

## SENTENCING RECOMMENDATION

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
UNITED STATES V. OLUFOLAJIMI ABEGUNDE, a/k/a "FJ," a/k/a "EFJAY"  
DKT. 0651 2:17CR20238-007**

**TOTAL OFFENSE LEVEL** 28  
**CRIMINAL HISTORY CATEGORY** I

	<u>Statutory Provisions</u>	<u>Guideline Provisions</u>	<u>Plea Agreement Provisions</u>	<u>Recommended Sentence</u>
<b>CUSTODY:</b>	Ct. 1: 0 years-30 years Ct. 3: 0 years-20 years Ct. 4: 0 years-5 years Ct. 5: 0 years-20 years	78 months-97 months	N/A	Cts. 1,3&5: 78 months Ct. 4: 60 months, all counts concurrent
<b>SUPERVISED RELEASE:</b>	Ct. 1: 0 years-5 years Ct. 3: 0 years-3 years Ct. 4: 0 years-3 years Ct. 5: 0 years-3 years	Ct. 1: 2 years-5 years Ct. 3: 1 year-3 years Ct. 4: 1 year-3 years Ct. 5: 1 year-3 years	N/A	3 years, each count concurrent
<b>PROBATION:</b>	Ct. 1: Ineligible Ct. 3: 1 year-5 years Ct. 4: 1 year-5 years Ct. 5: 1 year-5 years	Ineligible	N/A	None
<b>FINE:</b>	Ct. 1: \$1,000,000 Ct. 3: \$250,000 Ct. 4: \$250,000 Ct. 5: \$250,000	\$25,000-\$1,000,000	N/A	None
<b>RESTITUTION:</b>	\$47,582.03	\$47,582.03	N/A	\$47,582.03

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<b>SPECIAL</b>	Ct. 1: \$100	Ct. 1: \$100	Ct. 1: \$100	Ct. 1: \$100
<b>ASSESSMENT:</b>	Ct. 3: \$100	Ct. 3: \$100	Ct. 3: \$100	Ct. 3: \$100
	Ct. 4: \$100	Ct. 4: \$100	Ct. 4: \$100	Ct. 4: \$100
	Ct. 5: \$100	Ct. 5: \$100	Ct. 5: \$100	Ct. 5: \$100

**Justification:**

This 32-year-old defendant is convicted of serious offenses. Regarding the money laundering and wire fraud, the defendant was part of an extensive and complex network that involved multiple frauds and misrepresentations to steal money, launder the funds and transmit the funds overseas. While there is no information that the defendant was aware of the extent of the conspiracy, his role as money launderer was integral to the success of the scheme. Regarding the marriage fraud and witness tampering, the conduct is discouraging and indicates a real need for the sentence to promote respect for the law. Overall, the offenses are significant and the defendant was involved in moving a substantial amount of money for the participants. Therefore, there is a need for the sentence to reflect the seriousness of the offense.

The defendant has no criminal history. However, due to the seriousness of the offense conduct, there is a need for the sentence to promote respect for the law and provide for general and specific deterrence.

The defendant appears to have had a stable upbringing. He is educated and has employment and business experience. The defendant is faced with a significant guideline range due to the seriousness of the offenses. A low-end guideline sentence would appear to be sufficient to address the sentencing factors in this case.

It is not clear what immigration consequences the defendant may face. Since restitution is a factor to consider, supervised release with special conditions addressing financial conduct appears to be appropriate.

**Recommendation**

The probation officer respectfully recommends that the defendant be sentenced to 78 months imprisonment (60 months on count 4) with all counts to run concurrent followed by 3 years of supervised release. The following special conditions are recommended:

- The defendant shall cooperate in the collection of DNA.
- The defendant shall be prohibited from opening additional lines of credit without the probation officer’s approval.
- The defendant shall provide the probation officer access to all financial information.

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Further, it is recommended that restitution in the amount of \$47,582.03 be imposed and disbursed to Whatcom Land Title Company, Inc. (\$34,082.03) and Crye-Leike, Inc. (\$13,500.00). It is recommended that the defendant pay restitution in regular monthly installments in the amount of 10% of gross income (i.e., total income from all sources before deductions, exemptions or other tax reductions). It is also recommended that the interest requirement be waived. Restitution should be joint and several with the codefendants in this case.

No fine is recommended due to the defendant's inability to pay and the need for restitution. The special assessment which totals \$400 is required.

Respectfully Submitted,



By: Andrew W. Granberry  
United States Probation Officer Specialist

Reviewed by:



Michelle A. Gonzalez  
Supervising United States Probation Officer