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CHECK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
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UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA

January 2014 Grand Jury

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
EUCHARIA OKEKE,  
aka "UK,"  
Defendant.

CR No **CR14-0234**  
I N D I C T M E N T  
[18 U.S.C. § 1349: Conspiracy  
to Commit Health Care Fraud;  
18 U.S.C. § 1347: Health Care  
Fraud; 18 U.S.C. § 2(b):  
Causing an Act to be Done]

The Grand Jury charges:

COUNT ONE

[18 U.S.C. § 1349]

A. INTRODUCTORY ALLEGATIONS

At all times relevant to this Indictment:

The Conspirators

1. Defendant EUCHARIA OKEKE ("OKEKE"), also known as ("aka") "UK," owned and operated Esteem Medical Supply, Inc. ("Esteem"), a durable medical equipment ("DME") supply company located in Inglewood, California, within the Central District of California.

1           2.     Co-conspirator Jason C. Ling was a physician licensed  
2 to practice medicine in the State of California. Jason C. Ling  
3 wrote fraudulent prescriptions for power wheelchairs ("PWCs") and  
4 other DME, which defendant OKEKE used as the basis to submit  
5 fraudulent claims to Medicare.

6           3.     Co-conspirator J.C.H.C. was a marketer who recruited  
7 Medicare beneficiaries to receive medically unnecessary PWCs and  
8 other DME from, among other DME supply companies, Esteem.

9           4.     On or about April 27, 2007, OKEKE opened a business  
10 bank account for Esteem at Bank of America, account number  
11 xxxxxx7443.

12           5.     On or about August 23, 2007, defendant OKEKE submitted  
13 an application and other paperwork to the Medicare Program  
14 ("Medicare") to obtain and maintain a Medicare provider number  
15 for Esteem.

16           6.     Between in or around March 2010 and in or around  
17 November 2010, Esteem submitted to Medicare claims totaling  
18 approximately \$496,794 for purported PWCs and other DME based on  
19 fraudulent prescriptions written by co-conspirator Jason C. Ling,  
20 and Medicare paid Esteem approximately \$311,145 on those claims.

21           The Medicare Program

22           7.     Medicare was a federal health care benefit program,  
23 affecting commerce, that provided benefits to individuals who  
24 were over the age of 65 or disabled. Medicare was administered  
25 by the Centers for Medicare and Medicaid Services ("CMS"), a  
26 federal agency under the United States Department of Health and  
27 Human Services ("HHS").

28

1 8. CMS contracted with private insurance companies to (a)  
2 certify DME providers for participation in Medicare and monitor  
3 their compliance with Medicare standards; (b) process and pay  
4 claims; and (c) perform program safeguard functions, such as  
5 identifying and reviewing suspect claims.

6 9. Individuals who qualified for Medicare benefits were  
7 referred to as Medicare beneficiaries. Each Medicare beneficiary  
8 was given a Health Identification Card containing a unique  
9 identification number ("HICN").

10 10. DME companies, physicians, and other health care  
11 providers that provided medical services that were reimbursed by  
12 Medicare were referred to as Medicare "providers."

13 11. To obtain payment from Medicare, a DME company first  
14 had to apply for and obtain a provider number. By signing the  
15 provider application, the DME company agreed to abide by Medicare  
16 rules and regulations, including the Anti-Kickback Statute (42  
17 U.S.C. § 1320a-7b(b)), which, among other things, prohibited the  
18 payment of kickbacks or bribes for the referral of Medicare  
19 beneficiaries for any item or service for which payment may be  
20 made by the Medicare program.

21 12. If Medicare approved a provider's application, Medicare  
22 assigned the provider a Medicare provider number, enabling the  
23 provider (such as a DME company or physician) to submit claims to  
24 Medicare for services and supplies provided to Medicare  
25 beneficiaries.

26 13. To obtain and maintain their Medicare provider numbers  
27 and billing privileges, DME suppliers had to meet Medicare  
28 standards for participation. The Medicare contractor responsible

1 for evaluating and certifying DME suppliers' compliance with  
2 these standards was Palmetto GBA ("Palmetto").

3 14. From in or about October 2006 through the date of this  
4 Indictment, Noridian Administrative Services ("Noridian")  
5 processed and paid Medicare DME claims in Southern California:

6 15. Most Medicare providers, including Esteem, submitted  
7 their claims electronically pursuant to an agreement with  
8 Medicare that they would submit claims that were accurate,  
9 complete, and truthful.

10 16. Medicare paid DME providers only for DME that was  
11 medically necessary to the treatment of a beneficiary's illness  
12 or injury, was prescribed by a beneficiary's physician, and was  
13 provided in accordance with Medicare regulations and guidelines  
14 that governed whether a particular item or service would be paid  
15 by Medicare.

16 17. To bill Medicare for DME provided to a beneficiary, a  
17 DME supplier was required to submit a claim (Form 1500).  
18 Medicare required claims to be truthful, complete, and not  
19 misleading. In addition, when a claim was submitted, the DME  
20 provider was required to certify that the DME or services covered  
21 by the claim were medically necessary.

22 18. Medicare required a claim for payment to set forth,  
23 among other things, the beneficiary's name and HICN, the type of  
24 DME provided to the beneficiary, the date the DME was provided,  
25 and the name and unique physician identification number ("UPIN")  
26 of the physician who prescribed or ordered the DME.

27 19. Medicare had a co-payment requirement for DME.  
28 Medicare reimbursed providers 80% of the allowed amount of a DME

1 claim and the beneficiary was ordinarily obligated to pay the  
2 remaining 20%.

3 B. THE OBJECT OF THE CONSPIRACY

4 20. Beginning in or around March 2010, and continuing  
5 through in or around November 2010, in Los Angeles County, within  
6 the Central District of California, and elsewhere, defendant  
7 OKEKE, together with others known and unknown to the Grand Jury,  
8 including Jason C. Ling and J.C.H.C., knowingly combined,  
9 conspired, and agreed to commit health care fraud, in violation  
10 of Title 18, United States Code, Section 1347.

11 C. THE MANNER AND MEANS OF THE CONSPIRACY

12 21. The object of the conspiracy was carried out, and to be  
13 carried out, in substance, as follows:

14 a. Defendant OKEKE would use marketers, including co-  
15 conspirator J.C.H.C., to recruit Medicare beneficiaries for PWCs  
16 and other DME that the beneficiaries did not need.

17 b. The marketers, including co-conspirator J.C.H.C.,  
18 would take the Medicare beneficiaries to visit doctors, including  
19 co-conspirator Jason C. Ling, who were not the beneficiaries'  
20 regular primary care physicians. The doctors would write  
21 prescriptions for medically unnecessary PWCs and other DME.

22 c. Defendant OKEKE would pay the marketers, including  
23 co-conspirator J.C.H.C., kickbacks for recruiting the Medicare  
24 beneficiaries to receive PWCs and other DME.

25 d. After acquiring the false and fraudulent  
26 prescriptions and supporting documents, defendant OKEKE would  
27 submit, and cause the submission of, false and fraudulent claims  
28 to Medicare for medically unnecessary PWCs and other DME.

