

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

CASE No. 22-cr-20326-KMM

UNITED STATES OF AMERICA

v.

ANDRE LORQUET,

Defendant.

/

ORDER

THIS CAUSE came before the Court upon the Government's Motion for Final Order of Forfeiture. ("Mot") (ECF No. 143). Therein, the Government requests the Court's entry of a final order of forfeiture of insurance proceeds in the amount of \$100,358.73 for one (1) 2019 Porsche Panamera GTS, VIN# WP0AG2A77KL139387, with title transferring to Coast National Insurance pursuant to the insurance claim. The Government also requests that the Court amend the Preliminary Order of Forfeiture (ECF No. 52) by dismissing the judicial forfeiture proceedings in this case against certain assets. In support of the Motion, the Government provides as follows:

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.

Mot. ¶ 1.

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. *Id.* ¶ 2. Before the insurer will issue the forfeited insurance payment to the Government, the insurer states that the Defendant, or his attorney with an executed Power of Attorney, must sign over the title to the Porsche Panamera. *Id.* ¶ 3.

Accordingly, the Government requests that the Court 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.

Id. ¶ 4

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); *id.* ¶ 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 also* (ECF No. 143-1). The notice advised that any person, other than Defendant,

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); Mot. ¶ 8.

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). All persons known to the Government 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). Mot. ¶ 6. 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. *Id.* ¶ 11.

As of the date the Government filed the Motion, no person or entity has filed a petition with the Court, pursuant to the forfeiture notice, and the Government 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. *Id.* ¶ 12.

Therefore, the Government is entitled to a Final Order of Forfeiture that vests in the Government clear title to in the following property:

- ii. 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.

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* (ECF No. 143-2). Accordingly, the Preliminary Order of Forfeiture shall be amended by dismissing the judicial forfeiture proceedings in this case against the following assets based on the 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).

Accordingly, UPON CONSIDERATION of the Motion, the pertinent portions of the record, and being otherwise fully advised in the premises, it is hereby ORDERED AND ADJUDGED that the Motion (ECF No. 143) is GRANTED. It is further ORDERED that:

1. 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, all right, title, and interest in the following property is hereby finally forfeited to and vested in the United States of America:

- 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.

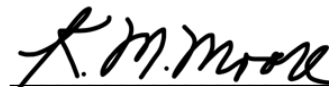
2. Any duly authorized law enforcement official may seize and take immediate possession of the property, exercising any and all incidents of ownership with respect thereto, and dispose of such property in accordance with law.

3. Pursuant to Rule 32.2(c)(2) of the Federal Rules of Criminal Procedure and 21 U.S.C. § 853(n)(6), these judicial forfeiture proceedings are dismissed against the following based on the 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.

4. The Court shall retain jurisdiction in this matter for the purpose of enforcing this Order.

DONE AND ORDERED in Chambers at Miami, Florida, this 17th day of September, 2024.



K. MICHAEL MOORE
UNITED STATES DISTRICT JUDGE

c: All counsel of record