

IN THE FEDERAL HIGH COURT
IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT ABUJA

IN THE MATTER OF AN APPLICATION BY SUPPORT THE
YOUTH ORGANIZATION FOR JUDICIAL REVIEW BY WAY OF
AN ORDER FOR MANDAMUS

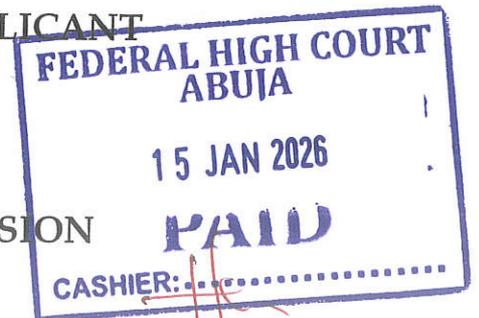
SUIT NO: FHC/ABJ/CS/⁷⁵...../2026

BETWEEN
SUPPORT THE YOUTH ORGANIZATION APPLICANT

AND

ECONOMIC AND FINANCIAL CRIMES COMMISSION
(EFCC) RESPONDENT

ORIGINATING MOTION EX PARTE



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BROUGHT PURSUANT TO:

1. ORDERS 34, RULES 1(1)A, 2, 3(1) & (2)A, (B) & (C) OF THE FEDERAL HIGH COURT (CIVIL PROCEDURE) RULES, 2019
2. SECTION 6 OF THE ECONOMIC AND FINANCIAL CRIMES COMMISSION (ESTABLISHMENT) ACT
3. SECTION 15 OF THE 1999 CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA (AS AMENDED)
4. AND UNDER THE INHERENT POWERS OF THIS HONOURABLE COURT

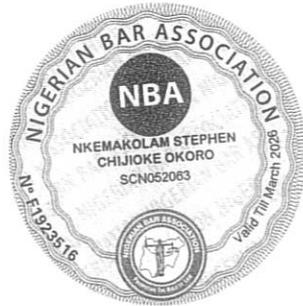
TAKE NOTICE, that this Honourable Court will be moved on..... theday of2026, at the hour of 9 O'clock in the forenoon or soon thereafter as Counsel may be heard on behalf of the Applicant for the following reliefs:

1. AN ORDER of this Honourable Court granting leave to the Applicant to apply for judicial review to seek for an order of Mandamus, directing and or compelling the Respondent, EFCC, to charge/prosecute the former Abia State governors, Senator Orji Uzor Kalu, Senator Theodore Ahamefula Orji, and Okezie Ikpeazu, for the over ONE TRILLION

Naira(~~₦~~1,000,000,000,000.00), monies belonging to Abia State, allegedly looted by them, while they variously served as governors of Abia State, as revealed by the investigations conducted by the Respondent pursuant to Section 6 of the Economic And Financial Crimes Commission (Establishment) Act., before a court of law.

2. AND for such order or further orders as this Honourable Court may deem fit to make in the circumstance.

DATED THIS 14th DAY OF JANUARY 2026.




✓ Okoro Nkemakolam S.C. Esq
Moses Bisalla Bature Esq
Bofede Okporu Esq
Meindinyo Nimi Esq
Hadiza Mohammed (Miss)
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IN THE FEDERAL HIGH COURT
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BETWEEN

SUPPORT THE YOUTH ORGANIZATION_.... APPLICANT

AND

ECONOMIC AND FINANCIAL CRIMES COMMISSION
(EFCC) RESPONDENT

AFFIDAVIT IN SUPPORT

I, Susan Nwaze, female, adult, Nigerian citizen of Suite F37, Melita Plaza, Area 11, Garki Abuja, do solemnly make oath and state as follows;

1. That I am a law office Secretary in the law firm handling this matter on behalf of the Applicant herein.
2. That by virtue of my above position, I am familiar with, and well abreast of the facts giving rise to this application.
3. That unless otherwise stated, all the facts herein deposed to, are within my personal knowledge, information and belief.
4. That I have the consent of the Applicant and that of my employers to depose to this affidavit.
5. That the Applicant has been involved in the defence of good governance, human rights, transparent elections and crime-free society in not just Abia State, but in Nigeria as a whole.
6. The Applicant is a registered organization under the Corporate Affairs Commission. A copy of the certificate of registration of the Applicant is attached herewith as Exhibit 1.

7. That I was further informed by Chukwunonso Emmanuel, one of the officers of the Applicant at our above office on the 14th of January 2026, and I verily believe all that he told me to be true as follows:
- a. That the Economic and Financial Crimes Commission (EFCC) had launched an investigation into alleged diversion of over N551 billion by former Abia State Governors, Senator Orji Uzor Kalu, Chief Theodore Orji and Okezie Ikpeazu, while serving as the governors of Abia State.
 - b. The anti-graft agency commenced the investigation in response to a petition by a group, Fight Corruption: Save Nigeria Group, alleging that the former governors diverted various sums of money that accrued to the state government, while serving as governors of Abia State.
 - c. That in a petition made available to the media by the EFCC, the funds include N383 billion revenue from federal accounts, N55 billion excess crude revenue, N2.3 billion Sure P funds and N1.8 billion ecological funds, and 10Billion Naira for a non existent Abia Airport by Okezie Ikpeazu.
 - d. That other monies allegedly diverted by Sen Orji Uzor Kalu, Sen Theordore Orji and Okezie Ikpeazu, as former governors of Abia State, are N10.5 billion loan from First Bank Plc through the Ministry of Chieftaincy and Local Government Affairs, N4 billion loan from Diamond Bank, N12 billion Paris Club refund, N2 billion agricultural loan for farmers and N55 billion ASOPADEC funds.
 - e. That the petition alleged that the administrations of Sen Orji Uzor Kalu, Sen Theordore Orji and Okezie Ikpeazu received these funds, converted the funds for their private use thereby stealing funds made for development of Abia State. Copies of newspaper reports of the petition are attached as **Exhibit 2**.
 - f. That he knows as matter of fact that a spokesman of the EFCC, at the relevant time, Mr Tony Orilade confirmed receiving the petition. That the anti-graft agency had since started investigating the former governors of Abia State, over massive looting of resources belonging to Abia State.
 - g. That the petition alleged that Theodore Orji, who was a Chief of Staff to his predecessor, Dr. Orji Kalu, was the authorising officer

- drawing N500 million monthly purported to be security vote, which were allegedly diverted, and stolen by the said former governors.
- h. That the petition alleged that when Theodore Orji became the governor in 2007, Theodore Orji continued "to withdraw the N500 million cash monthly from June 2007 to May 2015. The N500 million is not part of the security funds expended on the Nigerian Police, The Nigerian Army, DSS, Navy anti-Kidnapping Squad, anti-robbery Squad, purchase of security equipment and vehicles for the security agencies.
 - i. That EFCC also said it had discovered about 100 accounts in different banks, with over 80 percent of the accounts still very active. The accounts, which were both corporate and individual, received so much deposit in cash without evidence of job or services rendered.
 - j. That he knows as a matter of fact that EFCC investigation revealed that Fotoworld Industry Limited, with GTB account number 2022025805 was traced to Chinedum, the son of former governor Theodore Orji and the company received deposit of \$20, 849, 044.21. The same company with another account number 2022025764 in First Bank of Nigeria (FBN) received a cumulative deposit of N362, 573, 056.50.
 - k. That Fotoworld has several other accounts with FBN. The accounts and deposits are: 2026144229, \$84, 000 cash deposit between 2014 and 2015; between 2012 and 2015, account number 2022025764 housed N342, 573, 056.50; Account number 2022025939 between November 2012 and July 2015 received a deposit of 1, 689, 320.89 Pounds Sterling."
 - l. That the EFCC probe showed that the GTB account 0039060117 of the same company housed N88, 300, 000 billion between February 2009 and July 2014. Fotoworld Industry Limited, with GTB account number 2022025805, also traced to Chinedum, received deposit of \$20, 849, 044.21.
 - m. That the same company with account number 2022025764 in First Bank of Nigeria (FBN) received a cumulative deposit of N362, 573, 056.50.
 - n. That the same company, Fotoworld, has several other accounts with FBN. The accounts and deposits are: 2026144229 with \$84, 000 cash

- deposit between 2014 and 2015; between 2012 and 2015, account number 2022025764 with the same bank housed N342, 573, 056.50; Account number 2022025939 with the same bank, between November 2012 and July 2015 received a deposit of 1, 689, 320.89 Pounds Sterling.
- o. That the investigation also showed that Exact Construction Limited, traced to Chinedum, is believed to have no record of any construction work in the country; also received humongous deposits in Keystone Bank where account was opened.
 - p. That between October 2008 and February 2015, the company account number 005374800 had deposits of N1, 188, 924, 190.41. Another deposit of N636, 372, 642.85 into Exact Construction Limited, Keystone Bank account number 1001538949.
 - q. That the GTB account 0039060117 of the same company housed N88, 300, 000 between February 2009 and July 2014. The FBN account number 2008232908 also received lodgement of N599, 771, 424.25 between January 2011 and June 2016; account number 200823298 had N731, 135, 357.04 between 2007 and 2016.
 - r. That Fotofast Industry Limited is another company registered by the first family to siphon the resources of the state. Several accounts were opened in FBN by the company.
 - s. That the sum of N20, 861, 165.95 entered into the FBN account number 2014629152 between 2011 and 2017. Between 2011 and 2016, another N223, 929, 515.37 was lodged in Fotofast's account number 2015559102 domiciled in FBN", according to EFCC investigation.
 - t. That Cheetah Press Limited is another concern of the ex-governor's son. The company with FBN account number 2006413367 had deposits of N1, 083, 731, 890.93 between 2007 and 2017. In Union Bank, the same company had a deposit of N430, 980, 632.18 in account number 0034400341," according to EFCC investigation.
 - u. That Cheetah's Standard Chartered account number 000171072 had N42, 009, 795.36 between 2011 and 2016. In GTB account number 0107577738, N241, 059074. 24 was traced to Cheetah Press between 2011 and 2016 and another N966, 041, 454 between 2011 and 2016.
 - v. That in UBA alone, Cheetah's account number 1015210129 had N143, 851, 800 between 2010 and 2018; while account number 1008016040 had N2, 226, 458, 581.35 between 2016 and 2020.