1 e. Defendant OKEKE would also submit, and cause the  
2 submission of, claims to Medicare before Esteem actually provided  
3 or delivered PWCs and other DME to the Medicare beneficiarree.  
4 In an attempt to conceal these facts, OKEKE backdated and caused  
5 to be backdated, delivery tickets and other delivery  
6 documentation for PWCs.

7 f. As a result of defendant OKEKE's submission of  
8 false and fraudulent claims at Esteem, Medicare made payments to  
9 Esteem's business bank account at Bank of America. Defendant  
10 OKEKE then transferred and disbursed, and caused the transfer and  
11 disbursement of, monies from Esteem's business bank account to  
12 herself and others.

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COUNTS TWO THROUGH EIGHT

[18 U.S.C. §§ 1347 and 2(b)]

A. INTRODUCTORY ALLEGATIONS

22. The Grand Jury incorporates by reference and re-alleges paragraphs 1 through 19 and 21 above of this Indictment as though set forth in their entirety herein.

B. THE SCHEME TO DEFRAUD

23. Beginning in or around August 2007, and continuing through in or around February 2011, in Los Angeles County, within the Central District of California, and elsewhere, defendant OKEKE, together with others known and unknown to the Grand Jury, knowingly, willfully, and with intent to defraud, executed, and attempted to execute, a scheme and artifice: (a) to defraud a health care benefit program, namely Medicare, as to material matters in connection with the delivery of and payment for health care benefits, items, and services; and (b) to obtain money from Medicare by means of material false and fraudulent pretenses and representations and the concealment of material facts in connection with the delivery of and payment for health care benefits, items, and services.

C. MEANS TO ACCOMPLISH THE SCHEME TO DEFRAUD

24. The fraudulent scheme operated, in substance, as described in paragraph 21 above of this Indictment, which is incorporated by reference as though set forth in its entirety herein.

25. In addition, as part of the fraudulent scheme, defendant OKEKE would submit, and cause the submission of, claims to Medicare for PWCs and other DME that were never provided to

1 beneficiaries and that were based on forged physician  
 2 prescriptions.

3 26. Between in or around December 2007 and in or around  
 4 February 2011, Esteem submitted to Medicare claims totaling  
 5 approximately \$1,875,544 for purported PWCs and other DME, and  
 6 Medicare paid Esteem approximately \$1,022,887 on those claims.

7 D. THE EXECUTION OF THE FRAUDULENT SCHEME

8 27. On or about the dates set forth below, within the  
 9 Central District of California and elsewhere, defendant OKEKE,  
 10 together with others known and unknown to the Grand Jury, for the  
 11 purpose of executing and attempting to execute the fraudulent  
 12 scheme described above, knowingly and willfully caused to be  
 13 submitted to Medicare for payment the following false and  
 14 fraudulent claims purportedly for PWCs and related accessories:

<u>COUNT</u>	<u>BENE- FICIARY</u>	<u>CLAIM NUMBER</u>	<u>APPROX. DATE BILLED TO MEDICARE</u>	<u>APPROX. AMOUNT BILLED TO MEDICARE</u>
TWO	P.B.	921280731600	7/9/09	\$5,350
THREE	G.L.	923380844100	8/19/09	\$5,450
FOUR	L.C.	9238806499000	8/23/09	\$5,450
FIVE	A.G.R.	9271805135000	9/24/09	\$5,450
SIX	M.A.	1019780856900	7/16/10	\$5,350



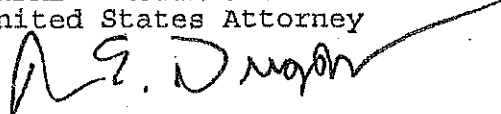
<u>COUNT</u>	<u>BENE- FIICIARY</u>	<u>CLAIM NUMBER</u>	<u>APPROX. DATE BILLED TO MEDICARE</u>	<u>APPROX. AMOUNT BILLED TO MEDICARE</u>
SEVEN	M.G.	1020482907600	7/21/10	\$5,350
EIGHT	G.M.	10258849839000	9/15/10	\$5,915

A TRUE BILL

151

Foreperson

ANDRÉ BIROTTE JR.  
United States Attorney



ROBERT E. DUGDALE  
Assistant United States Attorney  
Chief, Criminal Division

RICHARD E. ROBINSON  
Assistant United States Attorney  
Chief, Major Frauds Section

CONSUELO WOODHEAD  
Assistant United States Attorney  
Assistant Chief, Major Frauds Section

O. BENTON CURTIS, III  
Assistant Chief, Fraud Section  
United States Department of Justice

ALEXANDER F. PORTER  
Trial Attorney, Fraud Section  
United States Department of Justice

United States District Court  
Central District of California

UNITED STATES OF AMERICA vs.

Docket No. CR 14-0234-GW

Defendant Eucharia Okeke

Social Security No.                    

akas: Eucharia Ifeyinwa Okeke (true name) and "UK"

(Last 4 digits)

**JUDGMENT AND PROBATION/COMMITMENT ORDER**

In the presence of the attorney for the government, the defendant appeared in person on this date.

MONTH	DAY	YEAR
August	8	2016

**COUNSEL**

Michael K. Cernyar, Retd.

(Name of Counsel)

**PLEA**

**GUILTY**, and the court being satisfied that there is a factual basis for the plea.

**NOLO  
CONTENDERE**

**NOT  
GUILTY**

**FINDING**

There being a finding/verdict of **GUILTY**, defendant has been convicted as charged of the offense(s) of:  
*Count 1; 18 U.S.C. §§ 1349, 1347 Conspiracy to Commit Health Care Fraud; Count 2-8; 18 U.S.C. §§ 1347, 2 (b) Health Care Fraud, Causing an Act to be Done of the 8 Count Indictment*

**JUDGMENT  
AND PROB/  
COMM  
ORDER**

The Court asked whether there was any reason why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or appeared to the Court, the Court adjudged the defendant guilty as charged and convicted and ordered that: Pursuant to the Sentencing Reform Act of 1984, it is the judgment of the Court that the defendant is hereby committed to the custody of the Bureau of Prisons to be imprisoned for a term of:

**ONE (1) YEAR AND ONE DAY** to be divided as follows: **NINE (9) MONTHS** incarceration and **THREE (3) MONTHS and ONE(1) DAY** home detention.

Upon release from imprisonment, the defendant shall be placed on supervised release for a term of **THREE (3) years** under the following terms and conditions:

1. The defendant shall comply with the rules and regulations of the United States Probation Office, General Order 05-02, and General Order 01-05.
2. The defendant shall apply all monies received from income tax refunds to the outstanding court-ordered financial obligation. In addition, the defendant shall apply all monies received from lottery winnings, inheritance, judgments and any anticipated or unexpected financial gains to the outstanding court-ordered financial obligation.
3. The defendant shall not be employed in any position that requires licensing and/or certification by any local, state, or federal agency without the prior written approval of the Probation Officer.
4. The defendant shall cooperate in the collection of a DNA sample from the defendant.

It is ordered that the defendant shall pay to the United States a special assessment of \$800, which is due immediately.

It is ordered that the defendant shall pay restitution in the total amount of \$1,282,794 pursuant to 18 U.S.C. § 3663A.

