

FILED

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

2023 FEB 10 PM 4:36

U.S. DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS, FLORIDA

UNITED STATES OF AMERICA,

v.

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

DANIEL JOSEPH TISONE,

Defendant.

_____ /

**COLLIER COUNTY TAX COLLECTOR'S
VERIFIED PETITION ASSERTING
INTEREST IN PROPERTY TO BE FORFEITED**

Rob Stoneburner, as Tax Collector of Collier County, Florida ("Tax Collector"), by and through his undersigned counsel, pursuant to 21 U.S.C. § 853(n), and Rule 32.2(c), Federal Rules of Criminal Procedure, asserts an interest in the property to be forfeited, stating as follows:

1. Rob Stoneburner is the duly-elected, qualified and sworn Tax Collector of Collier County, Florida.

2. On December 30, 2022, upon motion of the United States of America, the Court entered a preliminary order of forfeiture for direct assets (Doc. 69) forfeiting to the United States, amongst other things, the following real property (the "Real Property"):

The real property located at **1001 10th Avenue South, Naples, FL 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; and

The real property located at 550 Starboard Drive, Naples, FL 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.

3. The Tax Collector possesses an interest in the Real Property in that 2023 *ad valorem* real property taxes and non-*ad valorem* special assessments were assessed as of January 1, 2023, and will become due and owing on or about November 1, 2023.

4. Pursuant to Section 197.122, Florida Statutes, the Tax Collector's claim for *ad valorem* real property taxes and non-*ad valorem* special assessments constitutes "a first lien, superior to all other liens, on [the] property against which the taxes have been assessed" Fla. Stat. § 197.122 (2020).

5. The Tax Collector requests the Court set a hearing to adjudicate the validity of his interest in the Real Property.

WHEREFORE, Petitioner, Rob Stoneburner, as Tax Collector of Collier County, Florida, prays that Petitioner's interest in the claimed property not be forfeited, and for any such other and further relief as the Court deems just and proper under the circumstances.

VERIFICATION

I declare under penalty of perjury that I have read the foregoing Verified Petition Asserting Interest in Property to be Forfeited and the facts stated herein are true and correct to the best of my information and belief.

/s/ Rob Stoneburner
ROB STONEBURNER
Tax Collector of Collier County, Florida

CERTIFICATE OF SERVICE

I CERTIFY that on February 10, 2023, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to all registered CM/ECF participants.

GRAYROBINSON, P.A.
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By: /s/ Luis E. Rivera II
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