

NONPRECEDENTIAL DISPOSITION

To be cited only in accordance with FED. R. APP. P. 32.1

United States Court of Appeals

**For the Seventh Circuit
Chicago, Illinois 60604**

Argued March 3, 2026
Decided March 31, 2026

Before

DORIS L. PRYOR, *Circuit Judge*

JOSHUA P. KOLAR, *Circuit Judge*

NANCY L. MALDONADO, *Circuit Judge*

No. 24-3234

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

v.

ANTHONY E. IBEKIE,
Defendant-Appellant.

Appeal from the United States District
Court for the Northern District of
Illinois, Eastern Division.

No. 1:20-CR-00352(2)

Steven C. Seeger,
Judge.

ORDER

Anthony Ibekie was convicted by a jury of several fraud offenses arising from an inheritance-fraud scheme. He moved for a judgment of acquittal, challenging the sufficiency of the evidence that he defrauded one, non-testifying victim. The district court found the circumstantial evidence, including Ibekie's use of an alias and a shell company, sufficient to convict. Ibekie challenges only the denial of his motion. We affirm.

Between 2017 and 2020, Ibekie and his codefendants orchestrated an inheritance-fraud scheme through which they defrauded at least five victims of hundreds of thousands of dollars. Posing as bank employees, including one fictitiously named “Peter Pfizer,” the cohorts sent letters to thousands of persons, many elderly, falsely informing them that they had inherited significant sums from a distant deceased relative. The recipients were instructed that, to claim the inheritance, they needed to contact a certain (fictitious) lawyer. Once contact was made, they were told that collecting the inheritance required them to pay fees to third-party companies—either wired to bank accounts controlled by the defendants or mailed by check to a designated address.

In January 2020, Ibekie and his codefendants were charged with wire and mail fraud (Counts 1 through 8), *see* 18 U.S.C. §§ 1341, 1343; money laundering (Count 9), *see id.* § 1957(a); making false statements to a bank (Counts 11, 13, and 16), *see id.* § 1014; and passport fraud (Counts 12 and 14), *see id.* § 1543. Count 5—the conviction Ibekie specifically appeals—charged him with wire fraud arising from a September 4, 2019, transaction in which a victim, Gary Foster, wired \$7,680 to a bank account in the name of Berger Services, Inc. (“Berger Services”).

At trial, the government elicited testimony from four other victims, who described their communications with the defendants and the amounts lost to the fraud. Foster, however, did not testify.

An undercover investigator testified that he recorded a conversation in which Ibekie posed as Pfizer. The investigator recounted that Ibekie directed him to make a wire transfer at a bank and provided instructions on how to evade the bank’s fraud-detection system. On cross-examination, Ibekie admitted that he was posing as Pfizer during the call. Investigators also testified about evidence recovered from Ibekie’s home, trash, and electronic devices, including destroyed fraud letters and name lists that could be used to create those letters using a mail-merge process. A fingerprint specialist testified that Ibekie’s fingerprint was on one envelope for a fraud letter bearing Pfizer’s name.

Of significance for this appeal, the government presented circumstantial evidence that Ibekie defrauded Foster. Foster in late 2019 transferred \$7,680 to the bank account of Berger Services, which was owned by Ibekie’s ex-wife. A copy of the company’s articles of incorporation was found in Ibekie’s garage. Funds from Berger Services’s bank account were later transferred to an account registered in Ibekie’s name. In addition, IRS Special Agent Christopher Kadonsky testified that he saw email

correspondence (contents unspecified) between Foster and Ibekie, who was using the Pfizer alias. Kadonsky also testified that Foster's name appeared on a list of potential victims that could have been used in a mail-merge process to create the fraud letters.

After the government presented its case in chief, Ibekie orally moved under Federal Rule of Criminal Procedure 29 for a judgment of acquittal on all counts, though he argued only that the evidence was insufficient to convict him of Count 5. After the jury convicted Ibekie on all counts, the court heard further arguments on the motion. Ibekie again fixated on Count 5, highlighting the government's failure to introduce Foster's testimony or the contents of his communications with Foster—evidence Ibekie deemed necessary for a jury to find that he defrauded Foster.

The court took the motion under advisement and a month later issued an oral ruling denying it. The court acknowledged that there was less evidence of the scheme against Foster than for the other counts and that the government's evidence was primarily circumstantial. But in the court's view, this circumstantial evidence permitted the jury to infer that Ibekie defrauded Foster—namely, evidence that Foster wired money to Berger Services; that Ibekie had communicated with Foster under the Pfizer alias; that Foster's name was on a list of potential victims; and that Ibekie used a consistent modus operandi to defraud the other victims.

The court sentenced Ibekie to 240 months' imprisonment and 36 months' supervised release. He now appeals.

Ibekie challenges only the denial of his motion for judgment of acquittal. He contends that the evidence was insufficient to prove two of the elements of wire fraud: (1) his intent to defraud; and (2) his use of an interstate wire to further a fraudulent scheme. *See United States v. Pacilio*, 85 F.4th 450, 462 (7th Cir. 2023). As he sees it, the government could not prove those elements beyond a reasonable doubt without additional evidence, such as his email correspondence with Foster or testimony from Foster himself. Ibekie faces a steep burden: This court will set aside the jury's verdict only when, viewing the evidence in the light most favorable to the government, "no rational trier of fact could have found the essential elements of the offense beyond a reasonable doubt." *Id.* (quoting *United States v. Fitzpatrick*, 32 F.4th 644, 649 (7th Cir. 2022)).

Ibekie requires too much of the government. To prove intent, the government did not need to present evidence that Ibekie intended to harm a specific victim; it could rely on evidence that he meant to harm *any* victim. *United States v. Howard*, 619 F.3d 723,

727 (7th Cir. 2010). A jury may infer intent from circumstantial evidence “that the scheme was reasonably calculated to deceive persons of ordinary prudence and comprehension.” *Pacilio*, 85 F.4th at 464 (quoting *United States v. Pust*, 798 F.3d 597, 600–01 (7th Cir. 2015)). Under this standard, the jury had sufficient evidence to find Ibekie’s intent to defraud. Regarding the testifying victims, there was evidence that they communicated with Ibekie using the Pfizer alias and that he directed them to pay fictitious fees to Berger Services, which he controlled. As for Foster, there was evidence that he was targeted under the same fraud scheme—testimony that he transferred money to Berger Services and that he received emails from Ibekie using the Pfizer alias.

Ibekie acknowledges this evidence, but he argues that it falls short of proof that any transactions with Foster furthered a fraudulent scheme. He likens his case to *United States v. Durham*, where we reversed two wire fraud convictions because the government introduced only “printouts showing that the two wire transfers were made” but no evidence “about how the money was used.” 766 F.3d 672, 678–79 (7th Cir. 2014). But Ibekie overreads *Durham*. “*Durham* did not require the government to introduce every existing piece of documentary evidence of a wire’s purpose. It merely faulted the government for forgetting to provide any purpose evidence at all.” *United States v. Robinson*, 165 F.4th 1043, 1052 (7th Cir. 2026). And the government provided evidence linking this transaction to the inheritance fraud scheme: Foster corresponded with Ibekie through the Pfizer alias, which Ibekie used to conceal his identity when defrauding other victims.

To the extent that Ibekie argues that the government was required to corroborate Kadonsky’s testimony about the emails with documentary evidence, his argument fails because the jury was free to assess Kadonsky’s credibility and credit his testimony. See *United States v. Jones*, 56 F.4th 455, 488–89 (7th Cir. 2022).

AFFIRMED