UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 23-CR-20295-ALTONAGA/DAMIAN

UNITED STATES OF AMERICA

v.

ARASHIO HARRIS,

Defendant.

PRELIMINARY ORDER OF FORFEITURE

THIS MATTER is before the Court upon motion of the United States of America (the "United States") for entry of a Preliminary Order of Forfeiture ("Motion") against Defendant Arashio Harris (the "Defendant"). The Court has considered the Motion, is otherwise advised in the premises, and finds as follows:

On July 14, 2023, the United States filed an Information charging the Defendant in Count 1 with wire fraud in violation of 18 U.S.C. § 1343. Information, ECF No. 1. The Information also contained forfeiture allegations, which alleged that upon conviction of a violation of 18 U.S.C. § 1343, the Defendant shall forfeit to the United States any property, real or personal, which constitutes or is derived from proceeds traceable to such offense, pursuant to 18 U.S.C. § 981(a)(1)(C), as incorporated by 28 U.S.C. § 2461(c). *Id.* at 8.

On August 9, 2023, the Court accepted the Defendant's guilty plea to Count 1 of the Information. *See* Minute Entry, ECF No. 9; Plea Agreement, ECF No. 10. As part of the guilty plea, the Defendant agreed to the forfeiture of all right, title, and interest to any property, real or personal, which constitutes proceeds traceable to the offense of conviction pursuant to 18 U.S.C. § 981(a)(1)(C), as made applicable by 28 U.S.C. § 2461(c). ECF No. 10 at 5.

In support of the guilty plea, the Defendant executed a Factual Proffer, and the Court found that there was a factual basis to support the Defendant's conviction. Factual Proffer, ECF No. 11. The Factual Proffer also provided a basis for the forfeiture of property. *Id.* at 5-8. The United States Probation Office has since conducted a presentence investigation, which included information on the Defendant's financial condition. *See* Presentence Investigation Report, ECF No. 20.

As set forth in the Factual Proffer, ECF No. 11, and the Presentence Investigation Report, ECF No. 20, the Defendant was the owner and president of companies The Good Family Property Solutions Inc. and Flying Lions LLC. ECF No. 11 at 1; ECF No. 20 at ¶¶ 76, 77. The Defendant was the sole signatory on Good Family's checking account at Wells Fargo Bank and a signatory on Flying Lion's checking account at Wells Fargo Bank. ECF No. 11 at 5. The Defendant, through Good Family, submitted a fraudulent application to the Small Business Administration (SBA) seeking and obtaining an Economic Injury Disaster Loan (EIDL) and an EIDL advance, which together totaled $23,500. ECF No. 11 at 5-6; ECF No. 20 at ¶ 22. The Defendant, through Good Family, submitted fraudulent applications for two Paycheck Protection Program (PPP) loans, allowing him to fraudulently obtain a first-draw PPP loan of $129,275 in July 2020, and a second-draw PPP loan of $129,276 in April 2021. ECF No. 11 at 7-8; ECF No. 20 at ¶¶ 24-27. The Defendant, using Flying Lions, fraudulently applied for and obtained from the SBA an EIDL for $150,000. ECF No. 11 at 6; ECF No. 20 at ¶ 23. All loans were disbursed to the accounts at Wells Fargo described above. ECF No. 11 at 6-8.

Accordingly, based on the foregoing, the evidence in the record, and for good cause shown, the Motion is **GRANTED**, and it is hereby **ORDERED** that:

1. Pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c) and Rule 32.2 of the Federal Rules of Criminal Procedure, a forfeiture money judgment in the amount of $432,051 in U.S. currency is hereby entered against the Defendant.

2. 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 Rule 32.2(b)(3), (c)(1)(B) of the Federal Rules of Criminal Procedure and 21 U.S.C. § 853(m).

3. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Order is final as to the Defendant.

4. The Court shall retain jurisdiction in this matter for the purpose of enforcing this Order, and pursuant to Rule 32.2(e)(1) of the Federal Rules of Criminal Procedure, shall amend this Order, or enter other orders as necessary, to forfeit additional specific property when identified.

DONE AND ORDERED in Miami, Florida, this _______ day of October 2023.

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CECILIA M. ALTONAGA
CHIEF UNITED STATES DISTRICT JUDGE