- w. That another UBA account number 1011361993 of Cheetah had N782, 694, 255.77 between 2007 and 2019.
 - x. That, despite these revelations by the Economic and Financial Crimes Commission in the course of their investigations, they have refused and neglected to charge the said Theodore Orji and his son Chinedum Orji to court.
 - y. That, despite the conclusion of investigation by the Economic and Financial Crimes Commission, the agency have neglected to charge Sen Orji Uzor Kalu, Sen Theodre Orji and Okezie Ikpeazu, to court, for the massive looting and stealing of resources of Abia State.
 - z. That these monies allegedly stolen by Senator Orji Uzor Kalu, Theodore Orji and Okezie Ikpeazu, were meant for the development Abia State.
 - aa. That these monies were also meant for the payment of salaries of teachers and pension for pensioners.
 - bb. That teachers in Abia State and pensioners, are owed several years of arrears of salaries and pensions and are also suffering consequent upon the looted funds for the payments of their entitlements, by the past governors of Abia State.
 - cc. That there is hardly any good roads in Abia State as monies meant for the development of the entire State was allegedly looted by Senator Orji Uzor Kalu, Theodore Orji and Okezie Ikpeazu, during their various tenures as governors of Abia State.
 - dd. That I know as a matter of fact, by virtue of the Economic and Financial Crimes Commission Act, that the Respondent is under statutory obligation to prosecute the former governors of Abia State, Sen Orji Uzor Kalu, Sen.Theodore Orji and Okezie Ikpeazu, for the massive economic and financial crimes allegedly committed against Abia State, during their various tenures as governors of Abia State.
8. That the Respondent has refused and or neglected to carry out the obligation mandated on the Respondent in the statute referred to in the preceding paragraphs.
9. That I was further informed by Chukwunonso Emmanuel, one of the officers of the Applicant at our above office on the 14th of January 2026, and I verily believe all that he told me to be true as follow:
- a. Senator Orji Uzor Kalu, former governor of Nigeria's Abia State, spent millions of dollars on properties in the United States during

his tenure as governor. Uzor Kalu spent USD 3.3 million on American properties. In the 18 months following his departure from office and while under indictment by Nigerian authorities, he acquired additional properties worth USD 4.4 million.

- b. The investigation further reveals that, in total, Uzor Kalu and his family have owned US properties valued at approximately USD 20 million across Maryland, North Carolina, South Carolina, and Texas. These holdings include multiple homes, a dozen condominium units, undeveloped agricultural land, and a commercial space that previously housed a restaurant called Kalu, all acquired during his tenure as the governor of Abia State.
 - c. That Senator Orji Uzor Kalu stole at least USD 24 million from the funds meant for development projects in Abia State through a family-owned company.
 - d. That Uzor Kalu acquired most of his US properties through an American company he founded in the final days of his governorship, which he co-owned with his two minor children at the time; namely, SLOK, LLC—an American entity.
 - e. During this period, Uzor Kalu's relatives—beneficiaries of SLOK Holding—spent an additional USD 2.3 million on US properties, including a lakeside mansion near Houston. Uzor Kalu and his brother also jointly purchased properties during this time as the governor of Abia State. Copies of documents pertaining to these facts are attached herewith as **Exhibit 3**.
10. That I was further informed by Chukwunonso Emmanuel, one of the officers of the Applicant at our above office on the 14th of January 2026, and I verily believe all that he told me to be true as follow:
- a. That Okezie Ikpeazu, the former governor of Abia State, converted the sum of N10Billion, meant for the construction of Abia State Airport, for his private use, thereby stealing and looting the said sum of money, belonging to Abia State. Documents pertaining to this fact are attached herewith as **Exhibit 4**.
 - b. That despite the demand for the Economic and Financial Crimes Commission, to prosecute the said former governor of Abia State, the EFCC, merely responded that it is investigating and has refused to prosecute the former Governors of Abia State, Sen Orji Uzor Kalu, Sen. Theodore Orji and Okezie Ikpeazu.

11. That this affidavit is necessary for the grant of this application.
12. That the subject matter of this application is of utmost national concern and particularly, of great interest to the entire people of Abia State, as these past former governors, entrusted with state resources, looted the state dry, for their private benefits.
13. That by the nature of the case, it ought to be heard urgently and expeditiously.
14. That it is in the overriding interest of justice to grant this application.
15. That I depose to this affidavit solemnly and in good faith, believing same to be true and in accordance with the Oaths Act currently in force.


DEPONENT

Sworn to at the Registry of the Federal High Court, Abuja, this ^{CS7}..... day of January 2026.

BEFORE ME
COMMISSIONER FOR OATHS
FEDERAL HIGH COURT
ABUJA
SIGN: _____
DATE: _____
COMMISSIONER FOR OATHS

IN THE FEDERAL HIGH COURT
IN THE ABUJA JUDICIAL DIVISION
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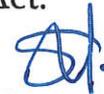
ECONOMIC AND FINANCIAL CRIMES COMMISSION

(EFCC) RESPONDENT

VERIFYING AFFIDAVIT

I, Susan Nwaze, Female, Adult, Christian, Law office Secretary of Suite F37, Melita Plaza Area 11, Garki, Abuja, do here by make oath and state as follows::

1. That I am a law office Secretary in the law firm handling this matter.
2. That by virtue of the above stated fact, I am conversant with the facts of the case.
3. That all the facts contained in the statement attached to this application are true to the best of my knowledge and information.
4. That I hereby verify all the facts contained in the statement herein.
5. That I make this declaration in good faith believing same to be true and in accordance with the provisions of the Oaths Act.



.....

DEPONENT

SWORN TO at the Federal High Court Registry, Abuja

Dated this ...^{18th} day of January 2026.

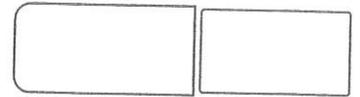


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EXh 2



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THE NIGERIAN UPSTREAM PETROLEUM REGULATORY COMMISSION PRESENTS

THE 2025 LICENSING ROUND PRE-BID CONFERENCE.

INVESTORS, OPERATORS, AND STAKEHOLDERS

WEDNESDAY | 14th JANUARY, 2026 | 9:00 am

THE GRAND BALLROOM, EKO HOTELS AND SUITES,
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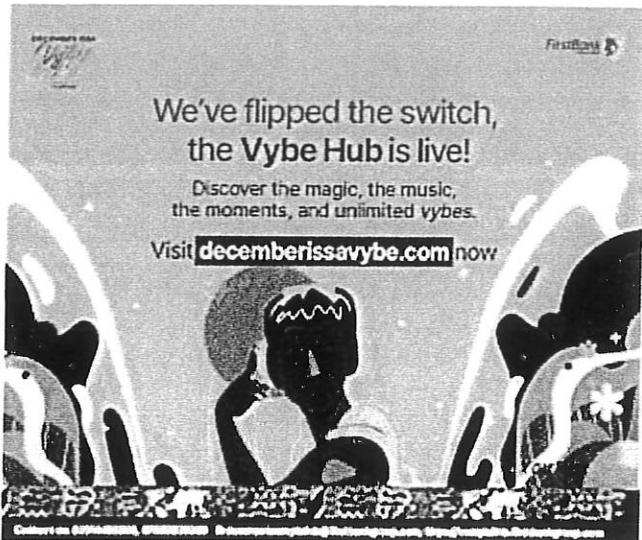
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The investigation followed a petition dated March 17, 2017, filed by a group, Fight Corruption: Save Nigeria Group.

The petitioner accused Mr Orji, who served two terms as governor between 2007 and 2011, of withdrawing N500 million monthly as security vote from the state's treasury during his eight years in office.

Mr Orji, since leaving office as governor, has been serving as a senator. The petition accused him of diverting "N383 billion revenue from the Federation Account, N55 billion Excess Crude revenue, N2.3 billion Sure-P revenue, N1.8 billion ecological funds, N10.5 billion loan, N12 billion Paris Club refund, N2 billion agricultural loan, and N55 billion ASOPADEC money while in office."

According to the petition, the N500million the former governor allegedly withdrew monthly was "not part of the security funds expended on the Nigerian Police, the Nigerian Army, DSS, Navy anti-kidnapping Squad, anti-robbery Squad, purchase of Security equipment and vehicles for the security agencies."



The petitioner also accused Mr Orji's son, Chinedum Orji, who is currently the Speaker of Abia State House of Assembly, of owning about 100 accounts in different banks.

He added that the accounts which run both as corporate and Individual received "so much deposit in

cash without evidence of job or services rendered.”

His investigations come months after the EFCC secured the conviction of his former boss and predecessor, Orji Kalu, on December 5. Orji Kalu was sentenced to 12 years imprisonment after being found guilty on 39 counts of fraud to the tune of N7.65 billion.