Restitution shall be due during the period of imprisonment, at the rate of not less than \$25 per quarter, and pursuant to the Bureau of Prisons' Inmate Financial Responsibility Program.

All fines are waived as it is found that the defendant does not have the ability to pay a fine in addition to restitution.

USA vs. Eucharía Okeke

Docket No.: CR 14-234-GW

It is further ordered that the defendant surrender herself to the institution designated by the Bureau of Prisons on or before 12 noon, on January 6, 2017. In the absence of such designation, the defendant shall report on or before the same date and time, to the United States Marshal located at the Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

Bond shall be exonerated upon surrender to the United States Marshals Office.

Defendant is advised of her appeal rights.

The Court recommends that the defendant be housed in a facility in Southern California.

In addition to the special conditions of supervision imposed above, it is hereby ordered that the Standard Conditions of Probation and Supervised Release within this judgment be imposed. The Court may change the conditions of supervision, reduce or extend the period of supervision, and at any time during the supervision period or within the maximum period permitted by law, may issue a warrant and revoke supervision for a violation occurring during the supervision period.

August 10, 2016

Date



George H. Wu, United States District Judge

It is ordered that the Clerk deliver a copy of this Judgment and Probation/Commitment Order to the U.S. Marshal or other qualified officer.

Clerk, U.S. District Court

August 10, 2016

Filed Date

By Charles A. Rojas  
Deputy Clerk



The defendant shall comply with the standard conditions that have been adopted by this court (set forth below).

**STANDARD CONDITIONS OF PROBATION AND SUPERVISED RELEASE**

While the defendant is on probation or supervised release pursuant to this judgment:

1. The defendant shall not commit another Federal, state or local crime;
2. the defendant shall not leave the judicial district without the written permission of the court or probation officer;
3. the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
4. the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
5. the defendant shall support his or her dependents and meet other family responsibilities;
6. the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
7. the defendant shall notify the probation officer at least 10 days prior to any change in residence or employment;
8. the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
9. the defendant shall not frequent places where controlled substances are illegally sold, used, distributed or administered;
10. the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
11. the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
12. the defendant shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer;
13. the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
14. as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to conform the defendant's compliance with such notification requirement;
15. the defendant shall, upon release from any period of custody, report to the probation officer within 72 hours;
16. and, for felony cases only: not possess a firearm, destructive device, or any other dangerous weapon.

USA vs. Eucharía Okeke

Docket No.: CR 14-234-GW



The defendant will also comply with the following special conditions pursuant to General Order 01-05 (set forth below).

**STATUTORY PROVISIONS PERTAINING TO PAYMENT AND COLLECTION OF FINANCIAL SANCTIONS**

The defendant shall pay interest on a fine or restitution of more than \$2,500, unless the court waives interest or unless the fine or restitution is paid in full before the fifteenth (15<sup>th</sup>) day after the date of the judgment pursuant to 18 U.S.C. §3612(f)(1). Payments may be subject to penalties for default and delinquency pursuant to 18 U.S.C. §3612(g). Interest and penalties pertaining to restitution, however, are not applicable for offenses completed prior to April 24, 1996.

If all or any portion of a fine or restitution ordered remains unpaid after the termination of supervision, the defendant shall pay the balance as directed by the United States Attorney's Office. 18 U.S.C. §3613.

The defendant shall notify the United States Attorney within thirty (30) days of any change in the defendant's mailing address or residence until all fines, restitution, costs, and special assessments are paid in full. 18 U.S.C. §3612(b)(1)(F).

The defendant shall notify the Court through the Probation Office, and notify the United States Attorney of any material change in the defendant's economic circumstances that might affect the defendant's ability to pay a fine or restitution, as required by 18 U.S.C. §3664(k). The Court may also accept such notification from the government or the victim, and may, on its own motion or that of a party or the victim, adjust the manner of payment of a fine or restitution-pursuant to 18 U.S.C. §3664(k). See also 18 U.S.C. §3572(d)(3) and for probation 18 U.S.C. §3563(a)(7).

Payments shall be applied in the following order:

1. Special assessments pursuant to 18 U.S.C. §3013;
2. Restitution, in this sequence (pursuant to 18 U.S.C. § 3664(i), all non-federal victims must be paid before the United States is paid):
  - Non-federal victims (individual and corporate),
  - Providers of compensation to non-federal victims,
  - The United States as victim;
3. Fine;
4. Community restitution, pursuant to 18 U.S.C. §3663(c); and
5. Other penalties and costs.

**SPECIAL CONDITIONS FOR PROBATION AND SUPERVISED RELEASE**

As directed by the Probation Officer, the defendant shall provide to the Probation Officer: (1) a signed release authorizing credit report inquiries; (2) federal and state income tax returns or a signed release authorizing their disclosure; and (3) an accurate financial statement, with supporting documentation as to all assets, income and expenses of the defendant. In addition, the defendant shall not apply for any loan or open any line of credit without prior approval of the Probation Officer.

The defendant shall maintain one personal checking account. All of defendant's income, "monetary gains," or other pecuniary proceeds shall be deposited into this account, which shall be used for payment of all personal expenses. Records of all other bank accounts, including any business accounts, shall be disclosed to the Probation Officer upon request.

The defendant shall not transfer, sell, give away, or otherwise convey any asset with a fair market value in excess of \$500 without approval of the Probation Officer until all financial obligations imposed by the Court have been satisfied in full.

These conditions are in addition to any other conditions imposed by this judgment.

**RETURN**

I have executed the within Judgment and Commitment as follows:

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_  
 Defendant noted on appeal on \_\_\_\_\_  
 Defendant released on \_\_\_\_\_  
 Mandate issued on \_\_\_\_\_  
 Defendant's appeal determined on \_\_\_\_\_  
 Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_  
 at \_\_\_\_\_  
 the institution designated by the Bureau of Prisons, with a certified copy of the within Judgment and Commitment.

United States Marshal

By \_\_\_\_\_  
 Date Deputy Marshal

**CERTIFICATE**

I hereby attest and certify this date that the foregoing document is a full, true and correct copy of the original on file in my office, and in my legal custody.

Clerk, U.S. District Court

By \_\_\_\_\_  
 Filed Date Deputy Clerk

**FOR U.S. PROBATION OFFICE USE ONLY**

Upon a finding of violation of probation or supervised release, I understand that the court may (1) revoke supervision, (2) extend the term of supervision, and/or (3) modify the conditions of supervision.

These conditions have been read to me. I fully understand the conditions and have been provided a copy of them.

