

2020R01278/DF/SD/jw

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon. Karen M. Williams, U.S.D.J.
v.	:	Crim. No. 22-186
CORNELL MCCOY,	:	FINAL ORDER OF FORFEITURE
Defendant.	:	<u>(AS TO SPECIFIC PROPERTY)</u>

On March 14, 2022, defendant Cornell McCoy (the “defendant”) pleaded guilty, pursuant to a plea agreement with the United States, to a one-count Information (the “Information”), which charged him with bank fraud, in violation of 18 U.S.C. § 1344 (Count One).

On or about March 14, 2022, the Court entered a Consent Judgment and Order of Forfeiture (Money Judgment) and Preliminary Order of Forfeiture as to Specific Property (Final as to the Defendant) (the “Preliminary Order”). Pursuant to the plea agreement, and pursuant to 18 U.S.C. § 982(a)(2) and Fed. R. Crim. P. 32.2(b)(1) and (b)(2), the Preliminary Order forfeited to the United States all of the defendant’s right, title, and interest in the contents of an account at Key Bank ending in -4316, in the name of Silver Cup Services Group LLC, which the defendant admitted had the requisite nexus to the offense to which the defendant pleaded guilty, and property traceable to such property. The Court also imposed a criminal forfeiture money judgment in the amount of \$237,500.00 upon the defendant (the “Money Judgment”).

On or about May 4, 2022, the Court entered a Partial Amendment of Consent Judgment of Forfeiture (Money Judgment) and Preliminary Order of Forfeiture adding the contents of an account at Key Bank ending in -3902, in the name of Silver Cup Services Group LLC, to the list of specific property forfeited by the defendant in the Preliminary Order, so that the property forfeited by the defendant in the Preliminary Order now included, but was not limited to, the following:

- a. the contents of an account at Key Bank ending in -4316, in the name of Silver Cup Services Group LLC; and
- b. the contents of an account at Key Bank ending in -3902, in the name of Silver Cup Services Group LLC

(collectively, the “Specific Property”).

The provisions of 21 U.S.C. § 853(n) (as incorporated by U.S.C. § 982(b)) and Rule 32.2(b) of the Federal Rules of Criminal Procedure require publication and notice to third parties known to have alleged an interest in forfeited property and the disposition of any petitions filed under Section 853(n) before the United States may have clear title to such property.

Pursuant to 21 U.S.C. § 853(n)(1), a Notice of Forfeiture with respect to the Specific Property was posted on an official government internet site, namely www.forfeiture.gov, beginning on May 7, 2022, and running for 30 consecutive days through June 5, 2022, as permitted by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions. Proof of publication was filed with the Court on or about August 9, 2022.

The published notice explained that any person asserting a legal interest in the Specific Property was required to file a petition with the Court within sixty (60) days from the first day of publication of the notice on the government internet site, and that if no such petitions were filed, following the expiration of the period for the filing of such petitions, the United States would have clear title to the Specific Property, in accordance with Supplemental Rule G(5)(a)(ii)(B).

The defendant was the owner of Silver Cup Services Group LLC. Since there are no third parties known to have alleged an interest in forfeited specific property who have not agreed to forfeit their interest in the Specific Property, no individual notices were sent to potential third parties.

Pursuant to 21 U.S.C. § 853(n)(7), the United States shall have clear title to any forfeited property where no direct notice to potential claimants was required and no petitions for a hearing to contest the forfeiture have been filed within sixty (60) days after the first day of publication on an official internet government forfeiture site, in accordance with the procedures prescribed in Supplemental Rule G(5)(a)(ii)(B).

No claims or answers were filed or made in this action, no parties have appeared to contest the action to date, and the statutory time periods in which to do so have expired. Pursuant to 21 U.S.C. § 853(n)(7), the United States is therefore entitled to have clear title to the Specific Property and to warrant good title to any subsequent purchaser or transferee.