Mr Orji currently represents Abia Central Senatorial District in the Senate. He served Mr Kalu as Chief of Staff before succeeding him as Abia governor.

Mr Kalu is also a senator representing Abia North in the Red Chamber.

The EFCC acting spokesperson, Tony Orilade, in a telephone interview with PREMIUM TIMES on Monday, confirmed that the commission was investigating the Orji family members accused in the petition.

Mr Orilade said, “Operatives of the Commission on Thursday, February 5, 2020, invited both Orji and his son in continuation of the investigation.”

He said the two politicians were released on administrative bail but did not state when they are expected back at the commission.

On why it took the EFCC over three years to begin investigations over the petition, Mr Orilade said the commission only followed its procedure for the exercise, saying investigations do not always begin immediately upon receipt of petitions.

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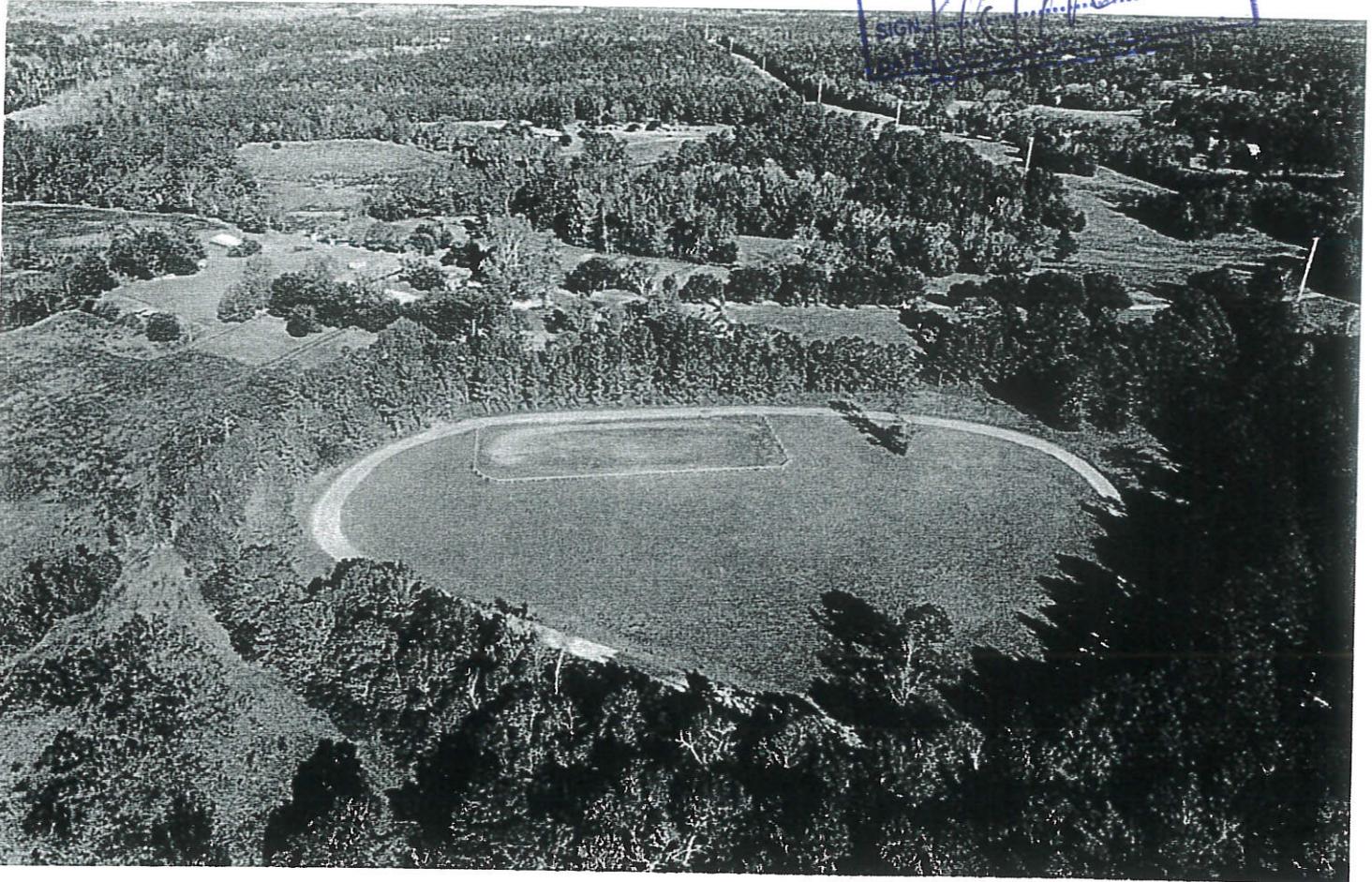
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UNCOVERED

How Nigerian leaders spent millions on SC real estate amid US retreat from dirty money fight

BY TONY BARTELME AND CHRISTIAN BOSCHULT THE POST AND COURIER AND JOHN DELL'OSSO PLATFORM TO PROTECT WHISTLEBLOWERS IN AFRICA

MAR 9, 2025



Sambo Dasuki, the son of a Nigerian sultan, has long been among the nation's most powerful government leaders. In 2002, he and his wife purchased Green Hill Farms, about six miles from Aiken, South Carolina's horse district.

ANDREW WHITAKER/STAFF

Prominent Nigerian politicians accused of raiding government coffers in their country have family and corporate links to properties worth millions of dollars in the Carolinas, including a tract in Spartanburg with a \$118,282 bill for back taxes and fees, according to records obtained by The Post and Courier's Uncovered project and an international consortium of journalists.

The findings highlight how powerful people from across the world, including some with checkered pasts, sink money into unexpected corners of the United States, including South Carolina. They also come at a pivotal time in the United States'

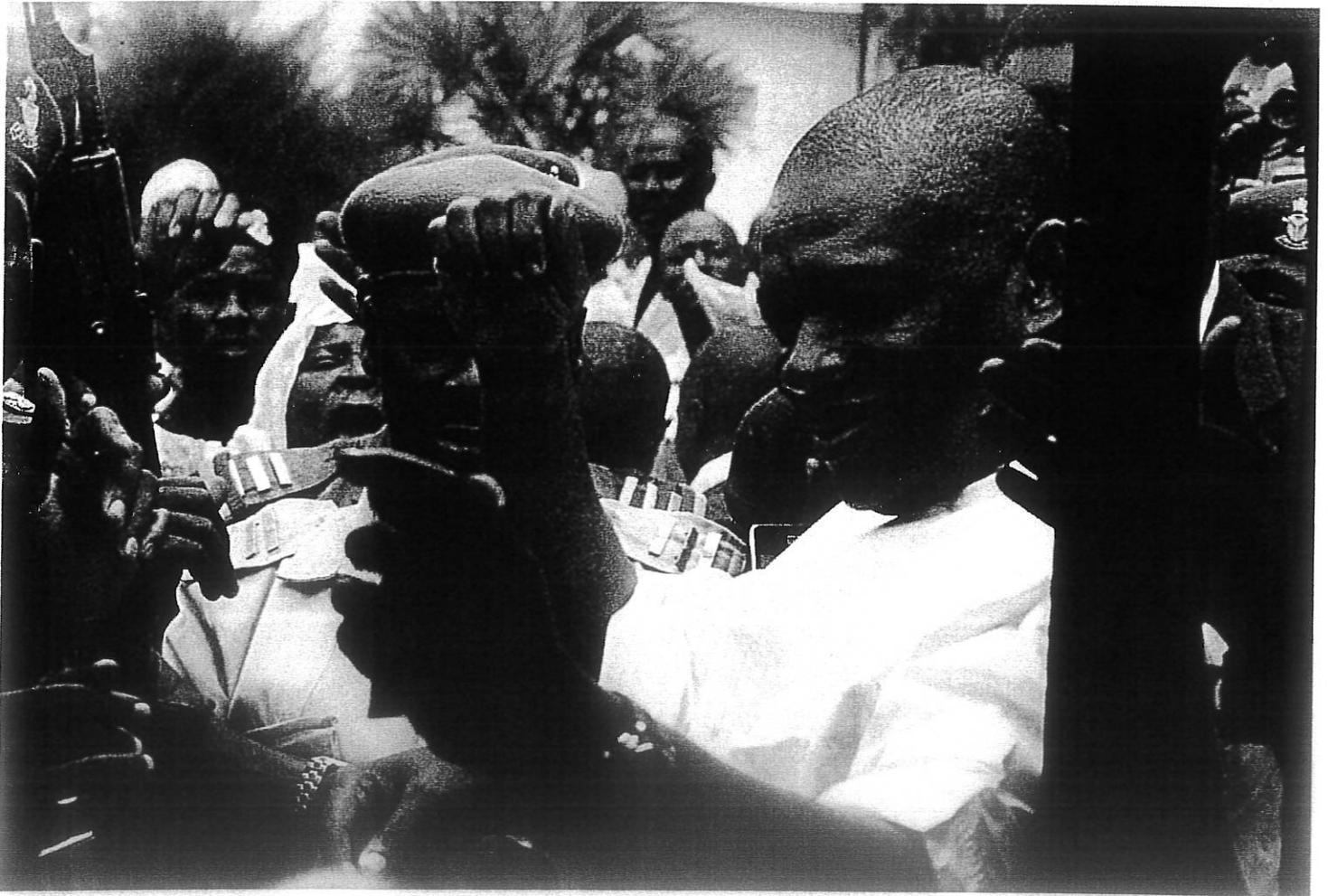
long fight to inject more transparency into American real estate purchases by foreign investors, experts say.

