

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 22-CR-20326-KMM

UNITED STATES OF AMERICA

v.

ANDRE LORQUET,

Defendant.

UNITED STATES' MOTION FOR FINAL ORDER OF FORFEITURE

Pursuant to 21 U.S.C. § 853 and Rule 32.2 of the Federal Rules of Criminal Procedure, the United States of America (the "United States"), by and through the undersigned Assistant United States Attorney, hereby moves for the entry of a Final Order of Forfeiture in the above-captioned matter. In support of this motion, the United States provides the following factual and legal bases.

1. On February 23, 2023, pursuant to 18 U.S.C. § 982(a)(1) and 21 U.S.C. § 853, the Court entered an Order, ECF No. 52, forfeiting, subject to third-party interests, the following property to the United States, among other assets:

- i. Approximately \$92,000 in U.S. currency in Bank of America account number 8981 0729 7999 in the name of The B Murray Group LLC;
- ii. One (1) 2022 Tesla Plaid, VIN# 5YJSA1E66NF460071; and
- iii. Approximately \$100,358.73 in insurance proceeds from Coast National Insurance for one (1) 2019 Porsche Panamera GTS, VIN# WP0AG2A77KL139387.

2. On or about February 2023, Bristol West Insurance Company, acting for its subsidiary, Coast National Insurance (the insurer), took custody of the totaled 2019 Porsche

Panamera GTS, VIN# WP0AG2A77KL139387, as part of the approximately \$100,358.73 insurance payment on the claim upon surrender of the vehicle to the insurer.

3. Before the insurer will issue the forfeited insurance payment to the United States, the insurer states that the Defendant, or his attorney with an executed Power of Attorney, must sign over the title to the Porsche Panamera.

4. Accordingly, in this motion for final order of forfeiture, the United States moves the Court to amend the language describing the forfeited asset insurance proceeds from the 2019 Porsche Panamera GTS, VIN# WP0AG2A77KL139387, as follows:

- i. Approximately \$100,358.73 in insurance proceeds from Coast National Insurance for one (1) 2019 Porsche Panamera GTS, VIN# WP0AG2A77KL139387, with title transferring to Coast National Insurance pursuant to the insurance claim.

5. On June 12, 2024, a representative from Bristol West Insurance Company represented that this proposed language will allow the insurer to take title and issue payment.

6. Notice of the criminal forfeiture was posted on an official government internet site (www.forfeiture.gov) for a period of 30 days. *See* Decl. of Publication, ECF No. XX; 21 U.S.C. § 853(n)(1); Fed. R. Crim. P. 32.2(b)(6).

7. Direct notice was sent to any person who reasonably appeared to be a potential claimant with standing to contest the forfeiture, or such person was on actual notice of the forfeiture. *See* Fed. R. Crim. P. 32.2(b)(6); *accord* 21 U.S.C. § 853(n)(1). *See* Exhibit A (Direct Notices and Delivery Confirmations, attached to Motion).

8. The notice advised that any person, other than the Defendant in the above-captioned case, asserting a legal interest in the property sought for final forfeiture may petition the Court for

a hearing to adjudicate the validity of that person's alleged interest, within 60 days of the first day of publication or within 30 days of receipt of notice, whichever is earlier. Fed. R. Crim. P. 32.2(b)(6); 21 U.S.C. § 853(n)(2).

9. Pursuant to 21 U.S.C. § 853(n)(7), once all third-party petitions have been disposed of and/or if no timely petitions have been filed, "the United States shall have clear title to property that is the subject of the order of forfeiture and may warrant good title to any subsequent purchaser or transferee." *Accord* Fed. R. Crim. P. 32.2(c)(2).

10. All persons known to the United States to have a legal interest in the property ordered forfeited have thereby been notified in accordance with Title 21, United States Code, Section 853(n)(1).

11. The time period for filing a petition claiming an interest in the property sought for final forfeiture has expired, and no petition or claim has been filed.

12. As of the date of this motion, no person or entity has filed a petition with the Court, pursuant to the forfeiture notice, and the United States is not aware of any persons or entity who have an interest in the above-referenced property, who have not been noticed as required by law.

13. Therefore, the United States is entitled to a Final Order of Forfeiture that vests in the United States clear title to in the following property:

- i. Approximately \$100,358.73 in insurance proceeds from Coast National Insurance for one (1) 2019 Porsche Panamera GTS, VIN# WP0AG2A77KL139387, with title transferring to Coast National Insurance pursuant to the insurance claim.

14. In addition, because the U.S. Department of Homeland Security, U.S. Customs and Border Protection completed its administrative forfeitures and issued Declarations of

Administrative Forfeiture, the United States is not pursuing the final judicial forfeiture of: (i) approximately \$92,000 in U.S. currency in Bank of America account number 8981 0729 7999 in the name of The B Murray Group LLC; and (ii) one (1) 2022 Tesla Plaid, VIN# 5YJSA1E66NF460071. See Exhibit B (Declarations of Administrative Forfeiture). Accordingly, the Court should amend the Preliminary Order of Forfeiture by dismissing the judicial forfeiture proceedings in this case against the following assets based on their administrative forfeitures:

- i. Approximately \$92,000 in U.S. currency in Bank of America account number 8981 0729 7999 in the name of The B Murray Group LLC; and
- ii. one (1) 2022 Tesla Plaid, VIN# 5YJSA1E66NF460071.

See Fed. R. Crim. P. 32.2(c)(2); 21 U.S.C. § 853(n)(6).

WHEREFORE, pursuant to 18 U.S.C. § 982(a)(1), 21 U.S.C. § 853, and Rule 32.2(c)(2) of the Federal Rules of Criminal Procedure, the United States respectfully requests that the Court enter the proposed Final Order of Forfeiture and for such other relief that it deems just and proper.

Respectfully submitted,

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