(Signed) \_\_\_\_\_  
 Defendant Date

\_\_\_\_\_  
 U. S. Probation Officer/Designated Witness Date

WESTERN,PASPRT,RELATED-G

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA (Western Division - Los Angeles)  
CRIMINAL DOCKET FOR CASE #: 2:14-cr-00234-GW-1**

Case title: USA v. Okeke  
Other court case number: CR 14-00231 GW

Date Filed: 04/18/2014  
Date Terminated: 08/10/2016

Assigned to: Judge George H. Wu  
Appeals court case number: 16-50308  
9th Circuit

**Defendant (1)**

**Eucharia Okeke**  
*TERMINATED: 08/10/2016*  
*also known as*  
UK  
*TERMINATED: 08/10/2016*

represented by **Michael Sean Devereux**  
Wex Law Professional Legal Corporation  
1000 Wilshire Boulevard Suite 2150  
Los Angeles, CA 90017  
(213) 986-9844  
Fax: (213) 342-6190  
Email:  
cernyar@yourcriminaldefenselawyer.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Retained*

**Rose Fay Arfa**  
Law Office of Fay Arfa ALC  
10100 Santa Monica Boulevard Suite 300  
Los Angeles, CA 90067  
310-841-6805  
Fax: 310-841-0817  
Email: fayarfa@sbcglobal.net  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Retained*

**Pending Counts**

18:1349: Conspiracy to Commit Health  
Care Fraud  
(1)

**Disposition**

Defendant committed to the Bureau of  
Prison for 1 year and 1 day to be divided  
as follows: 9 months incarceration and 3  
months and 1 day home detention.  
Supervised release for 3 years. Special

18:1347,2(b): Health Care Fraud,  
 Causing an Act to be Done  
 (2-8)

assessment of \$800.00. Restitution in the amount of \$1,282,794. All fines waived.

Defendant committed to the Bureau of Prison for 1 year and 1 day to be divided as follows: 9 months incarceration and 3 months and 1 day home detention.

Supervised release for 3 years. Special assessment of \$800.00. Restitution in the amount of \$1,282,794. All fines waived.

**Highest Offense Level (Opening)**

Felony

**Terminated Counts**

None

**Disposition**

**Highest Offense Level (Terminated)**

None

**Complaints**

None

**Disposition**

**Plaintiff**

USA

represented by **Alexander F Porter**  
 AUSA - Office of US Attorney  
 Criminal Division - Major Frauds  
 312 North Spring Street 11th Floor  
 Los Angeles, CA 90012  
 213-894-0813  
 Fax: 213-894-6269  
 Email: alexander.porter2@usdoj.gov  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Assistant US Attorney*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
04/18/2014	<u>1</u>	INDICTMENT Filed as to Eucharia Okeke (1) count(s) 1, 2-8. Offense occurred in LA. (mhe) (Entered: 04/22/2014)
04/18/2014	<u>2</u>	CASE SUMMARY filed by AUSA Alexander Porter as to Defendant Eucharia Okeke; defendants Year of Birth: 1971 (mhe) (Entered: 04/22/2014)
04/18/2014	<u>3</u>	



		EX PARTE APPLICATION to Seal Case Filed by Plaintiff USA as to Defendant Eucharia Okeke(mhe) (Entered: 04/22/2014)
04/18/2014	<u>4</u>	ORDER by Magistrate Judge Carla Woehrle: Granting <u>3</u> Ex Parte Application to Seal Case as to Eucharia Okeke (1) (mhe) (Entered: 04/22/2014)
04/18/2014	<u>5</u>	NOTICE of Related Case(s) filed by Plaintiff USA as to Defendant Eucharia Okeke Related Case(s): CR 14-231 (mhe) (Entered: 04/22/2014)
04/18/2014	<u>6</u>	MEMORANDUM filed by Plaintiff USA as to Defendant Eucharia Okeke. This criminal action, being filed on 4/18/14, was not pending in the U. S. Attorneys Office before the date on which Judge Michael W Fitzgerald and Judge Beverly Reid OConnell began receiving criminal matters. (mhe) (Entered: 04/22/2014)
04/18/2014	<u>7</u>	MEMORANDUM filed by Plaintiff USA as to Defendant Eucharia Okeke. Re Magistrate Judge Jacqueline Chooljian, Magistrate Judge Patrick J. Walsh, Magistrate Judge Sheri Pym, Magistrate Judge Michael Wilner, Magistrate Judge Jean Rosenbluth, Magistrate Judge Alka Sagar, Magistrate Judge Douglas McCormick(mhe) (Entered: 04/22/2014)
05/13/2014	<u>8</u>	REPORT COMMENCING CRIMINAL ACTION as to Defendant Eucharia Okeke; defendants Year of Birth: 1971; date of arrest: 5/13/2014 (mhe) (Entered: 05/16/2014)
05/13/2014	<u>9</u>	MINUTES OF ARREST ON INDICTMENT HEARING held before Magistrate Judge Michael R. Wilner as to Defendant Eucharia Okeke. Defendant states true name as charged. Court orders bail set as: Eucharia Okeke (1) \$50,000 Appearance Bond, see attached bond for terms and conditions. Defendant remanded to the custody of the USM. PIA held, see separate minutes. RELEASE ORDER NO 33875 Court Reporter: Miranda Algorri. (mhe) (Entered: 05/16/2014)
05/13/2014	<u>10</u>	STATEMENT OF CONSTITUTIONAL RIGHTS filed by Defendant Eucharia Okeke (mhe) (Entered: 05/16/2014)
05/13/2014	<u>11</u>	DESIGNATION AND APPEARANCE OF COUNSEL; filed by Michael Kevin Cernyar appearing for Eucharia Okeke (mhe) (Entered: 05/16/2014)
05/13/2014	<u>12</u>	PASSPORT RECEIPT from U. S. Pretrial Services as to Defendant Eucharia Okeke. USA passport was received on 5/13/14. (mhe) (Entered: 05/16/2014)
05/13/2014	<u>13</u>	PASSPORT RECEIPT from U. S. Pretrial Services as to Defendant Eucharia Okeke. Foreign passport was received on 5/13/14. (mhe) (Entered: 05/16/2014)
05/13/2014	<u>14</u>	MINUTES OF POST-INDICTMENT ARRAIGNMENT: held before Magistrate Judge Michael R. Wilner as to Defendant Eucharia Okeke (1) Count 1,2-8. Defendant arraigned, states true name: As charged. Defendant entered not guilty plea to all counts as charged. Attorney: Michael Kevin Cernyar, Retained present. Case assigned to Judge Michael W. Fitzgerald. Jury Trial set for 7/8/2014 08:30 AM before Judge Michael W. Fitzgerald. Status Conference set for 6/2/2014 03:00 PM before Judge Michael W. Fitzgerald. Court Reporter: Miranda Algorri. (iba) (Entered: 05/19/2014)