Congress in 2021 enacted the Corporate Transparency Act, a bipartisan law to deter money laundering, terrorism financing and tax evasion. New rules stemming from the law were set to go into effect this year, including requirements that real estate professionals identify the true buyers of properties.

On March 2, the Trump administration said it wouldn't enforce the law.

Notable Nigerian public officials who bought land in the Carolinas include Orji Uzor Kalu, a former governor of the oil rich state of Abia and a current Nigerian senator, according to records obtained by The Post and Courier and the Paris-based Platform to Protect Whistleblowers in Africa.

Kalu owns or has corporate and family connections to five properties in South Carolina worth at least \$2 million on tax rolls and properties worth more than \$4.7 million in the Charlotte metro area, records show. He also owns two properties in a bucolic area outside Washington, D.C., including one home with eight bathrooms and a tennis court. It's listed on real estate sites for \$2.5 million.



Orji Kalu (in white) enters a vehicle after he was granted bail by the Federal High Court in Abuja July 27, 2007. A Nigerian court granted bail to former state governors Kalu and Saminu Turaki charged with corruption. Kalu was convicted in 2019, but 5 months later, a higher court set the conviction aside. It's unclear what the status of his charges are.

AFOLABI SOTUNDE/REUTERS

Kalu, 64, hasn't been accused of any criminal wrongdoing in connection with his American real estate purchases, and his business background suggests he has plenty of money to invest.

In 2013, Kalu told a Nigerian radio interviewer that he made "millions before joining politics" trading fish and palm oil. His company, SLOK Holding, is well-known in Nigeria for its aviation, petroleum and maritime ventures. He's also been chairman of two of the nation's largest newspapers. In 2015, Forbes magazine included Kalu in its Africa's "50 Richest" feature, estimating his fortune then at \$330 million. Over the years, he received numerous civic awards. His social media accounts are filled with posts showing him at work in the Nigerian legislature.

But Kalu also has been accused of using his government position for personal gain. Nigerian prosecutors in 2007 alleged that while serving as a regional governor, he diverted millions of dollars in government money into his company, Slok Nigeria Ltd.

Corruption trials in Nigeria can last for more than a decade, which is what happened with Kalu. In 2019, he was convicted on fraud charges and sentenced to 12 years in prison. But after five months, a higher judge overturned the conviction and set Kalu free. Prosecutors pledged to retry the case but a higher court turned back their request last year. It's unclear where the case stands today. A spokesperson for the prosecutors did not respond to messages seeking comments.

The Post and Courier sought comments from Kalu, contacting him through phone, messaging and social media accounts, as well as through his media assistant in Nigeria. Neither Kalu nor his media assistant responded.

In addition to Kalu, another prominent Nigerian government and business leader, Sambo Dasuki, paid nearly \$1 million to buy a horse farm in Aiken in 2002, The Post and Courier and its journalism partners revealed in its recent Uncovered

report "Power and Polo." At the time of the sale, Dasuki oversaw Nigeria's government mint.



The Post and Courier

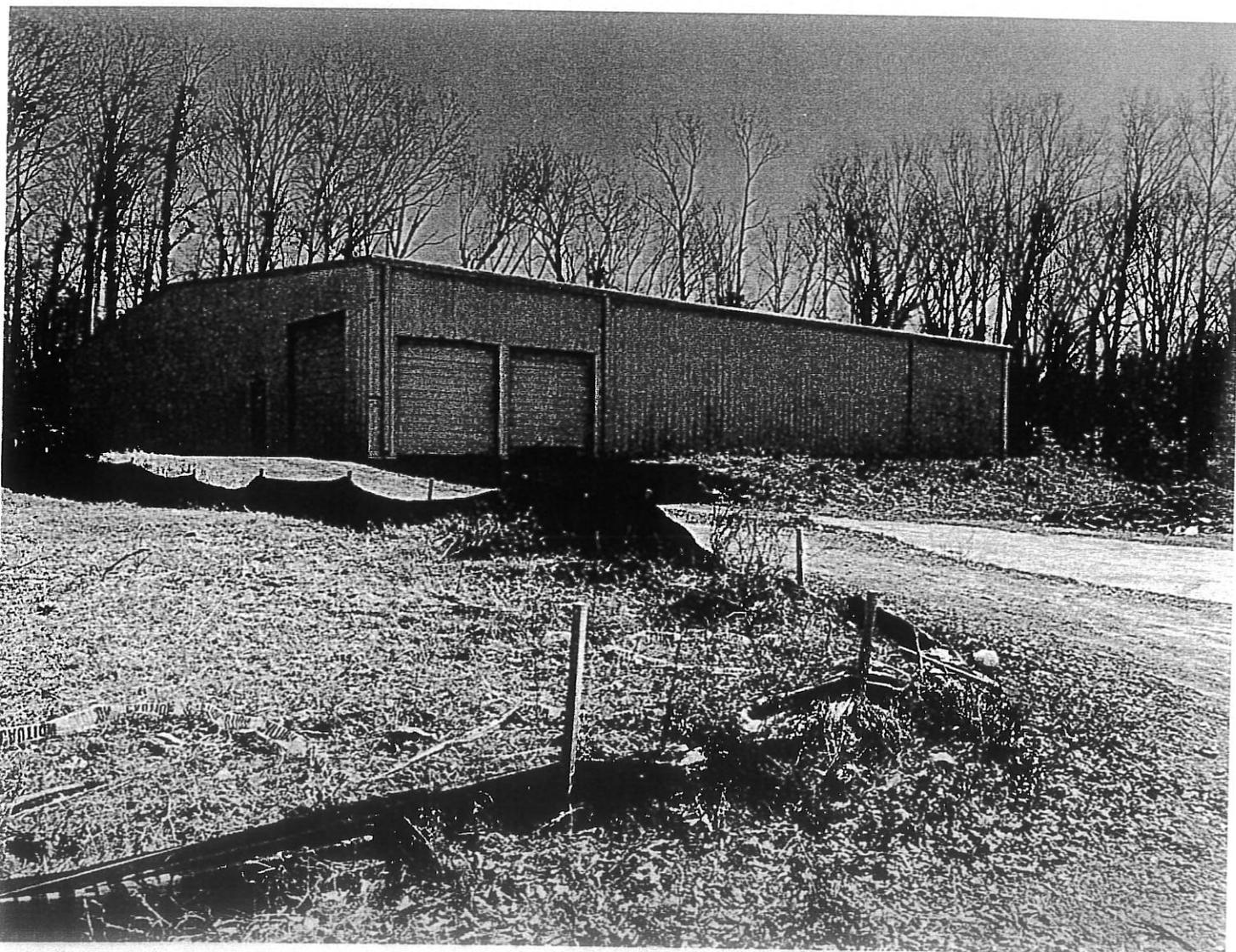
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This coverage is supported by tax-deductible donations to The Post and Courier's Public Service and Investigative Fund. To contribute, please visit postandcourierfund.com or send a check to the Spartanburg County Foundation, 424 E. Kennedy St., Spartanburg, SC, 29302. Please note Post and Courier Fund on the check.

Money for the Aiken horse farm flowed through corporate accounts around the world to a South Carolina real estate company, U.S. Homeland Security records show. After Dasuki bought the farm, he immediately transferred the property to his wife for \$1. His wife used the horse farm to apply for an American residency visa, records show. But U.S. immigration officials nixed the request, citing a lack of evidence that the Dasukis bought the farm with a lawful source of funds, records show.

Dasuki later went on to become Nigeria's national security advisor, the president's top military aide. But in 2015, corruption prosecutors in Nigeria charged him with diverting as much as \$2 billion from Nigerian government accounts. Bank records obtained by the journalism partnership showed Dasuki's office sending \$27 million to a Nigerian furniture maker who subsequently bought mansions in Los Angeles and the Washington area. As with Kalu's prosecution, Dasuki's has been a legal marathon. Dasuki's trial began in 2016 and is ongoing. Dasuki has denied the allegations against him.

The journalism partnership submitted questions about the Aiken farm purchase to Dasuki's lawyer in Nigeria, who did not respond. Yushau A. Shuaib, a public relations consultant who is close to Dasuki, recently wrote on a marketing platform in Nigeria that "Power and Polo" was "a blatant attempt to rewrite history," and that Dasuki's family has a long history of successful business ventures and international diplomacy.



A site next to a junkyard in Spartanburg owned by prominent Nigerian politician Orji Uzor Kalu.

CHRISTIAN BOSCHULT/STAFF

Making corruption easier

Anti-corruption experts said the Carolinas are ripe for questionable foreign real estate investments.

In the past, prosecutors often targeted higher profile money laundering destinations, such as Miami, Los Angeles and New York.

“But we are seeing more money going into non-traditional jurisdictions — farmland in Iowa, factories in Kentucky,” said Gary Kalman, executive director of Transparency International U.S., a nonprofit anti-corruption group.

And lax American rules make it easy to set up corporate shells that hide true owners of properties, Kalman said. He cited a novel experiment in 2014, where American and Australian researchers posed as would-be terrorists and crooks.

They fired off 7,400 emails to companies around the world that set up corporations. The emails were filled with language suggesting nefarious intentions. But nearly half of these service companies failed to ask for proof of identity, the researchers detailed in their book “Global Shell Games.”

Researchers found that it often took just a few hundred dollars to set up a virtually untraceable legal entity capable of funneling vast amounts of dirty cash.

