

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

UNITED STATES OF AMERICA

v.

CASE NO.: 2:22-cr-39-SPC-NPM

DANIEL JOSEPH TISONE

ORDER¹

Before the Court is the United States of America's Motion for Order of Forfeiture and Preliminary Order of Forfeiture for Direct Assets filed December 30, 2022. (Doc. 68). In their motion, the United States seeks:

1. An order of forfeiture against the defendant in the amount of **\$2,617,447.17**; and
2. A preliminary order of forfeiture for the following assets:
 - a. Approximately **\$64,813.43** seized from **Bank of Clarke County** account ending in **2616**, held in the name of **TEC Ventures LLC**;
 - b. Approximately **\$832.26** seized from **JP Morgan Chase** account ending in **8870**, held in the name of **TEC Ventures LLC**;
 - c. A **4.02 carat solitaire, oval cut, lab-grown diamond engagement ring, in custom 18K yellow-gold band setting**, purchased from Friendly Diamonds, on or about September 17, 2021;

¹ Disclaimer: Papers hyperlinked to CM/ECF may be subject to PACER fees. By using hyperlinks, the Court does not endorse, recommend, approve, or guarantee any third parties or their services or products, nor does it have any agreements with them. The Court is not responsible for a hyperlink's functionality, and a failed hyperlink does not affect this Order.

d. **Real property located at 1001 10th Avenue South, Naples, Florida 34102**, including all improvements thereon and appurtenances thereto, the legal description for which is as follows:

Unit 101, OLDE NAPLES SEAPORT, a Condominium, according to the Declaration of Condominium thereof as recorded in Official Records Book 3869, Page 3913, as amended from time to time, of the Public Records of Collier County, Florida;

e. **Real property located at 550 Starboard Drive, Naples, Florida 34103**, including all improvements thereon and appurtenances thereto, the legal description for which is as follows:

Lot 5, Block F, THE MOORINGS, UNIT NO. 6, in accordance with and subject to the plat thereof, recorded in Plat Book 8, pages 7 and 8, of the Public Records of Collier County, Florida; and

f. **Assorted ammunition** seized from the defendant's residence on or about March 31, 2022.

Being fully advised of the relevant facts, the Court hereby finds that at least **\$2,617,447.17** was obtained by the defendant as a result of (1) the wire fraud scheme charged in Count Two, and/or (2) the bank fraud scheme charged in Count Eight, and/or (3) was laundered by the defendant as a result of the illegal monetary transaction charged in Count Fourteen, for which he has pled guilty.

The Court further finds that the assets identified above (1) constitute or were derived from proceeds traceable to the wire fraud scheme charged in Count Two, and/or the bank fraud scheme charged in Count Eight; and/or (2)

were involved in the illegal monetary transaction charged in Count Fourteen; and/or (3) were involved in the offense of the defendant being a convicted felon in possession of ammunition charged in Count Eighteen, for which the defendant has pled guilty.

Accordingly, it is hereby:

ORDERED that for good cause shown, the United States' Motion for Order of Forfeiture and Preliminary Order of Forfeiture for Direct Assets (Doc. 68) is **GRANTED**.

a) Pursuant to 18 U.S.C. §§ 981(a)(1)(C), 982(a)(1), 982(a)(2)(A), 28 U.S.C. § 2461(c), and Rule 32.2(b)(2) of the Federal Rules of Criminal Procedure, the defendant shall be held liable for an order of forfeiture in the amount of **\$2,617,447.17**.

b) Because the **\$2,617,447.17** in proceeds was dissipated by the defendant, the United States may seek, as a substitute asset, pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 982(b)(1) and/or 28 U.S.C. § 2461(c), forfeiture of any of the defendant's property up to the value of **\$2,617,447.17**.

c) Pursuant to 18 U.S.C. §§ 924(d)(1), 981(a)(1)(C), 982(a)(1), 982(a)(2)(A), 28 U.S.C. § 2461(c), and Rule 32.2(b)(2), the assets, identified on pages one and two, above, are hereby forfeited to the United States for disposition according to law. The net proceeds

from the forfeiture and sale of these assets shall be credited to and reduce the amount the United States shall be entitled to forfeit as substitute assets.

- d)** Upon entry, this order shall become a final order of forfeiture as to the defendant.
- e)** The Court retains jurisdiction to address any third-party claim that may be asserted in these proceedings, to enter any further order necessary for the forfeiture and disposition of such property, and for any substitute assets that the United States may be entitled to seek up to the amount of the order of forfeiture.

DONE AND ORDERED in Fort Myers, Florida on December 30, 2022.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: Counsel of Record