

IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY

IN THE ABUJA JUDICIAL DIVISION

HOLDEN AT GWAGWALADA- ABUJA

THIS THURSDAY THE 18TH DAY OF JULY, 2024

BEFORE HIS LORDSHIP: HON. JUSTICE ALIYU YUNUSA SHAFI

SUIT NO: FCT/HC/CR/616/2024

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA..... COMPLAINANT

AND

**FRANCIS EMMANUEL AKPANEND.....DEFENDANT
(AKA SOPHIA FLOERSCH)**

Sentencing and ready to proceed

Court: proceed

Following the investigation carried out by the EFCC Iphone 13 Promax Samsung 2 flip5 samsung A30 and Toyota Camry white colour 2012 model, Honda 2018 power bike were recovered from the convict.

The convict used the said money he benefitted in purchasing the said items.

We Apply to the court to order that the said items be sold by the EFCC and the money realized be paid to the proceeds of crime account of the Federation. Further urge the court to sentence the convict accordingly.

Allocutus:

I will start by saying I am sorry for what I have done and have learnt my mistake and lesson and will not involve myself in any illegal activities anymore.

Defence

The defendant has been remorseful and cooperated with the EFCC and throughout the period of his bail he showed up and submitted himself to the court, I ask this court to temper justice with mercy. Also urged the court to offer the hand of fellowship to give the convict a fine.

SENTENCE:

The convict before this court was convicted for the offence of cheating by personation punishable under section 324 of the penal code law.

The convict who under the plea of mercy pleaded to the court that he was sorry and promised to be a changed person and never not to make such a mistake as he has learnt his lesson.

The defence counsel on behalf of the convict pleaded to the court to temper justice with mercy and that the convict has shown remorse and pleaded to the court to give the convict an option of fine.

I have carefully listened to the allocutus made by the said convict and in addition with words of the defence, counsel to the convict. I can say that THE CONVICT BEFORE the court has shown to be remorseful and promised to be a changed person hence I shall temper justice with mercy more also that what he i.e. the money he benefitted was what he used to bring the items confiscated by the EFCC.

But yet still the act of the convict has left much to be desired and he should serve as an example and deterrence to the youngones on the street, the sentence will be a conduct to the convict hence the convict is hereby sentenced to 2 years imprisonment or fine of N100,000.00

As required the application made by the prosecution to the following items:

The items are as follows

1. 1 iphone 13 promax
2. Samsung 2 flip5
3. Samsung AB
4. Toyota Camry while model colour 2012Honda 2012

Power bike are all forfeited to the FG of Nigeria. The said items being the itemsrecovered from the convict should be sold and whatever is realized out of the sale or action be paid to the Federal Government through the office of the EFCC and a receipt be forwarded to this court for record purpose.

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Hon. Justice A. Y. Shafa