



U.S. Department of Justice

*United States Attorney
District of New Jersey*

*970 Broad Street, 7th floor
Newark, New Jersey 07102*

973-645-2700

August 7, 2017

ELECTRONICALLY FILED

Honorable Freda L. Wolfson, U.S.D.J.
United States District Court
District of New Jersey
Clarkson S. Fisher Building & U.S. Courthouse
402 East State Street Room 2020
Trenton, New Jersey 08608

Re: United States v. Bobby Boye
Crim. No. 15-196 (FLW)

Your Honor:

Enclosed please find a Partial Vacatur of Corrected Consent Judgment of Forfeiture (Money Judgment) and Preliminary Order of Forfeiture as to Specific Property (Final as to the Defendant) for the Court's consideration and approval in the above-referenced case.

Respectfully submitted,

WILLIAM E. FITZPATRICK
Acting United States Attorney

s/ Jafer Aftab
JAFER AFTAB
Assistant United States Attorney

Enclosure

2013R01059/SUE/JA/gr

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Freda L. Wolfson, U.S.D.J.
v. : Crim. No. 15-196 (FLW)
BOBBY BOYE, : PARTIAL VACATUR OF
a/k/a "Bobby Ajiboye," : CORRECTED CONSENT
a/k/a "Bobby Aji-Boye," : JUDGMENT OF FORFEITURE
Defendant. : (MONEY JUDGMENT) AND
: PRELIMINARY ORDER OF
: FORFEITURE AS TO SPECIFIC
: PROPERTY (FINAL AS TO THE
DEFENDANT)

WHEREAS, on or about April 28, 2015, defendant Bobby Boye, a/k/a "Bobby Ajiboye," a/k/a "Bobby Aji-Boye," (the "defendant") was charged in a one-count Information, with conspiracy to commit wire fraud, contrary to 18 U.S.C. § 1343, in violation of 18 U.S.C. § 1349 (the "Information")

WHEREAS, on or about April 28, 2015, the defendant pled guilty to the Information pursuant to a plea agreement with the Government;

WHEREAS, as part of his plea agreement, the defendant agreed to forfeit certain specific properties to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c);

WHEREAS, on or about July 16, 2015, the Court entered a Consent Judgment of Forfeiture (Money Judgment) and Preliminary Order of Forfeiture as to Specific Property (Final as to the Defendant) (the "Preliminary Order"), pursuant to the plea agreement, imposing a Money Judgment upon the

defendant and forfeiting all of his title and interest in certain specific property, namely:

- (a) A sum of money equal to \$4,233,015.42, representing the amount of proceeds obtained as a result of the offense of conviction (the “Money Judgment”); and
- (b) All of the defendant’s right, title and interest in the following property, which was seized or restrained on or about June 19, 2014, which the defendant admits constitutes or is derived from proceeds traceable to the offense charged in Count One of the Information:
 - i. The contents of JPMorgan Chase Bank account number 456370399, held in the name of Opus and Best, LLC (approximately \$103.84);
 - ii. Approximately \$8,408 in U.S. currency seized from the defendant; and
- (c) All of the defendant’s right, title, and interest, including all appurtenances and improvements thereon, in the following real property, which the defendant admits constitutes or is derived from proceeds traceable to the offense charged in Count One of the Information:
 - i. 25 Crescent Hollow Court, Ramsey, New Jersey (the “Ramsey Property”);
 - ii. 36 Rosewood Court, North Haledon, New Jersey (the “North Haledon Property”); and
 - iii. 140 Grove Street, Elizabeth, New Jersey (the “Elizabeth Property”);

(hereinafter referred to collectively as the “Specific Property”), with any forfeited money and the net proceeds derived from the sale of the forfeited Specific Property to be applied to the Money Judgment, in partial satisfaction thereof;

WHEREAS, on October 15, 2015, the defendant was sentenced and ordered to forfeit all of his right, title and interest in the Specific Property;

WHEREAS, also on October 15, 2015, the Court entered a Corrected Consent Judgment of Forfeiture (Money Judgment) and Preliminary Order of Forfeiture as to Specific Property (Final as to the Defendant) (the "Corrected Preliminary Order"), therein striking, correcting, and replacing the description of the Elizabeth Property as set forth in the Preliminary Order and as previously identified in the preceding paragraph as item iii, and replacing it with the following:

- iii. *Real property commonly known as 140 Grove Street, Elizabeth, New Jersey, now known as 142-144 Grove Street, Elizabeth, New Jersey (the "Elizabeth Property");*

with the Preliminary Order remaining in full force and effect in all other respects.

WHEREAS, the Government has learned that the Elizabeth Property has insufficient equity to justify forfeiture; and

WHEREAS, the Government has therefore requested that the Corrected Preliminary Order be vacated only as to the Elizabeth Property, with the Corrected Preliminary Order, and the Preliminary Order incorporated therein, remaining in full force and effect in all other respects.

NOW, THEREFORE, on the application of William E. Fitzpatrick, Acting United States Attorney for the District of New Jersey (Jafer Aftab, Assistant United States Attorney, appearing),