Nigerian official's interest in SC

Orji Uzor Kalu’s real estate investments in South Carolina stretch back decades. In the early 1990s, he was a member of Nigeria’s House of Representatives. At about the same time, in 1993, he bought a 4-acre tract in the Saxon area of Spartanburg County.

The land today is a portrait of neglect. It’s a mostly empty lot of red clay dirt surrounded by trees and shrubs and a single residential trash can. Neighbors said the land once had several warehouses and two homes. The front warehouse has since burned down, but one still stands.

In a recent interview at the warehouse off Farley Avenue, a man who identified himself as Nnanna Utah told The Post and Courier that he went to school with Kalu in Nigeria in the 1980s. Utah said that he's rented and used the warehouse since the early 2000s.

"He can buy anything anywhere in the world he wants to," Utah said. "He likes South Carolina because he was doing business here even before he made a dime. He's familiar with South Carolina. He likes South Carolina."

Utah said he's not familiar with Kalu's many businesses. "All he knows is somebody like me stays there in his warehouse and takes care of it."

Phil Terry, the retired owner of Freedom Auto Junkyard, which is next to the lot, said he and a business partner, Ned Blackwell, bought Kalu's property in 2016 at an auction for landowners who hadn't paid their taxes.

They covered \$12,342 in back taxes to acquire it. But tax auctions have a 1-year grace period. If original owners pay the back taxes and interest, properties revert back to them. Terry said he began cleaning up the land, but just before the end of that 1-year period, a broker paid off the taxes and the property went back to Kalu. The Post and Courier confirmed Terry's account of what happened.

Taxes are once again outstanding. After missing two deadlines this year and incurring penalties, Kalu now owes Spartanburg County \$118,282.52, including fees for the county's demolition of the warehouse, tax records show.

His tax bill was sent to an address in Fort Mill bought in 2005 by Eunice Uzor. Kalu's mother is Eunice Uzor Kalu. Mascot Uzor also is listed on the title. Mascot Uzor Kalu is his brother and also a prominent Nigerian public figure. Mascot has not been accused of any wrongdoing.

Records show that Orji Uzor Kalu bought and sold other properties in the Carolinas through SLOK LLC and other American corporations. Some of these properties have been the subject of lawsuits over unpaid homeowners' association fees, court records show. He bought at least nine properties in South and North Carolina and Maryland in the 18 months after Nigerian prosecutors announced their corruption charges.

Family members were involved in many of the transactions. For instance, in 2006, Kalu appointed Mascot as his legal representative in connection with the purchase of another home in Fort Mill, records show.

Other properties owned by Orji Uzor Kalu or immediate family include 67 acres in Chester and York counties bought in 2007, near the Charlotte metro area. A look by a Post and Courier reporter showed that it was undeveloped and strewn with trash. Neighbors said they didn't know anything about the owner. In Fort Mill, the stately brick home bought by Eunice Uzor in 2005, is for sale. A reporter noted containers in the driveway and stacked boxes on the other side of a window.

All told, records show that Kalu and family members and associated corporations bought and sold more than 40 properties in the Carolinas, Texas and Maryland.

Anti-corruption rules under fire

In the past, the U.S. Treasury Department issued "Geographic Targeting Orders" for areas that had long been money-laundering magnets, including Florida and California.

These rules required real estate professionals and lawyers in those places to provide more information about the true buyers and sellers of residential properties, particularly when transactions were done with cash.

But no county in the Carolinas was covered under those transparency rules.

Last year, the Treasury Department's Financial Crimes Enforcement Network said it would do away with the targeted orders and require nationwide reporting of cash real estate transactions.



A home in Indian Land, near Fort Mill, was bought by family members of Orji Uzor Kalu of Nigeria. A delinquent tax bill on one of Kalu's properties in Spartanburg was sent to this address.

ZACHARY BELL/STAFF

The push for tighter rules originated in the bipartisan passage of the Corporate Transparency Act, a federal law to deter crooks from using shell companies to hide dirty money. The law noted that nearly 2 million corporations are set up in the United States every year, often with little information identifying the people behind them.

It was among the U.S. government's most ambitious moves to combat money laundering through American real estate and the culmination of more than a decade of congressional hearings and debates.

But the law faces new headwinds.

In December, a federal judge in Texas effectively put the law's enforcement on hold with a nationwide preliminary injunction.

Three weeks later, an appellate court lifted the injunction, citing the "public's urgent interest in combating financial crime and protecting our country's national security."

Then, in a case of judicial whiplash, the same appellate court reversed its own decision. And in January, the U.S. Supreme Court added even more uncertainty. The court allowed the U.S. government to enforce the Corporate Transparency Act. But it also ruled that, for the time being, real estate companies didn't have to report stricter details about a property's true owner.

On March 2, the Trump administration announced on social media that it wouldn't enforce the transparency law.

"Today's action is part of President (Donald) Trump's bold agenda to unleash American prosperity by reining in burdensome regulations, in particular for small businesses that are the backbone of the American economy," Treasury Secretary Scott Bessent, a South Carolina native, posted.

Meanwhile, in early February, Trump's Attorney General Pam Bondi quietly disbanded the federal "Klepto Capture" task force, a program that targeted assets of Russian oligarchs. And Trump recently floated an idea of selling \$5 million "gold cards" to wealthy people interested in faster paths to U.S. citizenship.

Anti-corruption groups are pushing back, arguing that the United States already has lax rules to keep out foreign tax dodgers and rulers who steal their country's resources.

Former F.B.I. agent Debra LaPrevotte helped set up the agency's Kleptocracy program, which seized more than \$1 billion from corrupt foreign officials. One investigation targeted the seizure of hundreds of millions of assets stolen by former Nigerian strongman Sani Abacha in the 1990s.

She said efforts to weaken anti-corruption laws have far-reaching impacts in the United States and abroad. In the U.S., large influxes of dirty money distort American real estate markets, hiking real estate prices for everyone. It facilitates corruption in low-income countries, often leading to more political oppression and violence.

"We're supposed to lift people up to our level, not go down to theirs," she said.

Kalman of Transparency International U.S. said the impacts directly and indirectly affect millions of Americans.

"There are almost unlimited examples of drug cartels using anonymous companies to launder money in the United States," he said. "So if you're concerned about the fentanyl or opioid crisis hitting families around the country, targeting the money instead of the product is one way to turn the corner."

The proliferation of shell corporations also facilitates the creation of consumer scams because they can shut down a corporation when they get caught and open another in minutes.

The United States, he said, "is one of the easiest places to hide money in the world."

Zachary Bell of The Post and Courier contributed to this report.



What a horse farm in Aiken, South Carolina tells us about alleged global money laundering.

About this project

This story and the previously published **“Polo and Power”** are part of a series that asks: Who is your neighbor? Politicians from countries where corruption is endemic regularly park their money overseas in reasonably secure assets, like real estate. Research shows that the United States does little to prevent these outside actors.

For this story, Post and Courier reporters Tony Bartelme, Christian Boschult and Zachary Bell worked with John Dell’Osso, director of investigations for **Platform to Protect Whistleblowers in Africa** (PPLAFF) to analyze property and court records. The Paris-based nonprofit supports individuals who leak information that is in the public interest of African citizens and also develops journalistic collaborations based on whistleblower revelations. Other partners in the series include: **Organized Crime and Corruption Reporting Project**, The **Aiken Standard** and the **Houston Chronicle**. A separate project organized by PPLAFF and the Washington Post recently explored Sambo Dasuki’s ties to properties in Maryland.

Reach **Tony Bartelme** at 843-425-8254

TONY BARTELME

Tony Bartelme, senior projects reporter for The Post and Courier, has earned national honors from the Nieman, Scripps, Loeb and National Press foundations, including Columbia University's John Chancellor Award for cumulative achievements in journalism. He has written five books and is a four-time finalist for the Pulitzer Prize. Reach Tony at tbartelme@postandcourier.com 843-425-8254

CHRISTIAN BOSCHULT

REPORTER

Christian spent six years in Myrtle Beach before moving to the Upstate. When he's not working, he's reading a book, making a mess in the kitchen or running around Spartanburg.

EXH 4

Ad

COMMISSIONER FOR OATHS
FEDERAL HIGH COURT
ABUJA
SIGN:.....
DATE:.....

EXCLUSIVE: How Forensic Audit Report Indicted Ex-Governor Ikpeazu, Ferotex Construction Company In N10bn 'Non-Existent' Abia Airport Project (PART I)



By Ifeanyi Onuba, Oliver Iro on May 3, 2024

...Ex-Governor Secured Lawmakers Approval Within 24 Hours To Borrow N10bn From UBA For

Airport Project, 3 Weeks After Funds Were Disbursed To Ferotex

...Ferotex Claims Contract Was Rejected, Fails To Provide Evidence After Receiving THE WHISTLER's FOI Request On Involvement In Abia Airport Contract Saga

...We Are Studying Forensic Audit Report From Abia Govt – EFCC

Facts have emerged as to how the immediate past Governor of Abia State, Okezie Ikpeazu claimed to have paid the sum of N10bn to Ferotex Construction Company for the execution of the controversial 'non-existent' Abia Airport Project.

Details of the alleged payment are contained in the forensic audit report on the eight-year administration of the former governor of Abia State, exclusively obtained by **THE WHISTLER**.

The Abia Airport project has become an issue of controversy following revelation by the administration of Governor Alex Otti that funds were collected for several projects which were never executed.

The collection of funds for various projects without evidence of execution is a reflection of the huge corruption that has characterized the tenure of public officeholders in Nigeria.

