

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA

v.

ALEXANDER BARABASH,

Defendant

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CRIMINAL NO. JKB-22-232

PRELIMINARY ORDER OF FORFEITURE

WHEREAS, on March 24, 2023, the Defendant pled guilty to the offense alleged in Count One of the Indictment, it is hereby **ORDERED, ADJUDGED, AND DECREED** as follows:

1. The Court previously entered a preliminary order of forfeiture on June 27, 2023 (ECF No. 32) imposing a forfeiture money judgment in the amount of \$1,295,000 against the Defendant pursuant to 18 U.S.C. § 982(a).

2. The United States' Motion to Amend the Preliminary Order of Forfeiture to include the real property located at 5575 E. Sheena Drive, Scottsdale, Arizona, as a substitute asset in partial satisfaction of the Defendant's outstanding money judgment, is **GRANTED**.

3. All of the Defendant's right, title, and interest in the following substitute asset is forfeited to the United States pursuant to 21 U.S.C. § 853(p) and 18 U.S.C. § 982(b): the real property located at 5575 E. Sheena Drive, Scottsdale, Arizona (the "Substitute Property").

4. The United States Marshals Service, or any duly authorized law enforcement agency shall, as soon as practicable, seize the Substitute Property pursuant to

21 U.S.C. § 853(g).

5. The United States is authorized to conduct any discovery that might be necessary to identify, locate, or dispose of forfeited property, and to resolve any third-party petition, pursuant to Rules 32.2(b)(3) and (c)(1)(B) of the Federal Rules of Criminal Procedure and 21 U.S.C. § 853(m).

6. Pursuant to 21 U.S.C. § 853(n)(1), the United States shall publish, for thirty (30) consecutive calendar days on the government forfeiture website www.forfeiture.gov, notice of this Amended Preliminary Order of Forfeiture and notice of the United States' intent to dispose of the Substitute Property.

7. Pursuant to 21 U.S.C. § 853(n)(1), the United States shall give, to the extent practicable, direct written notice to any person known to have alleged an interest in the Substitute Property to be forfeited.

8. Pursuant to 21 U.S.C. § 853(n)(2) and (3), the notice referred to above shall state: (a) that any person, other than the Defendant, asserting a legal interest in the Substitute Property, shall, within sixty (60) days after the first day of publication on the government forfeiture website or within thirty (30) days after receipt of actual notice, whichever is earlier, file a petition with the United States District Court for the District of Maryland, requesting a hearing to adjudicate the validity of his or her interest in the Substitute Property; and (b) that the petition shall be signed by the petitioner under the penalty of perjury and shall set forth the nature and extent of the petitioner's right, title, or interest in the Substitute Property, the time and circumstances of the petitioner's acquisition of the right, title, or interest in the Substitute Property, any additional facts supporting the petitioner's claim, and the relief sought.

9. Pursuant to 21 U.S.C. § 853(n)(7), following the Court's disposition of all petitions filed under 21 U.S.C. § 853(n)(6), or if no such petitions are filed following the expiration of the period provided in 21 U.S.C. § 853(n)(2) for the filing of such petitions, the United States shall have clear title to the Substitute Property.

10. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture, pursuant to 18 U.S.C. § 982, U.S.C. § 853(p), and Rule 32.2(c) of the Federal Rules of Criminal Procedure, in which all interests will be addressed.

11. The Court shall retain jurisdiction in this case for the purpose of enforcing this Order.

Date

The Honorable James K. Bredar
United States District Judge