

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA	Criminal Action No.
v.	1:20-CR-296-JPB-CMS
CHARLES HILL, IV, ET AL.,	
DEFENDANTS,	[Ancillary Proceedings]
AND	
NEW HORIZON REAL ESTATE, LLC,	
THIRD-PARTY PETITIONER.	

UNITED STATES' UNOPPOSED REQUEST FOR AN EXTENSION

The United States of America, by Ryan K. Buchanan, United States Attorney, and Norman L. Barnett, Assistant United States Attorney, for the Northern District of Georgia, hereby files this Unopposed Request for an Extension to respond to New Horizon Real Estate LLC's Petition to Contest the Forfeiture of Property, and in support thereof, states the following:

1. On April 15, 2024, New Horizon Real Estate LLC ("Petitioner") filed a petition contesting the forfeiture of real property located at 503-505 Rockwell Street, Fulton County, Georgia ("Petition"). (Doc. 967).
2. The Court ordered the United States to respond to the Petition by April 30, 2024.

3. Prior to the filing of the Petition, the United States and counsel for Petitioner have been in communication regarding this matter and whether it can be resolved without further litigation.
4. Additionally, the deadline for other potential petitioners to file a petition regarding the real property located at 503-505 Rockwell Street, Fulton County, Georgia has not yet passed. The United States began publishing notice of the preliminary order of forfeiture, and of its intent to dispose of the property, on the official government internet site *www.forfeiture.gov* beginning on April 8, 2024, and is required to publish such notice for “at least 30 consecutive days.” See Rule G(4)(a)(iii)(B) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions. Pursuant to 21 U.S.C. § 853(n)(2), anyone, other than a defendant, claiming an interest in property subject to forfeiture must file a petition “within thirty days of the final publication of notice or his receipt of notice . . . whichever is earlier.” Thus, the deadline for anyone, other than a defendant, to file a petition regarding the Subject Property is June 7, 2024, that is, 60 days after April 8, 2024.
5. Accordingly, the United States respectfully requests 45 additional days to respond to the Petition.

6. During the requested extension, the United States will continue communicating with counsel for Petitioner and working to determine whether the Petition can be resolved through an agreement.
7. The requested extension would also allow the United States to determine whether any other petitioners assert a valid petition regarding the real property located at 503-505 Rockwell Street, Fulton County, Georgia.
8. Should the United States and Petitioner be unable to reach an agreement regarding the Petition, the United States intends to, if appropriate, file a motion pursuant to Federal Rule of Criminal Procedure 32.2(c)(1)(A), or file a motion seeking discovery pursuant to Federal Rule of Criminal Procedure 32.2(c)(1)(B).
9. The United States has discussed this request for an extension with counsel for Petitioner and Petitioner does not oppose the United States' request for an extension.
10. The United States makes this request in good faith and not for the purpose of delay.

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For the foregoing reasons, the United States respectfully requests 45 additional days to respond to the Petition.

Respectfully submitted,
RYAN K. BUCHANAN
United States Attorney

/s/Norman L. Barnett

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Certificate of Service

I served this document today by filing it using the Court's CM/ECF system, which automatically notifies the parties and counsel of record.

/s/ NORMAN L. BARNETT

NORMAN L. BARNETT

Assistant United States Attorney