

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Georgette Castner, U.S.D.J.
v. : Crim. No. 23-794
ARLEN ENCARNACION, : AFFIRMATION OF PUBLICATION
Defendant. :

I, SARAH DEVLIN, pursuant to Title 28, United States Code, Section 1746, hereby affirm under the penalty of perjury:

That I am an Assistant United States Attorney in the Office of the United States Attorney for the District of New Jersey, and

That attached to this affirmation are the following:

- (1) A true and correct copy of the Notice of Forfeiture published in connection with the above-captioned case (Attachment 1), and
- (2) An Advertisement Certification Report generated by the Consolidated Asset Tracking System maintained by the Department of Justice, which indicates that the aforementioned Notice was posted on an official government internet site (www.forfeiture.gov) for at least thirty (30) consecutive days, beginning on January 30, 2024, and ending on February 28, 2024, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions (Attachment 2).

Dated: April 10, 2024
Newark, New Jersey

s/Sarah Devlin
SARAH DEVLIN
Assistant United States Attorney

ATTACHMENT 1

Attachment 1

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
COURT CASE NUMBER: 3:23-CR-00794; NOTICE OF FORFEITURE**

Notice is hereby given that on January 09, 2024, in the case of U.S. v. ARLEN ENCARNACION, Court Case Number 3:23-CR-00794, the United States District Court for the District of New Jersey entered an Order condemning and forfeiting the following property to the United States of America:

\$41,235.64 seized from an account at TD Bank, account number ending in 7619 in the name of Skycam Auto Group LLC (22-USP-001221), which was seized from Arlen Encarnacion on December 16, 2021, in Perth Amboy, New Jersey;

\$41,108.30 seized from an account at TD Bank, account number ending in 8725 in the name of Advantage Intelligent Systems(22-USP-001224), which was seized from Arlen Encarnacion December 16, 2021, in Perth Amboy, New Jersey;

\$30,072.69 seized from an account at TD Bank, account number ending in 8733 in the name of Skycam Security LLC (22-USP-001225), which was seized from Arlen Encarnacion on December 16, 2021, in Perth Amboy, New Jersey;

\$50,626.94seized from an account at TD Bank, account ending in 8741 in the name of Skycam Technologies LLC (22-USP-001226), which was seized from Arlen Encarnacion on December 16, 2021, in Perth Amboy, New Jersey;

\$45,221.30 seized from an account at TD Bank, account number ending in 8759 in the name of Skycam Construction LLC (22-USP-001227), which was seized from Arlen Encarnacion on December 16, 2021, in Perth Amboy, New Jersey; and

\$112,557.19 seized from an account at TD Bank, account number ending in 8767 in the name of Sykcam Enterprises and Holding LLC (22-USP-001229), which was seized from Arlen Encarnacion on December 16, 2021, in Perth Amboy, New Jersey.

The United States hereby gives notice of its intent to dispose of the forfeited property in such manner as the United States Attorney General may direct. Any person, other than the defendant(s) in this case, claiming interest in the forfeited property must file an ancillary petition within 60 days of the first date of publication (January 30, 2024) of this Notice on this official government internet web site, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure and 21 U.S.C. § 853(n)(1). The ancillary petition must be filed with the Clerk of the Court, Martin Luther King Federal Building & U.S. Courthouse, 50 Walnut Street, Room 4105, Newark, NJ 07101-0419, and a copy served upon Assistant United States Attorney Sarah Devlin, 970 Broad Street,, Suite 700, Newark, NJ 07102. The ancillary petition shall be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title or interest in the forfeited

property, the time and circumstances of the petitioner's acquisition of the right, title and interest in the forfeited property and any additional facts supporting the petitioner's claim and the relief sought, pursuant to 21 U.S.C. § 853(n).

Following the Court's disposition of all ancillary petitions filed, or if no such petitions are filed, following the expiration of the period specified above for the filing of such ancillary petitions, the United States shall have clear title to the property and may warrant good title to any subsequent purchaser or transferee.

The government may also consider granting petitions for remission or mitigation, which pardon all or part of the property from the forfeiture. A petition must include a description of your interest in the property supported by documentation; include any facts you believe justify the return of the property; and be signed under oath, subject to the penalty of perjury, or meet the requirements of an unsworn statement under penalty of perjury. See 28 U.S.C. Section 1746. For the regulations pertaining to remission or mitigation of the forfeiture, see 28 C.F.R. Sections 9.1 - 9.9. The criteria for remission of the forfeiture are found at 28 C.F.R. Section 9.5(a). The criteria for mitigation of the forfeiture are found at 28 C.F.R. Section 9.5(b). The petition for remission need not be made in any particular form and may be filed online or in writing. You should file a petition for remission not later than 11:59 PM EST 30 days after the date of final publication of this notice. See 28 C.F.R. Section 9.3(a). The <https://www.forfeiture.gov/FilingPetition.htm> website provides access to a standard petition for remission form that may be mailed and the link to file a petition for remission online. If you cannot find the desired assets online, you must file your petition for remission in writing by sending it to Assistant United States Attorney Sarah Devlin, 970 Broad Street,, Suite 700, Newark, NJ 07102. This website provides answers to frequently asked questions (FAQs) about filing a petition for remission. You may file both an ancillary petition with the court and a petition for remission or mitigation.

ATTACHMENT 2



Advertisement Certification Report

The Notice of Publication was available on the www.forfeiture.gov web site for at least 18 hours per day between January 30, 2024 and February 28, 2024. Below is a summary report that identifies the uptime for each day within the publication period and reports the results of the web monitoring system's daily check that verifies that the advertisement was available each day.

U.S. v. ARLEN ENCARNACION

Court Case No: 3:23-CR-00794
For Asset ID(s): See Attached Advertisement Copy

Consecutive Calendar Day Count	Date Advertisement Appeared on the Web Site	Total Hours Web Site was Available during Calendar Day	Verification that Advertisement existed on Web Site
1	01/30/2024	23.9	Verified
2	01/31/2024	23.9	Verified
3	02/01/2024	24.0	Verified
4	02/02/2024	23.8	Verified
5	02/03/2024	23.8	Verified
6	02/04/2024	23.9	Verified
7	02/05/2024	23.9	Verified
8	02/06/2024	23.9	Verified
9	02/07/2024	23.9	Verified
10	02/08/2024	23.9	Verified
11	02/09/2024	23.9	Verified
12	02/10/2024	23.9	Verified
13	02/11/2024	23.9	Verified
14	02/12/2024	24.0	Verified
15	02/13/2024	23.9	Verified
16	02/14/2024	24.0	Verified
17	02/15/2024	23.9	Verified
18	02/16/2024	23.9	Verified
19	02/17/2024	23.9	Verified
20	02/18/2024	23.9	Verified
21	02/19/2024	23.9	Verified
22	02/20/2024	23.9	Verified
23	02/21/2024	23.9	Verified
24	02/22/2024	23.9	Verified
25	02/23/2024	24.0	Verified
26	02/24/2024	23.9	Verified
27	02/25/2024	23.9	Verified
28	02/26/2024	23.9	Verified
29	02/27/2024	24.0	Verified
30	02/28/2024	23.9	Verified

Additional log information is available and kept in the archives for 15 years after the asset has been disposed.