

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ARMAN HAYRAPETYAN,

Defendant.

No. CR 20-00579-SVW-6

[PROPOSED] PRELIMINARY ORDER
OF FORFEITURE PURSUANT TO PLEA
AGREEMENT AS TO 74203
ANASTACIA LANE, PALM DESERT,
CALIFORNIA

Upon consideration of the application of Plaintiff, United States of America, for a preliminary order of forfeiture pursuant to the plea agreement of, and guilty plea to Count Twenty-six of the First Superseding Indictment entered by, defendant ARMAN HAYRAPETYAN, and, good cause appearing thereon, IT IS HEREBY ORDERED:

I. FORFEITABLE PROPERTY

For the reasons set out below, any right, title and interest of defendant Arman Hayrapetyan in the following described property (hereinafter, the "Forfeitable Property") is

1 hereby forfeited to the United States. The Court finds that the
2 government has established the requisite nexus between the
3 Forfeitable Property and the offenses described in Count Twenty-
4 six of the First Superseding Indictment, which charge defendant
5 with 18 U.S.C. § 1956(h) (conspiracy to commit money
6 laundering). The Forfeitable Property is more particularly
7 described as:

8 a. The real property located at 74203 Anastacia Lane,
9 Palm Desert, California, APN: 684-331-008, more particularly
10 described as:

11 Parcel 1:

12 Lot 56 of Tract No. 45375, in the City of Glendale, County
13 of Los Angeles, State of California, as per map recorded in
14 Book 1128, Page(s) 55 to 63 inclusive of Maps, in the
15 office of the County Recorder of said County.

16 Except therefrom all oil and minerals in, on and under said
17 land as reserved by Benjamin Dreyfus in deeds recorded in
18 Book 101, Pages 551 and in Book 107, Page 447 both of
19 Deeds, in said Office of the County Recorder.
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21 Parcel 2:

22 Non-exclusive easements for access, ingress, egress,
23 encroachments, maintenance, repair, drainage, support and
24 other purposes, all as described in the Master Declaration
25 recorded March 7, 1989 as Instrument No. 1989-354873 and
26 any amendments thereto.

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1 **II. IMPLEMENTATION**

2 IT IS FURTHER ORDERED as follows:

3 A. Upon the entry of this Order, and pursuant to Fed. R.
4 Crim. P. 32.2(b)(3) and 21 U.S.C. § 853, the United States
5 Attorney General (or a designee) is authorized to seize the
6 Forfeitable Property.

7 B. Upon entry of this Order, the United States is further
8 authorized to conduct any discovery for the purpose of
9 identifying, locating, or disposing of the Forfeitable Property
10 subject to forfeiture pursuant to this Order, 21 U.S.C. § 853(m)
11 and Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure.
12 "Any discovery" shall include all methods of discovery permitted
13 under the Federal Rules of Civil Procedure.

14 C. Upon entry of this Order (and at any time in the
15 future after amendment of the applicable order of forfeiture in
16 this matter), the United States Attorney General (or a designee)
17 is authorized to commence any applicable proceeding to comply
18 with statutes governing third party rights, including giving
19 notice of this and any other Order affecting specific property.
20 The following paragraphs shall apply to any ancillary proceeding
21 conducted in this matter:

22 (1) Pursuant to 21 U.S.C. § 853(n)(1) and
23 Supplemental Rule G(4)(a)(iv)(C) of the Supplemental Rules for
24 Admiralty or Maritime Claims and Asset Forfeiture Actions, the
25 government shall forthwith publish for at least thirty (30)
26 consecutive days on an official government website notice of
27 this order and any other Order affecting the Forfeitable
28 Property, and notice that any person, other than the defendant,

1 having or claiming a legal interest in the property must file a
2 petition with the Court within thirty (30) days of the
3 publication of notice or receipt of actual notice, whichever is
4 earlier. The United States shall also, to the extent
5 practicable, provide written notice to any person known to have
6 an alleged interest in the Forfeitable Property.

7 (2) Any person other than defendant ARMAN HAYRAPETYAN
8 ("defendant") asserting a legal interest in the Forfeitable
9 Property may, within thirty days of the publication of notice or
10 receipt of notice, whichever is earlier, petition the court for
11 a hearing without a jury to adjudicate the validity of his or
12 her alleged interest in the property, and for an amendment of
13 the order of forfeiture, pursuant to 21 U.S.C. § 853(n) (2).

14 (3) Any petition filed by a third party asserting an
15 interest in the Forfeitable Property shall be signed by the
16 petitioner under penalty of perjury and shall set forth the
17 nature and extent of the petitioner's right, title, or interest
18 in such property, the time and circumstances of the petitioner's
19 acquisition of the right, title or interest in the property, any
20 additional facts supporting the petitioner's claim, and the
21 relief sought. 21 U.S.C. § 853(n) (3).

22 (4) The United States shall have clear title to the
23 Forfeitable Property following the Court's disposition of all
24 third-party interests or, if no petitions are filed, following
25 the expiration of the period provided in 21 U.S.C. § 853(n) (2)
26 for the filing of third party petitions.

27 D. Pursuant to Fed. R. Crim. P. 32.2(b) (3) and
28 defendant's consent, this Preliminary Order of Forfeiture shall

1 become final as to defendant ARMAN HAYRAPETYAN upon entry and
2 shall be made part of his sentence and included in his judgment.

3 E. The Court shall retain jurisdiction to enforce this
4 Order, and to amend it as necessary, pursuant to Fed. R. Crim.
5 P. 32.2(e).

6 DATED: _____
7
8 HONORABLE STEPHEN V. WILSON
9 UNITED STATES DISTRICT JUDGE

10 PRESENTED BY:

11 TRACY L. WILKISON
12 Acting United States Attorney

13 SCOTT M. GARRINGER
14 Assistant United States Attorney
15 Chief, Criminal Division

16 /s/Brent A. Whittlesey
17 BRENT A. WHITTLESEY
18 Assistant United States Attorney
19 Asset Forfeiture Section

20 Attorneys for Plaintiff
21 UNITED STATES OF AMERICA
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