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UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF IDAHO

UNITED STATES OF AMERICA, Plaintiff, vs. ANUBOR J. BAGBI Defendant.	Case No. 1:23-CR-00045-AKB **MOTION FOR FINAL ORDER OF FORFEITURE**

Plaintiff, United States of America, requests a final order of forfeiture, based on the record in this case and Rule 32.2(c) of the Federal Rules of Criminal Procedure.

The Court previously entered a Preliminary Order of Forfeiture, Final as to Defendant and Forfeiture Money Judgment ("POF") (ECF No. 49) of the Subject Property and found a sufficient nexus and statutory authority, as described below.

Subject Property:

a) Seized Property:

1. Approximately $11,784.41 in seized currency from Unify Federal Credit Union Account No. 3629020 (seized in accordance with the warrant issued

in Case No. 1:23-mj-00099-DKG);

2. $139 in cash seized on December 15, 2022;

3. Blue iPhone with black Otterbox case seized on December 15, 2022;

4. Black Nokia phone seized on December 15, 2022;

5. Green iPhone with white case seized on December 15, 2022.

b) Unseized JP Morgan Chase Accounts: AMB Farms LLC account ending in 3310 and LG Farms USA LLC account ending in 9259.

Money Judgment Previously Ordered

The POF included a forfeiture money judgment for $222,051.86. That forfeiture money judgment is final, as explained in the POF.

Nexus and Factual Basis for Forfeiture

The Defendant pleaded guilty to counts three and six of the Indictment, a violation of 18 U.S.C. § 1344(I) and 18 U.S.C. § 1028A. (Plea Agreement and Plea Hearing Minutes ECF Nos. 34 and 37.) Defendant admitted to possessing the Subject Property in connection with opening fraudulent business accounts using information from stolen checks, which he then deposited into these accounts and withdrew the proceeds. (Plea Agreement, ECF No. 34.)

The Court sentenced the Defendant and entered Judgment. (Judgment, ECF No.52.)

Statutory Authority

The Court's forfeiture authority originates from 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), which provide that, when imposing sentence on any person convicted of a violation of 18 U.S.C. § 1344, the Court, shall order the person to forfeit property, real or personal, that constitutes or is derived, directly or indirectly, from proceeds traceable to the commission of the offense.

Notice / Publication / Claims

1. The United States caused notice of the above-referenced forfeiture order to be published and sent in accordance with the requirements of Federal Rule of Criminal Procedure 32.2(b)(6)(A). This included publication on an official government internet site (www.forfeiture.gov), beginning on December 5, 2023. The United States filed notice of service by publication. (ECF No. 54.) *See* Criminal Rule 32.2(b)(6)(C) and Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty and Maritime Claims and Asset Forfeiture Actions.

2. If the U.S. Attorney's Office was aware of any person reasonably appearing to be a potential claimant, the United States took steps to send notice directly to that person. *See* Criminal Rule 32.2(b)(6)(A) and Supplemental Rule G(4)(b).

3. No claims have been filed as to the Subject Property, and the United States requests that the property be condemned and finally forfeited, with title vested in the United States of America and with no claim of interest in said property existing in any other person or entity.

A proposed order is being submitted to the Court via email.

Respectfully submitted this 6th day of March, 2024.

JOSHUA D. HURWIT
UNITED STATES ATTORNEY
By:

/s/ William M. Humphries
WILLIAM M. HUMPHRIES
Assistant United States Attorney