

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

UNITED STATES OF AMERICA

v.

Case No. 6:21-cr-16-WWB-DCI
(Forfeiture)

DON V. CISTERNINO

**ORDER OF FORFEITURE
AND PRELIMINARY ORDER OF FORFEITURE**

THIS CAUSE comes before the Court on United States' Motion for Entry of an Order of Forfeiture (Doc. 36) in the amount of \$7,210,000 and for entry of a Preliminary Order of Forfeiture for the following directly traceable assets:

1. approximately \$446,580.86 seized from Wells Fargo Bank account #1040205207573, held in the name of Victor A. Cisternino and/or Mary Jo Cisternino;
2. approximately \$439,576.96 seized from TD Bank account #7919290655, held in the name of Victor A Cisternino and/or Mary J Cisternino;
3. approximately \$94,726.07 seized from JP Morgan Chase Bank account #650710970, held in the name of Victor A. Cisternino and/or Mary J. Cisternino;
4. approximately \$5,000.21 seized from JP Morgan Chase Bank account #3838760727, held in the name of Victor A. Cisternino and/or Mary J. Cisternino; and
5. approximately \$86,039.88 seized from Citibank account #6866323510, held in the name of Denise L. Pieck and/or ITF Keith Pieck.

After being fully advised in the premises, the Court hereby finds that the United States has established that the defendant obtained \$7,210,000 in proceeds from his wire fraud scheme, in violation of 18 U.S.C. § 1343, for which the defendant pled guilty.

The Court further finds that the United States has established the requisite nexus

between the defendant's wire fraud scheme, in violation of 18 U.S.C. § 1343, charged in Count Two of the Indictment, and the assets identified above.

Accordingly, it is hereby

ORDERED AND ADJUDGED, that for good cause shown, the United States' motion (Doc. 36) is **GRANTED**.

It is **FURTHER ORDERED** that pursuant to the provisions of 18 U.S.C. § 981(a)(1)(C), 28 U.S.C. § 2461(c), and Rule 32.2(b)(2), the assets identified above are hereby forfeited to the United States for disposition according to law. The United States shall credit the defendant's order of forfeiture with the assets identified above once forfeited.

It is **FURTHER ORDERED** that:

1. The United States will provide written notice to all third parties known to have an alleged legal interest in the assets identified above and will publish notice on the internet at www.forfeiture.gov.
2. That any person, other than Don V. Cisternino, who has or claims any right, title or interest in the assets must file a petition with this Court for a hearing to adjudicate the validity of their alleged interest in the assets. The petition should be mailed to the Clerk of the United States District Court, Orlando Division, 401 W. Central Blvd., Suite 1200, Orlando, Florida 32801-0120, within thirty (30) days of the final publication of notice or of receipt of actual notice, whichever is earlier.
3. The petition shall be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title or interest

in the assets identified above, the time and circumstances of the petitioner's acquisition of the right, title or interest in the assets identified above, and any additional facts surrounding the petitioner's claim and the relief sought.

4. After receipt of the petition by the Court, the Court will set a hearing to determine the validity of the petitioner's alleged interest in the assets identified above.
5. That upon adjudication of all third-party interests in the assets identified above, this Court will enter a Final Judgment of Forfeiture in which all interests will be addressed.

The Court retains jurisdiction to entertain any third-party claims that may be asserted in these proceedings, and to enter any further orders necessary for the forfeiture and disposition of the assets identified above.

DONE and **ORDERED** on November 3, 2022, in Orlando, Florida.



WENDY W. BERGER
UNITED STATES DISTRICT JUDGE

Copies to:
Attorneys of Record