IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA	*	
	*	
v.	*	**CRIMINAL NO. JKB-22-232**
	*	
ALEXANDER BARABASH,	*	
	*	
Defendant	*	
	*	
	*******	

UNITED STATES' MOTION FOR PRELIMINARY ORDER OF FORFEITURE

The United States of America, by its attorney, Erek L. Barron, United States Attorney for the District of Maryland, respectfully moves this Court for the issuance of a Preliminary Order of Forfeiture in the above-captioned case pursuant to 18 U.S.C. § 982, 21 U.S.C. § 853(p), and Rule 32.2(b) of the Federal Rules of Criminal Procedure. A proposed Preliminary Order of Forfeiture is submitted herewith. In support thereof, the United States sets forth the following:

1. On June 29, 2022, a federal grand jury sitting in the District of Maryland returned an Indictment, charging ALEXANDER BARABASH (the "Defendant") with Wire Fraud, in violation of 18 U.S.C. § 1343 (Count One), and Money Laundering, in violation of 18 U.S.C. § 1957 (Counts Two through Seven). ECF No. 1.

2. The Indictment also included a forfeiture allegation, which provided notice that the United States intended to seek forfeiture, pursuant to 18 U.S.C. § 982 and 21 U.S.C. § 853(p), upon conviction of the Defendant of the offenses alleged in Counts One through Seven of the Indictment.

3. On March 24, 2023, the Defendant pled guilty to the offense alleged in Count One of the Indictment. ECF No. 19. As part of his guilty plea, the Defendant agreed to entry of an order of forfeiture to include a money judgment in the amount of $1,295,000 in U.S. currency

equal to the value of the property derived from, or otherwise involved in, the Defendant's offense. *Id.* ¶¶13.

4. In support of his guilty plea, the Defendant executed a Stipulation of Facts in which the Defendant admitted that he willfully executed a scheme to defraud M&T Bank, and the U.S. Small Business Administration ("SBA"), to obtain funds through false and fraudulent representations. As a result of his scheme, the Defendant received a Paycheck Protection Program ("PPP") loan in the amount of $1,295,000. ECF No. 19.

5. Pursuant to 18 U.S.C. § 982(a)(2)(A) and (b)(1), 21 U.S.C. § 853(p), and Rule 32.2(b)(2) of the Federal Rules of Criminal Procedure, the United States is now entitled to a forfeiture money judgment in the amount of $1,295,000 in U.S. currency against the Defendant.

6. Further, the United States may move at any time, pursuant to Rule 32.2(e)(1)(B) of the Federal Rules of Criminal Procedure and 21 U.S.C. § 853(p), to forfeit any property of the defendant up to the value of the forfeiture money judgment included in the Preliminary Order of Forfeiture. Upon issuance of any order forfeiting specific property, the United States will publish notice in accordance with 21 U.S.C. § 853(n)(1) and Rule 32.2(b)(6) of the Federal Rules of Criminal Procedure.

7. The United States also seeks permission to conduct any discovery that might be necessary to identify, locate, or dispose of forfeited property, pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure and 21 U.S.C. § 853(m).

WHEREFORE, the United States requests that this Court:

(a) enter the Preliminary Order of Forfeiture in the form submitted herewith;

(b) include the forfeiture, as set forth in the Preliminary Order of Forfeiture, in the oral pronouncement of the Defendant's sentence;

(c) retain jurisdiction for the purpose of enforcing the forfeiture; and

(d) incorporate the Preliminary Order of Forfeiture in the criminal judgment entered against the Defendant, pursuant to Federal Rule of Criminal Procedure 32.2(b)(4).

Respectfully submitted,

Erek L. Barron
United States Attorney

By: /s/____________________
Darryl L. Tarver
Assistant United States Attorney