How Ferotex Raised N10bn Loan From UBA For Abia Airport Project Execution

An investigation by **THE WHISTLER** has uncovered how the sum of N10bn was secured by Ferotex Construction Company for the construction of Abia Airport project through a term loan.

THE WHISTLER gathered that through a letter dated September 25, 2020, Ferotex had requested a term loan of N10bn (which is 80 per cent contract amount) to continue the execution of the contract awarded to them during that period by the state government for the construction of Abia State Airport.

Two weeks later, specifically by October, 8 2020, records available to **THE WHISTLER** revealed that the Abia State Government, under Ikpeazu, issued an Irrevocable Standing Payment Order to United Bank of Africa confirming the purpose of Ferotex's request for the construction of Abia State Airport.

An Irrevocable Standing Payment Order (ISPO) is an order issued by a state government requesting a bank to deduct funds from its accounts and credit a nominated party, usually a contractor or creditor.

Findings revealed that the ISPO instructed United Bank for Africa to debit its ABSG Federation Account Allocation Committee/Value Added Tax Accounts with a repayment amount of ₦406,620,817.24 for a period of 30 months, and credit the contractor's account domiciled with UBA the ₦10bn term loan.

According to investigations, UBA was said to have disbursed the ₦10bn term loan to the contractor on September 25, 2020, which was before the October 8, 2020 date that Abia State Government sent the ISPO to UBA.

A Forensic Audit Report commissioned by the administration of Governor Alex Otti which was conducted by KPMG Advisory Services revealed that the schedule of the contract awarded by the state government

under Ikpeazu's watch does not include any contract for the Abia Airport project as the project was confirmed to be non-existent by the Ministry of Works.



Abia State Government
Provision of Forensic Audit Services
Project Azumini – Final Report of Factual Findings
March 2024

- 2.1 Payments made to Ferotex through CFFs – ₦11,050,000,000.00
- 2.1.1 Payment of ₦10,000,000,000.00 Term Loan to Ferotex for apparently non-existent airport project
- Per offer letter dated 25 September 2020, Ferotex requested a term loan of ₦10,000,000,000.00 (80% contract amount) to continue the execution of the on-going contract awarded to them by ABSG for the construction of Abia State Airport.
 - On 8 October 2020, ABSG issued an ISPO to UBA confirming the purpose of Ferotex request (construction of Abia State Airport), and instructing UBA to debit its ABSG FAAC/VAT Accounts with a repayment amount of ₦406,620,817.24 for a period of 30 months, and credit the contractors account domiciled with UBA the ₦10,000,000,000.00 term loan.
 - UBA disbursed the ₦10,000,000,000.00 term loan to the contractor on 25 September 2020, which was before the date (i.e. 8 September 2020) ABSG sent an ISPO to UBA.
 - The schedules⁹⁴ of contract awarded by ABSG during the period under review, does not include any records of the contracts, and upon enquiry the Government Officials in the Ministry of Works stated that the Contract does not exist.

KPMG's Forensic Audit Report

"The schedule of contract awarded by ABSG during the period under review, does not include any records of the contracts, and upon enquiry the Government Officials in the Ministry of Works stated that the Contract does not exist," the audit report reads in part.

How Ex-Governor Requested Lawmakers To Approve N10bn Loan From UBA For Airport Project

In a bid to get the Abia State House of Assembly to appropriate funding for the Abia Airport project, investigations by **THE WHISTLER** showed that the immediate past Governor, Okezie Ikpeazu wrote a letter to the Speaker to achieve his objective.

Specifically, it was gathered from documents obtained by **THE WHISTLER** that the ex-governor, through a letter dated October 13, 2020, addressed to the then Speaker of the Abia State House of Assembly, Chinedum Orji, had requested for approval for his administration to use the FAAC/VAT Accounts to guarantee a loan of N10bn.

In the letter to the Speaker which was also exclusively obtained by **THE WHISTLER**, Ikpeazu explained that the funding would enable the state to "start and complete on time, an international airport for the state."

The letter to the House of Assembly Speaker, was personally signed by Ikpeazu, dated October 13, 2020 and titled "Request for approval for Abia State Government to use the FAAC/VAT accounts of the state to guarantee a loan of N10,000,000,000.00 (TEN BILLION NAIRA)."

It reads, "In a bid to start and complete on time, an International Airport for the State, the State Government is requesting the House Authorization to use the State FAAC & VAT Accounts to guarantee a loan of N10,000,000,000.00 from UBA Plc to the contractor handling the Project."





God's Own State

GOVERNOR
ABIA STATE, NIGERIA
Government House, Umuahia, Abia State.

OCTOBER 15, 2020

The Hon. Speaker,
Abia State House of Assembly,
Umuahia.

**REQUEST FOR APPROVAL FOR ABIA STATE GOVERNMENT TO USE THE
FAAC/VAT ACCOUNTS OF THE STATE TO GUARANTEE A LOAN OF
N10,000,000,000.00 (TEN BILLION NAIRA)**

In a bid to start and complete on time, an International Airport for the State, the State Government is requesting the House Authorization to use the State FAAC & VAT Accounts to guarantee a loan of N10,000,000,000.00 (Ten Billion Naira) from UBA Plc. to the contractor handling the Project.


Okezie Victor Ikpeazu, Ph.D.
Governor of Abia State.

THE WHISTLER

Abia House Of Assembly Approves Ikpeazu's N10bn Loan Request For Airport Project

Abia State House Of Assembly quickly approved and appropriated N10bn to Ikpeazu within 24 Hours of the receipt of the request vide its letter dated October 14, 2020.

Further investigations by **THE WHISTLER** revealed that the request of the former governor to the lawmakers was approved and communicated through a resolution dated October 14,2020.

 **THE WHISTLER**  The Abia State House of Assembly, authorized the former governor to proceed with the N10bn loan request for the airport project.

The implication of this approval is that the N10bn appropriated by the State Assembly cannot be used to finance any project other than the airport project without a virement which must be duly approved by the lawmakers.

The Governor of Abia state,
Government House,
Umuahia.

Your Excellency,

RESOLUTION AUTHORIZING THE ABIA STATE GOVERNMENT TO USE THE FEDERAL ALLOCATION ACCOUNT COMMITTEE (FAAC)/ VALUE ADDED TAX(VAT) ACCOUNTS TO GUARANTEE A LOAN OF ₦10,000,000,000.00 (TEN BILLION) NAIRA ONLY FROM UNITED BANK FOR AFRICA(UBA) PLC.

Pursuant to His Excellency's letter of October 13, 2020 on the above subject matter, the Abia state House of Assembly sitting in an Executive session on Tuesday 13th October 2020 considered the said letter and agreed that there is need for the state to use the FAAC/VAT accounts to guarantee a loan of ₦10,000,000,000.00 (Ten billion naira) only from the UBA PLC to the contractor handling the International Airport project.

Consequently, the house unanimously resolved as follows:

THAT THE ABIA STATE GOVERNMENT IS HERE BY AUTHORIZED TO USE THE FAAC/VAT ACCOUNTS TO GUARANTEE A LOAN OF TEN BILLION NAIRA (₦10,000,000,000.00) FROM UBA PLC.

DATED THIS 14TH DAY OF OCT. 2020

UNDER THE HAND OF:


RT.HON.CHINEDUM ORJI(MNSE)
SPEAKER


SIR JOHN PEDRO IROKANSI
CLERK TO THE HOUSE/PS.

Budget Virement means the process of transferring budgeted funds from one line item to another, with the approval of the lawmakers, to enable budget managers to amend budgets in the light of experience or to reflect anticipated changes.

There are no records from the administration of Ikpeazu that the N10bn funds were reallocated to another project as no virement request was received by the lawmakers for that purpose.

The lawmakers' resolution approving the N10bn request from the ex-governor reads, "Pursuant to His Excellency's letter of October 13, 2020 on the above subject matter, the Abia state House of Assembly sitting in an Executive session on Tuesday 13th October 2020 considered the said letter and agreed that there is need for the state to use the FAAC/VAT accounts to guarantee a loan of N10,000,000,000.00 only from the UBA PLC to the contractor handling the International Airport project.

"Consequently, the House unanimously resolved as follows: That the Abia State Government is hereby authorized to use the FAAC/VAT accounts to guarantee a loan of N10,000,000,000.00 from UBA PLC."

Ferotex Fails To Respond To THE WHISTLER's FOI Request On Involvement In Controversial Abia Airport Contract

THE WHISTLER confronted the Managing Director of Ferotex Construction Company, Mr Festus Onu through a Freedom of Information request dated April 30, 2024, containing details of our findings.

In the FOI request sent to him, he was asked to state how much has so far been released by the Abia State Government for the implementation of the project to his company, the level of implementation/execution

of the project, and when the project will be delivered and handed over to Abia State Government.

The letter was delivered on Wednesday, May 1 to the Managing Director in the headquarters of the company located in Port Harcourt. He said there was no need to reply the letter.

We rejected Airport Project From Ex-Governor Ikpeazu – Ferotex MD

Upon receipt of the letter, the Managing Director, who was in his office with the Company's Legal Adviser told **THE WHISTLER** in a chat that the company rejected the contract from Abia State Government.

He said the reason for the rejection of the contract was because Ferotex Construction Company specializes in road construction projects and does not have the needed expertise to handle airport projects.

He said, "Our company is majorly into road construction. We don't handle airport projects.

"So, when the government of Ikpeazu brought the airport project to our company, we rejected it and told the Governor that we don't handle such project.

"Our company did some road constructions and supervised some other projects in Abia during the last administration.

"There's no contract agreement between the company and the Abia State concerning any airport.

