

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

UNITED STATES OF AMERICA

v.

Case No. 8:22-cr-259-WFJ-AEP

AUGUSTUS C. ROMAIN, JR. a/k/a
Gazi Kodzo,

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ORDER DENYING ROMAIN'S VENUE MOTION

Before the Court is Mr. Romain's Motion to Dismiss for Improper Venue ("the Motion"). Doc. 174. The Government has responded. Doc. 176. Shorn of the histrionics, the Motion contends that venue for Romain's prosecution, under Fed. R. Crim. P. 18, does not lie in the Middle District of Florida. The Motion also asserts a constitutional venue argument. Doc. 174 at 13–14.

The superseding indictment alleges that the conspiracy was begun in 2015 in the Middle District of Florida. Doc. 12 at 5–6, 9, 14, 21–24. A number of overt acts related to present venue are alleged. *See id.* Mr. Romain lived in St. Petersburg for several years involved in the alleged conspiracy. *Id.* at 6. Later he moved to Atlanta, and it is alleged he continued the goals of the conspiracy from there, starting in 2018. The charges sufficiently lay venue in the Middle District of Florida. *United States v. Smith*, 918 F.2d 1551, 1557 (11th Cir. 1990). If this

venue is not proven at trial, Mr. Romain may renew his motion under Fed. R. Crim. P. 29.

DONE AND ORDERED at Tampa, Florida, on July 9, 2024.



WILLIAM F. JUNG
UNITED STATES DISTRICT JUDGE