

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Criminal Case No. 21-cr-00188-RBJ

UNITED STATES OF AMERICA,

Plaintiff,

v.

1. ANTHONY ZAGHAB,

Defendant.

**PRELIMINARY ORDER OF FORFEITURE FOR A PERSONAL MONEY JUDGMENT
AND SPECIFIC ASSETS AGAINST DEFENDANT ANTHONY ZAGHAB**

THIS MATTER comes before the Court on the United States' Motion for Preliminary Order of Forfeiture for a Personal Money Judgment and Specific Assets against defendant Anthony Zaghab pursuant to Rule 32.2(b)(2) of the Federal Rules of Criminal Procedure. The Court having read said Motion and being fully advised in the premises finds:

THAT on June 8, 2021, the United States charged defendant Anthony Zaghab by Information in Count One with violation of Title 18, United States Code, Section 1343. The Information also sought forfeiture of the following assets pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c): 1) \$120,070 in fraud proceeds the defendant voluntarily returned to the United States Secret Service; 2) more than \$250,000 in fraud proceeds that were applied to the

mortgage for a home held in the defendant's wife's name; and (3) a money judgment in the amount of the proceeds obtained by the defendant's scheme; and

THAT on August 9, 2021, the United States and defendant Anthony Zaghab entered into a Plea Agreement, which provided that defendant would plead guilty to Count One of the Information. It also contained a factual basis and cause to issue a Preliminary Order of Forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C), Title 28, United States Code, Section 2461(c), and Rule 32.2(b) of the Federal Rules of Criminal Procedure.

THEREFORE, IT IS ORDERED, DECREED AND ADJUDGED:

THAT the \$120,070 in fraud proceeds the defendant voluntarily returned is subject to forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), based on the commission of the offense set forth in Count 1;

THAT a Preliminary Order of Forfeiture for a Personal Money Judgment against defendant Anthony Zaghab in the amount of \$588,071.00, which has been credited with the \$120,070.00 in fraud proceeds the defendant voluntarily returned, shall be entered in accordance with Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c);

THAT defendant's interest in the more than \$250,000 in fraud proceeds that were applied to the mortgage for a home held in the defendant's wife's name is subject to forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), based on the commission of the offense set forth

in Count 1, such interest to be determined in related civil forfeiture case number 21-cv-01400-STV; and

THAT the net proceeds of any other judicially forfeited assets in this case and the related civil forfeiture case number 21-cv-01400-STV shall be credited toward the defendant's money judgment;

THAT Pursuant to Federal Rule of Criminal Procedure 32.2(b)(4), this Forfeiture Money Judgment shall become final as to the defendant at the time of sentencing and shall be made part of the sentence and included in the judgment; and

THAT this Preliminary Order of Forfeiture may be amended pursuant to the Federal Rules of Criminal Procedure, Rule 32.2(e)(1).

SO ORDERED this _____ day of _____ 2021.

BY THE COURT:

The Honorable R. Brooke Jackson
United States District Court Judge