05/13/2014	<u>16</u>	REDACTED AFFIDAVIT OF SURETIES (No Justification - Pursuant to Local Criminal Rule 46-5.2.8) in the amount of \$25,000 by surety: Emmanuel Eyo for Bond and Conditions (CR-1) <u>15</u> . Filed by Defendant Eucharia Okeke (mhe) (Entered: 05/20/2014)
05/13/2014	<u>17</u>	REDACTED AFFIDAVIT OF SURETIES (No Justification - Pursuant to Local Criminal Rule 46-5.2.8) in the amount of \$25,000 by surety: Jones Okeke for Bond and Conditions (CR-1) <u>15</u> . Filed by Defendant Eucharia Okeke (mhe) (Entered: 05/20/2014)
05/13/2014	<u>18</u>	UNREDACTED Affidavit of Surety (No Justification) filed by Defendant Eucharia Okeke re: Affidavit of Surety (No Justification)(CR-4) <u>17</u> (mhe) (Entered: 05/20/2014)
05/13/2014	<u>19</u>	UNREDACTED Affidavit of Surety (No Justification) filed by Defendant Eucharia Okeke re: Affidavit of Surety (No Justification)(CR-4) <u>16</u> (mhe) (Entered: 05/20/2014)
05/14/2014	<u>15</u>	BOND AND CONDITIONS OF RELEASE filed as to Defendant Eucharia Okeke conditions of release: \$50,000 Appearance Bond, see attached for terms and conditions approved by Magistrate Judge Michael R. Wilner. (mhe) (Entered: 05/19/2014)
05/16/2014	<u>25</u>	ARREST WARRANT RETURNED Executed on 5/13/14 as to Defendant Eucharia Okeke. (es) (Entered: 06/13/2014)
05/29/2014	<u>20</u>	SCHEDULING NOTICE by Judge Michael W. Fitzgerald as to Defendant Eucharia Okeke. On the Court's own motion, the Status Conference set for June 2, 2014 at 2:00 p.m. is VACATED. The hearing will be reset at a later date. IT IS SO ORDERED.THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY.(rs) TEXT ONLY ENTRY (Entered: 05/29/2014)
05/29/2014	<u>21</u>	ORDER RE TRANSFER PURSUANT TO GENERAL ORDER 08-05 -Related Case- filed. Related Case No: CR 14-00231 GW. Case, as to Defendant Eucharia Okeke, transferred from Judge Michael W. Fitzgerald to Judge George H. Wu for all further proceedings. The case number will now reflect the initials of the transferee Judge CR 14-00234 GW. Signed by Judge George H. Wu (rn) (Entered: 05/29/2014)
05/30/2014	<u>22</u>	TEXT ONLY ENTRY (IN CHAMBERS): by Judge George H. Wu; This action has been reassigned to the Honorable George H. Wu. The Court, on its own motion, CONTINUES the originally set Status Conference as to Defendant Eucharia Okeke, from June 2, 2014 to 6/9/2014 at 08:00 AM before Judge George H. Wu. The Jury Trial will remain set for July 8, 2014 at 8:30 a.m.THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (jag) TEXT ONLY ENTRY (Entered: 05/30/2014)
06/09/2014	<u>24</u>	MINUTES OF Status Conference held before Judge George H. Wu as to Defendant Eucharia Okeke. Jury Trial is continued to November 18, 2014 at 8:30 a.m. A Pretrial Conference is set for November 10, 2014 at 8:00 a.m. The defendant and her counsel orally waive their speedy trial rights on the record. A stipulation and proposed as to Speedy Trial Act will be filed forthwith. Court Reporter: Katie Thibedeaux. (bp) (Entered: 06/10/2014)

06/10/2014	<u>23</u>	STIPULATION to Continue Trial Date from July 8, 2014 to November 18, 2014 <i>Findings of Excludable Time Periods Pursuant to Speedy Trial Act</i> filed by Plaintiff USA as to Defendant Eucharia Okeke (Attachments: # <u>1</u> Proposed Order)(Porter, Alexander) (Entered: 06/10/2014)
06/15/2014	<u>26</u>	ORDER TO CONTINUE Trial by Judge George H. Wu as to Defendant Eucharia Okeke. Trial set for 11/18/2014 08:30 AM before Judge George H. Wu. Pretrial Conference set for 11/10/2014 08:30 AM before Judge George H. Wu. The briefing schedule for any motions shall be: motions due October 13, 2014; oppositions due October 27, 2014; and replies due November 3, 2014. (pj) (Entered: 06/19/2014)
08/13/2014	<u>27</u>	TEXT ONLY ENTRY (IN CHAMBERS): by Judge George H. Wu; Pursuant to the request of counsel, a Change of Plea Hearing as to Defendant Eucharia Okeke is set for 8/25/2014 at 11:00 AM before Judge George H. Wu. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY.(jag) TEXT ONLY ENTRY (Entered: 08/13/2014)
08/20/2014	<u>28</u>	NOTICE of Manual Filing of Under Seal Government's Ex Parte Application, Under Seal Proposed Order, Under Seal Document filed by Plaintiff USA as to Defendant Eucharia Okeke (Porter, Alexander) (Entered: 08/20/2014)
08/25/2014	<u>29</u>	MINUTES OF CHANGE OF PLEA Hearing held before Judge George H. Wu as to Defendant Eucharia Okeke. Defendant sworn. Court questions defendant regarding the plea. The Defendant Eucharia Okeke (1) pleads GUILTY to Count 1, 2-8 if the Indictment. The plea is accepted. The Court ORDERS the preparation of a Presentence Report. Sentencing set for 2/26/2015 at 8:00 AM before Judge George H. Wu. The Court vacates the Court and/or Jury Trial date. Court Reporter: Katie Thibodeaux. (es) (Entered: 08/26/2014)
08/25/2014	<u>30</u>	SEALED DOCUMENT- GOVERNMENT'S EXPARTE APPLICATION for Order Sealing Documents; Declaration of Alexander F. Porter. (mat) (Entered: 08/29/2014)
08/25/2014	<u>31</u>	SEALED DOCUMENT- ORDER (mat) (Entered: 08/29/2014)
08/25/2014	<u>32</u>	SEALED DOCUMENT- Criminal Document (mat) (Entered: 08/29/2014)
02/02/2015	<u>35</u>	NOTICE of Manual Filing filed by Plaintiff USA as to Defendant Eucharia Okeke (Porter, Alexander) (Entered: 02/02/2015)
02/04/2015	<u>36</u>	SEALED DOCUMENT - UNITED STATES' EX PARTE APPLICATION for an Order Sealing the Parties' Under Seal Document and [Proposed] Order; Declaration of Alexander F. Porter. (gk) (Entered: 02/09/2015)
02/05/2015	<u>37</u>	SEALED DOCUMENT - ORDER SEALING DOCUMENT. (gk) (Entered: 02/09/2015)
02/05/2015	<u>38</u>	SEALED DOCUMENT - UNDER SEAL DOCUMENT. (gk) (Entered: 02/09/2015)
02/05/2015	<u>39</u>	SEALED DOCUMENT - ORDER. (gk) (Entered: 02/09/2015)
06/26/2015	<u>40</u>	NOTICE of Manual Filing filed by Plaintiff USA as to Defendant Eucharia Okeke (Porter, Alexander) (Entered: 06/26/2015)

