

**IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY  
HOLDEN AT ABUJA  
BEFORE HIS LORDSHIP HON JUSTICE VALENTINE B. ASHI  
COURT NO: HIGH COURT NO. 29 APO-ABUJA**

**SUIT NO: FCT/HC/CR/142/2014**

**BETWEEN:**

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

**AND**

**OKPALA SAMUEL (AKA, GREG UBANI).....ACCUSED PERSON.**

**JUDGMENT**

There is a desk officer who signed the hearing notice for this case coming up this morning. It is endorsed at the back of the duplicate of the hearing notice served on the prosecution. His name as endorsed is ILU DEMEWA. EFCC-legal Desk officer. He signed as having received it at 11:30 am, on the 9<sup>th</sup> of December, 2016, almost a year ago. Nevertheless there is no other hearing that has been served any way. Me is a bundle supporting an application to prefer a one count charge of an offence punishable under Section 1(3) of the Advance Fee Fraud Act. The application is signed by Mary Onoja of legal and Prosecution Department of the EFCC, % Danube Close, Maitama, Abuja. It is known to have been filed on the 23/06/2014. There is nothing in the Court's record to account for or rather explain why this, process has remained unauthorised for the purpose for it was meant to serve. Given this scenario i am entitled to presume that the process as filed which was intended to initiate Criminal proceedings against the defendant Okpala Samuel, Alias Greg Ubani) by the EFCC has been abandoned. In consequence, the application ought to and is hereby struck out.

**Sgd**

**Hon. Judge**

**02/11/2017.**