was convicted accordingly.

On his plea of allocutus pleaded as follows:

“I am very sorry for my actions, seeking for mercy from the court to temper justice with mercy.

The defendant counsel in addition to the plea of allocutus made by the Defendant urged the court to temper justice with mercy as the defendant has shown remorse for his action, a first time offender, that he has restituted the proceed of crime and went further and raised a draft of N235, 000.00 in addition to the sum of N140 USD as restitution.

I have carefully listened to the plea of allocutus made by the convict and that of defence counsel in addition and wish to state that some of the youth of nowadays have drifted from the right parts into the points of cybercrime believing same as one of the fastest ways of making quick money and enriching themselves without having a rethink on the implication of finding themselves behind the bars.

The convict and the complainant entered a plea Bargain agreement, filed and adopted by this court. Having carefully listened to the plea bargain agreement, hereby adopt the terms of the agreement entered by both parties. Hence I shall hereby sentence: the convict based on the terms of the agreement entered voluntarily dated 13<sup>th</sup> December, 2023.

In view of the forgoing, the convict is hereby sentence as follows:

1. One year imprisonment or an option of fine of N200,000.00.
2. The sum of \$140 USD refunded by the convict and the draft of n235,000.00 also raised by the convict as restitution is to be paid into the consolidated account of the Federal Government domiciled with the central Bank of Nigeria through the EFCC.
3. The items recovered, iPhone 13 promax with IME No 355777912244203 and the HP laptop with IME No 5CD7388IMP) from the convict are to be forfeited, sold through public auction and proceed realised be paid into the account of the Federal Government.
4. Evidence of payment are to be filed in this court within 2 weeks from today.

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**Hon. Justice A. Y. Shafa**