

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

UNITED STATES OF AMERICA

v.

DARRELL THOMAS

Criminal Action No.
1:20-cr-00296-JPB-AJB

MOTION TO AMEND FINAL ORDER OF FORFEITURE

COMES NOW the United States of America, pursuant to Federal Rule of Criminal Procedure 36 and moves the Court for an Amended Final Order of Forfeiture to add property inadvertently omitted in the Final Order of Forfeiture. Specifically, on March 8, 2023, the Government moved this Court to order property forfeited to the United States. (Doc. 647). The Court granted the Motion for Final Order of Forfeiture on March 28, 2023, however, one vehicle, a 2017 Acura NSX with VIN 19UNC1B08HY000536, was inadvertently omitted on page four of the Final Order of Forfeiture. (Doc. 655, p. 4).

This motion seeks to amend the Final Order of Forfeiture to add the 2017 Acura NSX, VIN 19UNC1B08HY000536 ("Subject Vehicle") to the Final Order of Forfeiture to allow the United States to forfeit and dispose of the Subject Vehicle.

Argument and Citation of Authority

Rule 36 of the Federal Rules of Criminal Procedure authorized the Court to amend an order “at any time” to correct an error:

After giving any notice it considers appropriate, the court may at any time correct a clerical error in a judgment, order or other part of the records, or correct an error in the record arising from oversight or omission.

Fed.R.Crim.P. 36.

Here, the Subject vehicle was inadvertently omitted from the Final Order of Forfeiture. Accordingly, the Government only seeks to correct this error that arose from an oversight.

Conclusion

For all the foregoing reasons, the United States respectfully requests that this Court grant this motion and issue the proposed Amended Final Order of Forfeiture, filed concurrently herewith.

Respectfully submitted,

RYAN K. BUCHANAN
United States Attorney

/s/ RADKA T. NATIONS
Assistant United States Attorney
Georgia Bar No. 618248

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.

April 20, 2023

/s/ RADKA T. NATIONS

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Assistant United States Attorney