"We don't have any information regarding the Abia airport project by the Ikpeazu administration.

"Our company is a reputable construction company. We deliver in all our projects to the standard stipulated in our contract agreement."

Conspiracy Of Silence: No Evidence From Ferotex That Airport Project Contract Was Rejected

Not satisfied with the explanation of the MD that the company rejected the contract from the ex-governor, **THE WHISTLER** probed further by requesting that the company provide the following information to support its claims.

1. Letter of contract award sent to Ferotex Construction Company by the Abia State Government for the award of Abia Airport Project.
2. Acknowledgement copy of Ferotex letter to Abia State Government rejecting the contract.
3. Evidence that Ferotex Construction Company returned the term loan of N10bn that it took from the bank for the project given the fact that the money was withdrawn from Abia State Account all through the period.
4. Letter from Abia State Government confirming that it accepted Ferotex's rejection of the Abia Airport Contract project
5. Any other supporting document(s) to substantiate the fact that the contract was rejected by Ferotex Construction Company and monies returned to the coffers of Abia State Government.

But the request by **THE WHISTLER** for the above information to support the company's claim that it rejected the contract was ignored and not responded to as of the time of going to press.

The Managing Director did not also pick up repeated calls to his mobile phone number.

Ex-Governor Ikpeazu Should Be Investigated, Prosecuted By EFCC, ICPC For Misappropriating N10bn For Airport Project- Lawyers

Lawyers who spoke to **THE WHISTLER** during separate interviews are demanding a probe and prosecution of the former governor and officials of Ferotex by the Economic and Financial Crimes Commission.

They said those Indicted in the contract saga can be prosecuted for various offences ranging from money laundering, obtaining money under pretense, fraud, stealing, conversion of public funds, breach of public trust and misappropriation among others.

Speaking to **THE WHISTLER**, Barrister Maxwell Okpara said the ex-governor Ikpeazu and Ferotex Construction Company can be prosecuted by the EFCC for obtaining money under pretense,

He said, "The EFCC can handle that. The EFCC can charge them for advanced fee fraud. They can charge them for obtaining money by false pretence.

"They can charge them for fraud. The EFCC can even claim that the money was used for funding terrorism and even money laundering."

Also speaking, another Legal Practitioner based in Gombe State, John Wunfe Nimfas, said a charge under the Money Laundering Prohibition Act can be brought against the former Governor and Ferotex Construction if the company truly benefited from the proceed of the said loan.

He said, "Based on the fact as reflected above, a charge under Money Laundry (Prohibition) Act (As Amended) can be brought against the former Governor and the company, that is if the company truly benefited from the proceed of the said loan.

"But for the offense to be charged, one need to peruse through the provision of the Act to know under which section the duo can be properly charged. Thus, the former Governor and the company can be charged for money Laundering.

"With regard to which Agency can charge them to court, the law by virtue of Economic and Financial Crimes Act vested EFCC with the powers to prosecute for any financial crime of which, money Laundering is one of them.

"Again, if the investigation reveals that the Governor used his position while in office to confer or gives undue advantage to the said company or perhaps, the Governor has a stake in the company, the ICPC can frame a charge pursuant to Independent Corrupt Practices and other Related Offices Act.

"However, the particular offence to be charged or the section of the law to frame the charge depends on the facts revealed by the investigation."

In his reaction to the controversial contract, an Abuja-based Legal Practitioner Blessing Ogbu, told **THE WHISTLER** that the Appropriation Law of the State – just as the Appropriation Act at the Federal level – forbids monies that have been appropriated to be used for another purpose.

He added that a "breach of this law is what we call misappropriation."

The legal practitioner said, "The EFCC and ICPC can prosecute, though EFCC is more suited for the prosecution since it may be argued that the ex-governor, no longer in service, cannot be prosecuted by ICPC. But, it is debatable since the criminal act was done when the ex-governor was in service.

He listed some of the offences which the ex-governor could be charged for to include stealing, conversion of public funds, breach of public trust

"To be charged for stealing, a person must have taken a property that belongs to another person, without that other person's consent, with the intention of depriving that other person its use, possession and ownership permanently.

"Conversion of public funds happens when someone takes a property belonging to another person and begins to use the property as if it is his own. The difference between conversion and stealing is that while in the case of stealing, the thief takes the property without the consent of the owner, in the case of conversion, the property must have come into the person's possession legally. But, instead of keeping it or using it for the purpose for which it was delivered to the person, this person, that is, the criminal, begins to use the property for his own benefit and enjoyment.

"Breach of public trust. The money is meant for the people of Abia State in order to construct an airport for them. They are the beneficiaries. The House of Assembly approved the fund. The governor holds it in trust. So, we have the House of Assembly as the settlor, the governor as the trustee and the people of Abia State as the beneficiaries.

"Now, the governor, instead of using the money for the purpose for which it was approved for him, now squandered it or turn it into his personal property. That is criminal breach of trust. He can be charged for a range of offences."

For Barrister Nelson Kebordih, he said the former governor could be prosecuted by either the EFCC or ICPC depending on the way the alleged offences are approached by the law enforcement agencies.

He said, "The offence can be embezzlement, self-aggrandizement and even corruption. So, if its corruption that deals with economic and financial crimes, then the EFCC Act provides that the commission can prosecute on that.

"Now, if you talk of embezzlement and undue enrichment, diversion of contract using his position as a public servant, then the ICPC can also deal with him depending on how they want to approach the case.

"So, both the ICPC and EFCC can prosecute him. But based on the activities so far, the EFCC has been forward in prosecuting people that are political exposed who use their office for undue enrichment to the detriment of the state.

"So, EFCC will actually be in the front burner to start the prosecution against him. Being abuse of office, in his capacity as a public officer, the ICPC Act empowers the commission to also investigate and prosecute him.

"If found culpable, he could get between three and seven years in prison. That is the range of the punishment for the offences."

We Are Studying Forensic Audit Report From Abia Govt – EFCC

When THE WHISTLER contacted the Economic and Financial Crimes Commission, the Commission

confirmed that it had received the entire audit report and was studying the contents of the report.

- *The second part of this story will explain how the funds for the Abia airport project were disbursed by the Ikpeazu administration*



abia state

Abia State House of Assembly

okezie ikpeazu



Nigeria

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IN THE FEDERAL HIGH COURT
IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT ABUJA

IN THE MATTER OF AN APPLICATION BY SUPPORT THE YOUTH
ORGANIZATION FOR JUDICIAL REVIEW BY WAY OF AN ORDER
FOR MANDAMUS

SUIT NO: FHC/ABJ/CS/...../2026

BETWEEN

SUPPORT THE YOUTH ORGANIZATION.... APPLICANT

AND

ECONOMIC AND FINANCIAL CRIMES COMMISSION
(EFCC) RESPONDENT

STATEMENT FILED PURSUANT TO ORDER 34 RULES 1, 3 (1) & (2) OF
FEDERAL HIGH COURT (CIVIL PROCEDURE RULES) 2019.

1. NAME AND DESCRIPTION OF THE APPLICANT

The Applicant, **SUPPORT THE YOUTH ORGANIZATION**, is a registered organization with the Corporate Affairs Commission, social crusader, human rights activist and watch dog against corruption in Nigeria.

The Applicant seeks to promote transparency and accountability in government through human rights and environmental justice by ensuring effective monitoring of anti-graft agencies charged with the fight against corruption and entronement of transparency, accountability, probity towards the eradication of corruption in Nigeria.

2. RELIEFS SOUGHT BY THE APPLICANT

1. AN ORDER of this Honourable Court granting leave to the Applicant to apply for judicial review to seek for an order of Mandamus, directing and or compelling the Respondent, EFCC, to charge/prosecute the former Abia State governors, Senator Orji Uzor Kalu, Senator Theodore Ahomefula Orji, and Okezie Ikpeazu, for the over ONE TRILLION Naira(~~N~~1,000,000,000,000.00), monies belonging to Abia State, allegedly looted by them, while they variously served as governors of Abia State, as revealed by the investigations conducted by the Respondent pursuant to Section 6 of the Economic And Financial Crimes Commission (Establishment) Act., before a court of law.
1. AND for such order or further orders as this Honourable Court may deem fit to make in the circumstance.

3. GROUND FOR SEEKING THE RELIEFS SOUGHT

- i. The Respondent is the government agency charged with the investigation and prosecution of financial crimes in Nigeria.
- ii. The Respondent despite the receipt of petitions against the former governors of Abia State, conclusion of investigations against the former governors, Sen Orji Uzor Kalu, Sen Theodore Orji and Okezie Ikpeazu, in respect of over ONE TRILLION Naira(~~N~~1,000,000,000,000.00), alleged looted monies belonging to Abia State, against the former governors of Abia State, Sen Orji Uzor Kalu, Sen Theodore Orji and Okezie Ikpeazu, and also despite demands to prosecute the former governors, have refused and neglected to, prosecute them before a court of law.

- iii. The Respondent has since concluded its investigations, result of which was leaked to the press wherein the humongous amount of monies were discovered stashed in various accounts in commercial banks in Nigeria, owned and operated by Sen Orji Uzor Kalu, Sen Theodore Orji and Okezie Ikpeazu, also unprecedented number of properties were allegedly purchased by the three former governors using monies, stolen from Abia State government, during their various tenures, which monies were meant for the development of Abia State, construction of roads, payment of salaries of workers and pension for retirees.
- iv. Despite request, the Respondent has refused, failed and or neglected to take appropriate steps towards prosecuting the said Sen Orji Uzor Kalu, Sen Theodore Orji and Okezie Ikpeazu, the former governors of Abia State, for the massive looting and stealing of monies belonging to Abia State, during their various tenures as governors of Abia State.