07/01/2015	<u>41</u>	SEALED DOCUMENT - UNITED STATES' EX PARTE APPLICATION for an Order Sealing the Parties' Under Seal Document and [Proposed] Order; Declaration of Alexander F. Porter. (gk) (Entered: 07/02/2015)
07/01/2015	<u>42</u>	SEALED DOCUMENT - ORDER SEALING DOCUMENT. (gk) (Entered: 07/02/2015)
07/01/2015	<u>43</u>	SEALED DOCUMENT - UNDER SEAL DOCUMENT. (gk) (Entered: 07/02/2015)
07/01/2015	<u>44</u>	SEALED DOCUMENT - ORDER. (gk) (Entered: 07/02/2015)
09/09/2015	<u>45</u>	NOTICE OF MOTION AND MOTION to Modify Conditions of Release Filed by Defendant Eucharia Okeke. (Attachments: # <u>1</u> Proposed Order Modify Pretrial Conditions For Travel to Funeral) (Cernyar, Michael) (Entered: 09/09/2015)
09/11/2015	<u>46</u>	Amended NOTICE OF MOTION AND MOTION to Modify Conditions of Release Filed by Defendant Eucharia Okeke. (Attachments: # <u>1</u> Proposed Order Modify Pretrial Conditions For Travel to Funeral) (Cernyar, Michael) (Entered: 09/11/2015)
09/11/2015	<u>47</u>	ORDER by Judge George H. Wu: ORDERED, that Ms. Okekes Pretrial conditions, entered in the above captionedcase, are hereby modified granting her permission to travel outside of thecountry area to attend her brothers funeral in Nigeria and it is furtherORDERED, that Pretrial Services release Ms. Okekes passport to allow her tomake this trip. Upon return Ms. Okeke must surrender the passport to PretrialServices. <u>46</u> as to Eucharia Okeke (1) (pj) (Entered: 09/11/2015)
02/10/2016	<u>48</u>	NOTICE of Manual Filing filed by Plaintiff USA as to Defendant Eucharia Okeke (Porter, Alexander) (Entered: 02/10/2016)
02/12/2016	<u>49</u>	SEALED DOCUMENT- UNITED STATES' EX PARTE APPLICATION for an Order Sealing the Parties' Under Seal Document and [Proposed] Order; Declaration of Alexander F. Porter. (mat) (Entered: 02/18/2016)
02/12/2016	<u>50</u>	SEALED DOCUMENT- ORDER Sealing Document. (mat) (Entered: 02/18/2016)
02/12/2016	<u>51</u>	SEALED DOCUMENT- UNDER SEAL DOCUMENT (mat) (Entered: 02/18/2016)
02/12/2016	<u>52</u>	SEALED DOCUMENT- ORDER (mat) (Entered: 02/18/2016)
06/24/2016	<u>53</u>	STIPULATION to Continue Sentencing from June 27, 2016 to August 8, 2016 at 8:00 a.m. filed by Defendant Eucharia Okeke (Attachments: # <u>1</u> Proposed Order To Continue Sentencing)(Cernyar, Michael) (Entered: 06/24/2016)
06/28/2016	<u>54</u>	ORDER TO CONTINUE Sentencing by Judge George H. Wu as to Defendant Eucharia Okeke. Sentencing set for 8/8/2016 08:00 AM before Judge George H. Wu. (pj) (Entered: 06/28/2016)
07/25/2016	<u>55</u>	

		NOTICE of Manual Filing of Sentencing Memorandum, Ex Parte Application to File Under Seal, Proposed Order filed by Plaintiff USA as to Defendant Eucharia Okeke (Porter, Alexander) (Entered: 07/25/2016)
07/27/2016	<u>56</u>	SEALED DOCUMENT-EX PARTE APPLICATION FOR ORDER SEALING SENTENCING MEMORANDUM; memorandum of points and authorities; declaration of Alexander F. Porter Filed. (mrgo) (Entered: 07/29/2016)
07/27/2016	<u>57</u>	SEALED DOCUMENT-ORDER by Judge George H. Wu: granting <u>56</u> EX PARTE APPLICATION to Seal Document. (mrgo) (Entered: 07/29/2016)
07/27/2016	<u>58</u>	SEALED DOCUMENT-SENTENCING MEMORANDUM REGARDING DEFENDANT EUCHARIA OKEKE filed (mrgo) (Entered: 07/29/2016)
08/04/2016	<u>62</u>	SENTENCING MEMORANDUM filed by Defendant Eucharia Okeke (Cernyar, Michael) (Entered: 08/04/2016)
08/08/2016	<u>64</u>	MINUTES OF SENTENCING Hearing held before Judge George H. Wu as to Defendant Eucharia Okeke. Defendant Eucharia Okeke (1), Count(s) 1, 2-8, committed to the Bureau of Prison for 1 year and 1 day to be divided as follows: 9 months incarceration and 3 months and 1 day home detention. Supervised release for 3 years. Special assessment of \$800.00. Restitution in the amount of \$1,282,794. All fines waived. Bond exonerated upon surrender. Defendant advised of right of appeal. (Defendant to surrender not later than 1/6/2017.) Court Reporter: Katie Thibodeaux. (mrgo) (Entered: 08/11/2016)
08/10/2016	<u>65</u>	JUDGMENT AND COMMITMENT by Judge George H. Wu as to Defendant Eucharia Okeke (1), Count(s) 1, 2-8, Defendant committed to the Bureau of Prison for 1 year and 1 day to be divided as follows: 9 months incarceration and 3 months and 1 day home detention. Supervised release for 3 years. Special assessment of \$800.00. Restitution in the amount of \$1,282,794. All fines waived. (mrgo) (Entered: 08/11/2016)
08/18/2016	<u>66</u>	NOTICE OF APPEAL to Appellate Court filed by Defendant Eucharia Okeke re Judgment and Commitment, <u>65</u> . Filed on: 8/10/16; Entered on: 8/11/16; FEE NOT PAID. (mat) (Entered: 08/22/2016)
08/22/2016	<u>67</u>	FILING FEE LETTER issued as to Defendant Eucharia Okeke, re Notice of Appeal to USCA - Final Judgment <u>66</u> . (mat) (Entered: 08/22/2016)
08/23/2016	<u>68</u>	MOTION and Affidavit for Leave to Appeal In Forma Pauperis Filed by Defendant Eucharia Okeke. (mrgo) (Entered: 08/23/2016)
08/23/2016	<u>69</u>	NOTIFICATION by Circuit Court of Appellate Docket Number 16-50308 as to Defendant Eucharia Okeke, 9th Circuit regarding Notice of Appeal to USCA - Final Judgment <u>66</u> . (mat) (Entered: 08/23/2016)
08/23/2016	<u>70</u>	ORDER of USCA filed as to Defendant Eucharia Okeke re Notice of Appeal to USCA - Final Judgment <u>66</u> , CCA #16-50308. Court records show that counsel Michael Kevin Cernyar, Esq., was retained to represent defendant before the district court. It appears that counsel has not been granted leave to withdraw by the district court or this court. Accordingly, the Clerk has entered counsel Michael Kevin Cernyar, Esq., on the docket as retained counsel of record.

