

UNITED STATES OF AMERICA)
)
) Case No. 1:21-cr-69
 v.)
) Judge Atchley
 DONNA J. CLARK)
)
) Magistrate Judge Steger
)

On December 22, 2021, an Amended Plea Agreement [Doc. 18] was filed. On January 19, 2022, Defendant pled guilty to Count One of the Indictment and agreed to facts sufficient to support the plea and forfeiture of a money judgment as set forth in the Amended Plea Agreement.¹ By virtue of Defendant's guilty plea, this Court has determined the money judgment listed therein is subject to forfeiture pursuant to 18 U.S.C. § 982(a)(2). Further, the United States has established the requisite nexus between the money judgment and the offense charged in Count One of the Indictment, to which Defendant pled guilty.

Federal Rule of Criminal Procedure 32.2(c)(1) provides that “no ancillary proceeding is required to the extent that the forfeiture consists of a money judgment.” Because no ancillary proceeding is required, it is appropriate to enter an order of forfeiture at this time, which will become final as to the Defendant at the time of sentencing.

Accordingly, it is hereby **ORDERED, ADJUDGED, and DECREED** that:

1. Based upon the conviction of Defendant for the violation of 18 U.S.C. § 1343, and pursuant to 18 U.S.C. § 982(a)(2) and Federal Rule of Criminal Procedure 32.2(b), the United States is entitled to a money judgment against Defendant, and in favor of the United States, in the amount of \$110,125.50, which represents proceeds Defendant personally obtained as a result of the offense in violation 18 U.S.C. § 1343.

2. In accordance with Federal Rules of Criminal Procedure 32.2(b)(4)(A) and (b)(4)(B), this Order of Forfeiture will become final as to Defendant at the time of sentencing and will be made part of the sentence and included in the Judgment.

3. The United States may, at any time, move pursuant to Federal Rule of Criminal Procedure 32.2(e) to amend this Order of Forfeiture to substitute property having a value not to exceed \$110,125.50 to satisfy the money judgment in whole or in part.

4. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Federal Rule of Criminal Procedure 32.2(e).

5. The Clerk of this Court shall provide a certified copy of this Order to the United States Attorney’s Office.

SO ORDERED.

/s/ Charles E. Atchley, Jr.
CHARLES E. ATCHLEY, JR.
UNITED STATES DISTRICT JUDGE

Submitted by:

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