4. FACTS IN SUPPORT

1. The Applicant is a registered organization with the Corporate Affairs Commission, a social crusader, human rights activist, and watch dog for corruption against public officers and politicians in Nigeria. The Applicant seeks to promote transparency and accountability in government through human rights and environmental justice by ensuring effective monitoring of anti-graft agencies charged with the fight against corruption and entrenchment of transparency, accountability, probity towards the eradication of corruption in Nigeria.
2. The Respondent is an official of the Federal Government of Nigeria being the agency charged with the investigation and prosecution of financial crimes in Nigeria.

3. Following a petition by the Save Nigeria Group, over the alleged massive looting of monies belonging to Abia State by the former governors of Abia State, Senator Orji Uzor Kalu, Theodore Orji and Okezie Ikpeazu, the Respondent concluded investigation and refused to charge the former governors to court, despite repeated demands.
4. That, despite the conclusion of investigation and startling revelations about the massive looting of resources belonging to Abia State, the Respondent has failed and or neglected to charge the said Senator Orji Uzor Kalu, Theodore Orji and Okezie Ikpeazu to court.
5. That the Respondent has either refused and or neglected to carry out the obligation mandated on the Respondent in the Economic and Financial Crimes Establishment Act, except by the intervention of this Court, the Respondent is not likely to act.

DATED THIS 14th DAY OF JANUARY 2026.


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IN THE FEDERAL HIGH COURT
IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT ABUJA

IN THE MATTER OF AN APPLICATION BY SUPPORT THE YOUTH
ORGANIZATION FOR JUDICIAL REVIEW BY WAY OF AN ORDER
FOR MANDAMUS

SUIT NO: FHC/ABJ/CS/...../2026

BETWEEN

SUPPORT THE YOUTH ORGANIZATION_.... APPLICANT

AND

ECONOMIC AND FINANCIAL CRIMES COMMISSION
(EFCC) RESPONDENT

WRITTEN ADDRESS IN SUPPORT OF THE APPLICATION

1. INTRODUCTION

The Applicant has filed the instant ex-parte motion application seeking the following reliefs:

- i. **AN ORDER** of this Honourable Court granting leave to the Applicant to apply for judicial review to seek for an order of Mandamus, directing and or compelling the Respondent, EFCC, to charge/prosecute the former Abia State governors, Senator Orji Uzor Kalu, Senator Theodore Ahamefula Orji, and Okezie Ikpeazu, for the over ONE TRILLION Naira(~~N~~1,000,000,000,000.00), monies belonging to Abia State, allegedly looted by them, while they variously served as governors of Abia State, as revealed by the investigations conducted by the Respondent pursuant to Section 6 of the Economic And Financial Crimes Commission (Establishment) Act., before a court of law.

- ii. **AND** for such order or further orders as this Honourable Court may deem fit to make in the circumstance.

2.1. The Applicant filed a 15-paragraphs affidavit in support of the application and a statement in support of the application.

2.0 SUMMARY OF FACTS

The facts leading to this application are as stated in the summary of facts in support of the application.

3.0 ISSUE FOR DETERMINATION

WHETHER based on the facts and circumstances of this case, the Applicant is entitled to AN ORDER of this Honourable Court granting him leave to apply for AN ORDER OF MANDAMUS in terms of the statement filed with this application.

4.01 ARGUMENT

- 4.01 Following a petition, submitted to the Respondent by a save Nigeria group, the Respondent conducted investigations into the tenure of Senator Orji Uzor Kalu, Theodore Orji and Okezie Ikpeazu, as governors of Abia State, and traced huge sums of monies and innumerable properties to them. Despite several pressures from different quarters, especially ant corruption crusaders like the Applicant herein, the Respondent has neglected to charge the the said former governors to court.
- 4.03 My Lord, the essence of a judicial review such as mandamus is to secure or enforce the performance of a public duty. In **FAWEHINMI v I. G. P (2002) 7 NWLR Pt. 767 @Pp. 697-698, paras. H-A**, The Supreme Court held:

“The prerogative writ of mandamus is issued or ordered by the Courts to secure or enforce the performance of a public duty...”

4.04. In *Fawehinmi v. Akilu* (1987) 4 NWLR (Pt. 67) Para 31 P. 807, per Wali (as he then was) opined as follows:

“An order of mandamus is directed to an individual, body, tribunal or inferior court requiring the performance of some specified thing in the nature of a public duty appertaining to his office. The performance of the duty need not involve a judicial function”

4.05. My Lord from the above, that the power vested on the Respondent as enshrined in *Section 6 of the Economic and Financial Crimes Commission Establishment Act*, is one that falls under a public duty which is to be mandated by a prerogative writ of mandamus.

4.03 In the case of *OHAKIM v AGBASO* [2010] 19 NWLR Pt. 1226 @ Pp. 227-228, paras. F-A, the Supreme Court stated on meaning of mandamus:

“Mandamus is an order issued by a court of law, usually the High Court, to compel the performance of a public duty in which the person applying for same has sufficient legal interest. An order of mandamus only issues to a person or corporation, requiring him or them to do some particular thing therein specified which appertains to his or their office, and is in the nature of public duty...” thus the need for a judicial review in the form of a mandamus.

4.04 In *SHITTA-BAY V THE FEDERAL SERVICE COMMISSION* (1981) LPELR-SC. 57/1980, Their Lordships held inter alia:

“Although the issue of mandamus is a discretionary remedy, courts of justice must always bear in mind that the principal purpose of its issue is to remedy defects in justice...”

4.05 As argued above, it is a settled principle of law that where a statute creates an obligation that is mandatory in form and nature, the authority upon which the obligation is imbued has no discretion as to whether to perform such duty or not.

4.06. My Lord, we respectfully submit that considering the whole facts of this case and the refusal, neglect and or failure of the Respondent to prosecute Sen Orji Uzor Kalu, Sen. Theodore Orji and Okezie Ikpeazu, despite mounting evidence of massive looting of Abia State monies, there is presumed, a serious defect in justice which can only be remedied if the order of mandamus sought herein is granted expeditiously .

4.06 The provisions of *Order 34 of the rules of the Federal High Court Civil Procedure Rules 2019* expressly provide for the need to seek the leave of the court before an application for judicial review is made.

Per Nnamani J. S. C (as he then was) in *Fawehinmi v. Akilu (1987) 4 NWLR (Pt. 67) Para 15 P. 807* opined as follows:

“It is fundamental that an Applicant for leave to apply for an order of mandamus must have a locus standi to make the application before leave can be granted by the court. Indeed, the party making a claim and bringing the application before the court must have locus standi”.

4.07 It is trite law that for a leave to be granted for the prerogative writ of mandamus, the applicant must have legal interest; that is, locus standi. It is on the basis of the above principle of law that the Applicant has brought this application.

4.08 My Lord, we respectfully submit that as a human rights activist, anti corruption crusader, with a mandate of promoting transparency, accountability and exposing corrupt and fraudulent practices in government institutions and amongst government officials on the basis of the provisions

of *Section 15(5) of the 1999 Constitution of the Federal Republic of Nigeria (as amended)*, the applicant has a legal interest in the allegations of corruption leveled against Sen Orji Uzor Kalu, Sen.Theodore Orji and Okezie Ikpeazu, and issues arising there from; the Applicant has sufficient and requisite *locus standi* to apply for leave for an order of mandamus.

- 4.09 There has been a demand for the performance of the public duty on the Respondent in line with its mandate by way of petition as reported in **EXHIBIT 1**, but the demand contained in the said petition was not carried out and there was no such correspondence from the Respondent stating reasons for not carrying out the provisions of the act.
- 4.10 We submit most humbly that this case is worthy of the intervention of this Honourable Court by the grant of this application as prayed.
- 4.11 We therefore urge Your Lordship to grant the prayers of the Applicant by granting him leave to bring the said application.

5.00 CONCLUSION

- 5.01 On the basis of the above submission and the express provisions of the rules of court requiring leave of court before the hearing of an application for judicial review, the Applicant urges this Honourable Court to grant the reliefs as sought by the Applicant in the Statement accompanying the application.

DATED THIS 14th DAY OF JANUARY 2026.

✓ 
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Meindinyo Nimi Esq
Hadiza Mohammed (Miss)
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SUIT NO: FHC/ABJ/CS/...../2026

BETWEEN
SUPPORT THE YOUTH ORGANIZATION.... APPLICANT

AND

ECONOMIC AND FINANCIAL CRIMES COMMISSION
(EFCC) RESPONDENT

AFFIDAVIT OF NON MULTIPLICITY

I, Susan Nwaze, female, adult, Nigerian citizen of Suite F37, Melita Plaza, Area 11, Garki Abuja, do solemnly make oath and state as follows;

1. That I am a law office Secretary in the law firm handling this matter on behalf of the Applicant herein.
2. That by virtue of my above position, I am familiar with, and well abreast of the facts giving rise to this application.
3. That I know as a matter of fact, that no similar action is pending before any other court in Nigeria.
4. That I make this deposition conscientiously believing same to be true and accordance with Oaths Act, LFN, 2004.


DEPONENT

Sworn to at the Registry of the Federal High court, Maitama,
Abuja, this ... day of January 2026

BEFORE ME
COMMISSIONER FOR OATHS
FEDERAL HIGH COURT
COMMISSIONER FOR OATHS
SIGN:.....
DATE:.....