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AO 91 (Rev. 11/11) Criminal Complaint

AUSA Patrick J. King, Jr. (312) 358-5341

FILED

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

JAN 08 2018 YJ

UNITED STATES OF AMERICA

v.

NIKESH PATEL

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

CASE NUMBER:

18CR 007

MAGISTRATE JUDGE SCHENKIER

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about January 6, 2018, in the Northern District of Illinois, Eastern Division, and elsewhere, NIKESH PATEL, the defendant(s) violated:

Code Section

Offense Description

Title 18, United States Code, Section 1073

Knowingly moved in interstate commerce with the intent to avoid prosecution or custody or confinement after conviction for a felony under the laws of the United States.

This criminal complaint is based upon these facts:

X Continued on the attached sheet.

SCOT W. GILL
Special Agent, Federal Bureau of Investigation

Sworn to before me and signed in my presence.

Date: January 6, 2018

Judge's signature

City and state: Chicago, Illinois

SIDNEY I. SCHENKIER, U.S. Magistrate Judge
Printed name and Title

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

SS

AFFIDAVIT

I, SCOT W. GILL, being duly sworn, state as follows:

1. I am Special Agent with the Federal Bureau of Investigation, and have been so employed for approximately seven years. My current responsibilities include the investigation of white collar crime, including mail, wire, and bank fraud.

2. This affidavit is submitted in support of a criminal complaint alleging that Nikesh Patel has violated Title 18, United States Code, Section 1073. Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint charging Patel with Unlawful Flight To Avoid Prosecution, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that the defendant committed the offense alleged in the complaint.

3. This affidavit is based on my personal knowledge, information provided to me by other law enforcement agents and other individuals, and my review of various documents and records.

4. Patel was charged in a five-count indictment in the Northern District of Illinois with wire fraud in violation of 18 U.S.C. §1343, in *United States v. Nikesh Patel*, 14 CR 456.

5. On October 9, 2014, Patel was admitted to bond in this matter. (R. 12). Defendant affirmed that he was aware of the conditions of release and promised to obey all conditions.

6. As a condition of his bond, Patel was required to: surrender any passport to Pre-Trial Services; not obtain any new passport or any other international travel document; restrict his travel to the continental United States; appear in Court as required; and not violate any federal, state, or local laws, while on release.

7. On December 6, 2016, defendant entered a plea of guilty to the indictment. and was allowed to remain on bond and reside at his residence in Orlando, Florida, pending sentencing.

8. Defendant was ordered to appear for sentencing on January 9, 2018 at 10:15 AM in the United States District Court for the Northern District of Illinois before U.S. District court Judge Charles P. Kocoras.

9. On January 5, 2018, at approximately 8:30 PM, Brandon Ramirez, a United States Pre-Trial Services Officer assigned to monitor Patel in Florida, confirmed that at approximately 4:00 PM EST, he spoke with Patel who stated that he was aware of his sentencing date in Chicago on January 9, 2018, that he had not yet made reservations to fly to Chicago, but intended to do so later that afternoon.

10. On January 6, 2018, I spoke with FBI agents in Orlando, Florida, who advised me that shortly after 7:00 AM Eastern Standard Time, they observed Patel traveling with a second individual "K.T." enter the Kissimee Gateway Airport, in Kissimee, Florida.

11. The agents further advised that they spoke with Patel who in summary stated that he was traveling to Ecuador, that he had applied for and had been granted political asylum in that country.

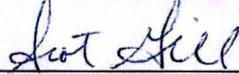
12. Patel stated that approximately two months earlier, he obtained a passport from a friend in India. Agents recovered a passport that appeared to be issued by the Government of India, bearing Patel's name, photograph, and date of birth. The passport bore an issuance date of 11/01/10 and was valid through 10/01/20.

13. Patel further stated that he paid his traveling companion approximately \$40,000 to arrange for his travel to Ecuador.

Conclusion

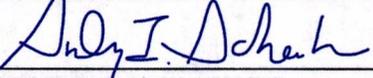
14. Based on the information contained in this affidavit, the undersigned submits that there is probable cause to believe that NIKESH A. PATEL knowingly moved in interstate commerce with the intent to avoid prosecution or custody or confinement after conviction, namely his sentencing hearing scheduled for January 9, 2018, following his conviction for wire fraud, a felony under the laws of the United States, in violation of Title 18, United States Code, Section 1073.

FURTHER AFFIANT SAYETH NOT.



SCOT W. GILL
Special Agent, Federal Bureau of Investigation

SUBSCRIBED AND SWORN to before me on January 6, 2018.



SIDNEY I. SCHENKIER
United States Magistrate Judge