

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

UNITED STATES OF AMERICA

v.

ANDRE LEE GAINES

Criminal Action No.

1:21-cr-00206-JPB

MOTION FOR FINAL ORDER OF FORFEITURE

COMES NOW the United States of America, pursuant to Rule 32.2(c) of the Federal Rules of Criminal Procedure and moves the Court for a final order of forfeiture. In support thereof, the United States states the following:

Defendant Andre Lee Gaines pled guilty to the Criminal Information. The Consent Preliminary Order of Forfeiture was entered on August 4, 2021 [Doc. 8], forfeiting the following property to the United States pursuant to 18 U.S.C. § 982(a)(3):

- a. \$177,828.46 in funds seized from JPMorgan Chase account number XXXXX6500, held in the name of Gaines Reservation and Travel; and
- b. \$9,314.28 in funds seized from PNC Bank account number XXXXXX5124 held in the name of Gaines Reservation and Travel.

Pursuant to 21 U.S.C. § 853(n)(1), as incorporated by 18 U.S.C. § 982(b)(1), the United States posted notice of the forfeiture action on the official

government internet site forfeiture.gov for at least thirty consecutive days beginning on March 11, 2022 and ending on April 9, 2022 [Doc. 15].

Unless excused, anyone claiming an interest in the funds must file a petition with the Court requesting a hearing to adjudicate that interest. Such a petition must be filed “within thirty days of the final publication of notice or his receipt of notice...whichever is earlier”. 21 U.S.C. § 853(n)(2). No one has filed a petition in this criminal ancillary proceeding and the time to do so has expired. Thus, the following should be forfeited to the United States pursuant to Fed. R. Crim. P. 32.2(c)(2), 18 U.S.C. § 982(a)(3):

- a. \$177,828.46 in funds seized from JPMorgan Chase account number XXXXX6500, held in the name of Gaines Reservation and Travel; and
- b. \$9,314.28 in funds seized from PNC Bank account number XXXXXX5124 held in the name of Gaines Reservation and Travel.

WHEREFORE, the United States respectfully requests that this Court enter a final order of forfeiture allowing the United States to dispose of the funds according to law.

Respectfully submitted,

RYAN K. BUCHANAN

Acting United States Attorney

/s/**RADKA T. NATIONS**

Assistant United States Attorney

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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.

July 29, 2022

/s/ Radka T. Nations

RADKA T. NATIONS

Assistant United States Attorney