		Retained counsel has the duty to ascertain whether the defendant wishes to appeal and to file a notice of appeal upon the defendants request. See id. Counsel also has the duty to continue to represent the defendant on appeal until counsel is granted leave to withdraw by this court. See id. Therefore, even though defendant filed a pro se notice of appeal, counsel Cernyar remains responsible for prosecuting this appeal. A review of the court's docket reflects that the filing and docketing fees for this appeal remain due. Within 21 days after the date of this order, appellant shall: (1) pay to the district court the \$505.00 filing and docketing fees for this appeal and file in this court proof of such payment; or (2) file in this court a motion to proceed in forma pauperis accompanied by a completed Form CJA 23. Failure to pay the fees or file a motion to proceed in forma pauperis may result in the dismissal of this appeal for failure to prosecute. The Clerk shall serve this order and a Form CJA 23 on counsel Cernyar. The (9th Circuit) Clerk shall also serve this order and a Form CJA 23 on appellant individually at 727 Loyola Avenue, Carson, California 90746. [See document for all details] (mat) (Entered: 08/23/2016)
08/24/2016	<u>71</u>	ORDER by Judge George H. Wu: denying <u>68</u> MOTION for Leave to Appeal In Forma Pauperis as to Eucharia Okeke (1) (mat) (Entered: 08/26/2016)
09/15/2016	<u>72</u>	Notice of Appearance or Withdrawal of Counsel: for attorney Rose Fay Arfa counsel for Defendant Eucharia Okeke. Adding Fay Arfa as counsel of record for Eucharia Okeke for the reason indicated in the G-123 Notice. Filed by Defendant Eucharia Okeke. (Arfa, Rose) (Entered: 09/15/2016)
09/15/2016	<u>73</u>	TRANSCRIPT ORDER re: Court of Appeal case number 16-50308, as to Defendant Eucharia Okeke for Court Reporter. Order for: Criminal Appeal. Criminal case appeal. 60 day deadline automatically set. Court will contact Fay Arfa at fayarfa@sbcglobal.net with any questions regarding this order. Transcript preparation will not begin until payment has been satisfied with the court reporter.(Arfa, Rose) (Entered: 09/15/2016)
11/07/2016	<u>74</u>	NOTICE of Manual Filing filed by Plaintiff USA as to Defendant Eucharia Okeke (Porter, Alexander) (Entered: 11/07/2016)
11/08/2016	<u>75</u>	NOTICE OF MOTION AND MOTION for Bond Pending Appeal Filed by Defendant Eucharia Okeke. Motion set for hearing on 12/5/2016 at 08:00 AM before Judge George H. Wu. (Arfa, Rose) (Entered: 11/08/2016)
11/09/2016	<u>76</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents RE: NOTICE OF MOTION AND MOTION for Bond Pending Appeal <u>75</u> . The following error(s) was found: Case number is incorrect or missing.Proposed Document was not submitted as separate attachment. In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. You need not take any action in response to this notice unless and until the court directs you to do so. (mrgo) (Entered: 11/09/2016)
11/09/2016	<u>77</u>	SEALED DOCUMENT-EX PARTE APPLICATION FOR AN ORDER SEALING THE PARTIES' UNDER SEAL DOCUMENT Filed. (mrgo) (Entered: 11/10/2016)

11/09/2016	<u>78</u>	SEALED DOCUMENT-ORDER by Judge George H. Wu granting <u>77</u> EX PARTE APPLICATION to Seal Document. (mrgo) (Entered: 11/10/2016)
11/09/2016	<u>79</u>	SEALED DOCUMENT-UNDER SEAL DOCUMENT filed. (mrgo) (Entered: 11/10/2016)
11/09/2016	<u>80</u>	SEALED DOCUMENT-ORDER by Judge George H. Wu. **DOCUMENT SEALED** (mrgo) (Entered: 11/10/2016)
11/15/2016	<u>81</u>	OPPOSITION to NOTICE OF MOTION AND MOTION for Bond Pending Appeal <u>75</u> (Porter, Alexander) (Entered: 11/15/2016)
11/22/2016	<u>82</u>	REPLY Opposition NOTICE OF MOTION AND MOTION for Bond Pending Appeal <u>75</u> filed by Defendant Eucharia Okeke. (Arfa, Rose) (Entered: 11/22/2016)
11/28/2016	<u>83</u>	NOTICE of Change of Attorney Business or Contact Information: for attorney Alexander F Porter counsel for plaintiff United States of America. Filed by plaintiff United States of America (Porter, Alexander) (Entered: 11/28/2016)
11/30/2016	<u>84</u>	TRANSCRIPT filed as to Defendant Eucharia Okeke for proceedings held on 8/25/14 11:53 am. Court Reporter/Electronic Court Recorder: Katie Thibodeaux, CSR, RPR, CRR, phone number www.katiethibodeaux.com. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Electronic Court Recorder before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 12/21/2016. Redacted Transcript Deadline set for 1/3/2017. Release of Transcript Restriction set for 2/28/2017.(Thibodeaux, Katie) (Entered: 11/30/2016)
11/30/2016	<u>85</u>	NOTICE OF FILING TRANSCRIPT filed as to Defendant Eucharia Okeke for proceedings 8/25/14 11:53 am re Transcript <u>84</u> THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY.(Thibodeaux, Katie) TEXT ONLY ENTRY (Entered: 11/30/2016)
12/05/2016	<u>86</u>	MINUTES OF DEFENDANTS MOTION FOR BAIL ON APPEAL Hearing held before Judge George H. Wu as to Defendant Eucharia Okeke, re NOTICE OF MOTION AND MOTION for Bond Pending Appeal <u>75</u> . For reasons stated on the record, Defendants Motion is continued to January 5, 2017 at 8:00 a.m. Defendant will have until December 16, 2016 to file her supplemental brief. The government's reply, if any, will be filed by December 29, 2016. Court Reporter: Katie Thibodeaux. (mrgo) (Entered: 12/06/2016)
12/13/2016	<u>87</u>	EX PARTE APPLICATION to Unseal transcripts of plea and sentencing Filed by Defendant Eucharia Okeke. (Attachments: # <u>1</u> Proposed Order [Proposed] Order) (Arfa, Rose) (Entered: 12/13/2016)
12/14/2016	<u>88</u>	ORDER of USCA filed as to Defendant Eucharia Okeke re Notice of Appeal to USCA - Final Judgment <u>66</u> , CCA #16-50308. The motion of appellant's retained counsel, Michael K. Cernyar, to withdraw as retained counsel of record is granted. This court's docket reflects that Fay Arfa has filed a notice of appearance and is appellants new retained counsel of record. Appellants

		motion to proceed in forma pauperis is denied because we find that appellant is not indigent. Within 21 days after the date of this order, appellant shall pay \$505.00 to the district court. Failure to pay the fees will result in the automatic dismissal of the appeal by the Clerk for failure to prosecute, regardless of further filings by appellant. [See document for all details] (mat) (Entered: 12/15/2016)
12/14/2016	<u>89</u>	ORDER GRANTING RELEASE OF SEALED TRANSCRIPTS TO DEFENSE COUNSEL by Judge George H. Wu re: <u>87</u> EX PARTE APPLICATION to Unseal Document as to Eucharia Okeke (1). (mrgo) (Entered: 12/15/2016)
12/16/2016		APPEAL FEES PAID as to Defendant Eucharia Okeke, re: Notice of Appeal to USCA - Final Judgment <u>66</u> ; Receipt Number LA147140 in the amount of \$505. (cma) (Entered: 12/16/2016)
12/16/2016	<u>90</u>	TRANSCRIPT filed as to Defendant Eucharia Okeke for proceedings held on 8/8/16 8:28 am. Court Reporter/Electronic Court Recorder: Katie Thibodeaux, CSR, RPR, CRR, phone number www.katiethibodeaux.com. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Electronic Court Recorder before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 1/6/2017. Redacted Transcript Deadline set for 1/17/2017. Release of Transcript Restriction set for 3/16/2017.(Thibodeaux, Katie) (Entered: 12/16/2016)
12/16/2016	<u>91</u>	NOTICE OF FILING TRANSCRIPT filed as to Defendant Eucharia Okeke for proceedings 8/8/16 8:28 am re Transcript <u>90</u> THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY.(Thibodeaux, Katie) TEXT ONLY ENTRY (Entered: 12/16/2016)
12/16/2016	<u>92</u>	SUPPLEMENTAL INFORMATION filed by Defendant Eucharia Okeke RE: NOTICE OF MOTION AND MOTION for Bond Pending Appeal <u>75</u> (Arfa, Rose) (Entered: 12/16/2016)
12/29/2016	<u>93</u>	Supplemental OPPOSITION to NOTICE OF MOTION AND MOTION for Bond Pending Appeal <u>75</u> filed by Plaintiff USA as to Defendant Eucharia Okeke. (Porter, Alexander) (Entered: 12/29/2016)
12/29/2016	<u>94</u>	NOTICE of Manual Filing filed by Plaintiff USA as to Defendant Eucharia Okeke (Porter, Alexander) (Entered: 12/29/2016)
01/04/2017	<u>95</u>	SEALED DOCUMENT- GOVERNMENT'S EX PARTE APPLICATION FOR ORDER SEALING DOCUMENTS; DECLARATION OF ALEXANDER F. PORTER. (mat) (Entered: 01/04/2017)
01/04/2017	<u>96</u>	SEALED DOCUMENT- ORDER Sealing Document. (mat) (Entered: 01/04/2017)
01/04/2017	<u>97</u>	SEALED DOCUMENT- DECLARATION of Alexander F. Porter in Support of Government's Opposition to Defendant's Supplemental Motion for Bond Pending Appeal. (mat) (Entered: 01/04/2017)



01/05/2017	<u>98</u>	MINUTES OF DEFENDANT'S MOTION FOR BAIL ON APPEAL Hearing held before Judge George H. Wu as to Defendant Eucharia Okeke re: <u>75</u> MOTION for Bond Pending Appeal. Defendant's Motion is DENIED. Defense counsel's oral request to seal Docket No. 75 is GRANTED. Court Reporter: Katie Thibodeaux. (mrgo) (Entered: 01/06/2017)
11/21/2017	<u>99</u>	MEMORANDUM of USCA filed as to Defendant Eucharia Okeke re Notice of Appeal to USCA - Final Judgment <u>66</u> , CCA #16-50308. The decision of the District Court is affirmed in part, dismissed in part. (mrgo) (Entered: 11/21/2017)
12/13/2017	<u>100</u>	MANDATE of the 9th CCA filed as to Defendant Eucharia Okeke Notice of Appeal to USCA - Final Judgment <u>66</u> CCA #16-50308. The judgment of the 9th Circuit Court, entered November 21, 2017, takes effect this date. This constitutes the formal mandate of the 9th CCA issued pursuant to Rule41(a) of the Federal Rules of Appellate Procedure. [See USCA MEMORANDUM <u>99</u> AFFIRMED IN PART, DISMISSED IN PART.](mat) (Entered: 12/15/2017)

<b>PACER Service Center</b>			
<b>Transaction Receipt</b>			
04/30/2018 17:06:30			
<b>PACER Login:</b>	Odlegal94612:2536794:0	<b>Client Code:</b>	
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	2:14-cr-00234-GW End date: 4/30/2018
<b>Billable Pages:</b>	9	<b>Cost:</b>	0.90



JENNIFER KENT  
DIRECTOR

State of California—Health and Human Services Agency  
Department of Health Care Services



EDMUND G. BROWN JR.  
GOVERNOR

OCT 11 2017

Eucharia Ifeyinwa Okeke, No. 6738-112  
c/o Federal Correctional Institution Victorville Medium II  
P.O. Box 3850  
Adelanto, CA 92301

**Re: Owner, Durable Medical Equipment Company  
Licensed Vocational Nurse, License No. 244423  
Provider No. 1205028875**

Dear Ms. Okeke:

The Deputy Director and Chief Counsel of the State Department of Health Services (Department) has been notified by the Director, Health Care Program Exclusions, Office of Investigations, Office of Inspector General, Department of Health and Human Services, that you have been excluded from participation in the Medicare, Medicaid, and all Federal health care programs, effective September 20, 2017. As a provider of health care services, you were granted certain permissions to participate in the Medi-Cal program by operation of law with or without applying for enrollment. Upon your exclusion from the Medicare program, you became ineligible to participate in the Medi-Cal program. The Department's Director is required to automatically suspend these permissions in certain cases, which means that the affected individual or entity is precluded from being eligible to receive payment from the Medi-Cal program directly or indirectly. (See 42 U.S.C. § 1320a-7(d)(3)(A); Welf. & Inst. Code, § 14123, subd. (b).)

Therefore, on behalf of the Director of the Department, you are hereby notified that you are suspended from being able to receive payment from the Medi-Cal program for an indefinite period of time, effective September 20, 2017. Your name will be posted on the "Medi-Cal Suspended and Ineligible Provider List," available on the Internet. During the period of your suspension, no person or entity, including an employer, may submit any claims to the Medi-Cal program for items or services rendered by you. If you are currently enrolled in Medi-Cal, that enrollment will be terminated. Any involvement by you directly or indirectly (i.e., as an office manager, administrator, billing clerk, processing or preparing claims for payment, salesperson for medical equipment, etc., or utilizing any other provider number or group or clinic number for services rendered by you) will result in nonpayment of the claim(s) submitted. Any person who presents or causes to be presented a claim for equipment or services rendered by a person

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Office of Legal Services, MS 0010  
P.O. Box 997413, Sacramento, CA 95899-7413  
Fax: (916) 440-7712  
Internet Address: [www.dhcs.ca.gov](http://www.dhcs.ca.gov)

Eucharia Ifeyinwa Okeke

Page 2

OCT 11 2017

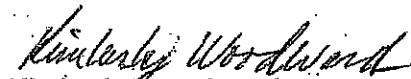
suspended from receiving Medi-Cal payment shall be subject to suspension from receiving payment, the assessment of civil money penalties, and/or criminal prosecution. (See Welf. & Inst. Code, §§ 14043.61, 14107, 14123.2; Cal. Code Regs., tit. 22, §§ 51458.1, 51484, 51485.1.) The Department will seek recoupment of any monies paid for claims presented to the Medi-Cal program for services or supplies provided by you during the duration of your suspension.

If your exclusion from participation in Medicare/Medicaid is reinstated by the Department of Health and Human Services in the future, and if no other circumstance(s) exist at that time that would preclude your being considered for reinstatement in the Medi-Cal program, you may then submit a written petition for reinstatement to participate in the Medi-Cal program. Reinstatement into the Medi-Cal program is not automatic. Only if your petition for reinstatement is granted will you be eligible to submit an application for enrollment in Medi-Cal.

If you have any questions about this action, or will be submitting a written petition for reinstatement (in accordance with the restrictions above), please submit your concerns or petition, in writing, to the Office of Legal Services, Mandatory Suspension Desk, at the address above.

Sincerely,

Sara M. Granda  
Attorney

  
Kimberly Woodward  
Legal Analyst

cc: See Next Page

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