

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

UNITED STATES OF AMERICA,

v.

Case No. 4:22cr32-MW-MAF

FELICIA TIFFANY JACKSON-STANLEY
AND
WILBERT J. STANLEY III,
Defendants.

_____ /

**GOVERNMENT'S MOTION FOR ENTRY OF
FINAL ORDER OF FORFEITURE**

The United States of America, by and through the undersigned Assistant United States Attorney, respectfully requests that this Court enter a Final Order of Forfeiture in the above-captioned criminal forfeiture matter against the following:

- A. \$385,412.00 as substitute res in lieu of real property located and situated in Leon County, Florida, located at 1660 Kay Avenue, Units 1,2,3,4,5,6,7,and 8, Tallahassee, FL 32301, and all areas designated as common elements of Greenside Condominiums, further described in Leon County Official Records Book 5470 and Page 79, and known to the Leon County Property Appraiser as Parcel Identification #s 3108360000010, 3108360000020, 3108360000030, 3108360000040, 3108360000050, 3108360000060, 3108360000070, 3108360000080, respectively. ¹**

¹ As outlined below, on February 3, 2023, this Court authorized the interlocutory sale of The Kay Avenue apartment building. The net proceeds from the sale were deposited with the United States Internal Revenue Service in the Treasury Suspense Account. The Government now requests the forfeiture of the net proceeds of the sale—\$385,412.00—as a direct asset in lieu of the Kay Avenue property.

B. Real property located and situated in Leon County, Florida: Lot 10, Block C, Tallahassee Ranch Club, according to the plat thereof, recorded in Plat Book 18, Page(s) 1 through 35, of the inclusive, Public Records of Leon County, Florida, and further described in Leon County Official Records Book 5496 and Page 1308, and known to the Leon County Property Appraiser as Parcel Identification # 332525 C0100.²

C. Real property located and situated in Leon County, Florida, located at 3770 Laurel Trace Way, Tallahassee, FL 32303, described as: Lot 6, Block D of Laurel Trace, according to the Plat thereof as Recorded in Plat Book 16, Page 75, of The Public Records of Leon County, Florida, and further described in Leon County Official Records Book 5510 and Page 39 and known to the Leon County Property Appraiser as Parcel Identification #210929D0060.

D. The Coinbase account with user identification number ending in 9b775ae, held in the name of WILBERT STANLEY and/or associated with email address yepwekan@gmail.com.

E. The Coinbase account with user identification number ending in 8d710141, held in the name of FELICIA STANLEY and/or associated with email address liciapooh01@hotmail.com.

F. The Robinhood account ending in 2819, held in the name of FELICIA STANLEY.

G. The Robinhood account ending in 1939, held in the name of WILBERT STANLEY.

H. The TD Ameritrade account ending in 1466, held in the name of FELICIA JACKSON-STANLEY

² Hereinafter referred to as the “Painted Post property.”

1. On June 17, 2022, an Information was filed against the Defendants, charging them both in Count One with conspiracy to commit wire fraud, in violation of Title 18, United States Code, Section 1343; in Count Two with money laundering conspiracy, in violation of Title 18, United States Code, Section 1956(h); and in Counts Three and Four with making false statements, in violation of Title 18, United States Code, Section 1001. (Doc. 1).

2. The Information included a criminal forfeiture allegation, pursuant to Title 18, United States Code, Sections 982(a)(1) and 982(a)(2), and Title 28, United States Code, Section 2461(c). *Id.*

3. On July 29, 2022, the Defendants pled guilty to all four Counts of the Information. (Docs. 24-25). By pleading guilty to Counts One through Four, as stated in the Plea Agreement documents, the Defendants agreed to forfeit all forfeitable assets, pursuant to Title 18, United States Code, Section 982(a)(2)(A). (Docs. 24-25).

4. On November 29, 2022, this Court entered a Preliminary Order of Forfeiture against the property described above. (Doc. 41).

5. The Preliminary Order of Forfeiture and the Defendant's plea agreement stated that the Government would terminate the forfeiture had restitution been paid in full by the time of sentencing. (Docs. 24, 25, 41). The Government has confirmed that, as of September 12, 2023, Felicia Jackson-Stanley has paid \$1,000.00 in restitution, and Wilbert Stanley has paid \$4,000.00 in restitution. The outstanding restitution balance is \$2,798,990.76. Because restitution has not been satisfied, the Government is proceeding with the forfeiture of these assets.

6. Pursuant to Rule 32.2 (b)(4)(A) of the Federal Rules of Criminal Procedure, the Preliminary Order of Forfeiture became final as to the defendants Felicia Tiffany Jackson-Stanley and Wilbert J. Stanley III, at the time of their sentencing on May 2, 2023. On May 11, 2023, a judgment was entered with the court forfeiting the defendant's interest in the above-listed property. (Docs. 75, 77).

7. Pursuant to Rule 32.2(b)(6)(C), publication must take place as described in Supplemental Rule G(4)(a)(iii) of the Federal Rules of Civil Procedure by any means described in Rule G(4)(a)(iv), which authorizes publication by internet. As such, notice of this forfeiture action and the intent of the United States of America to dispose of the property was published on an official Internet government forfeiture site, www.forfeiture.gov, for at least 30 consecutive days, beginning January 6, 2023. (Doc. 81).

8. The Internet publication notified all who might have an interest in the real property of the United States' intent to dispose of such property and provided instructions on filing a petition to adjudicate an interest in the property. In accordance with the above-referenced provisions, a person or entity had 60 days from the first date of publication to file a petition with the District Court. Thus, the time for filing such petitions has expired.

9. On February 2, 2023, the Government filed a joint motion for interlocutory sale as to the Kay Avenue property. (Doc. 53). The motion was granted on February 3, 2023. (Doc. 56). The Kay Avenue property was sold, and the net sale proceeds totaled \$385,412.00. This amount was deposited in the Treasury Suspense Account.

10. American Commerce Bank held the mortgages for the Kay Avenue and the Painted Post properties (Items A and B in the list of property, *above*). American Commerce Bank was noticed as to the forfeiture proceedings against both properties. As to the Kay Avenue property, American Commerce Bank agreed to the interlocutory sale of the Kay Avenue property, and their interest in that property has been satisfied. (Doc. 63, ¶ 10).

11. As to the Painted Post property, American Commerce Bank filed a belated Petition establishing their interest, which the Government and the Court

recognized. (Docs. 63, 65-66). As noted in the Court's order, the Government agrees that from the proceeds of the sale of the Painted Post property, the United States will pay American Commerce Bank the unpaid balance of the note, interest, and reasonable attorney's fees due under the mortgage. (Doc. 66).

12. Cross Country Mortgage held the mortgage to the Laurel Trace Property (Item C in the list of property, *above*). Cross Country Mortgage was noticed regarding the forfeiture of the property, and the United States and Cross Country Mortgage have entered into a Stipulated Settlement Agreement. Exhibit 1. The parties agree that from the proceeds of the sale of the Laurel Trace property, the United States will pay Cross Country Mortgage the unpaid principal, interest, taxes, and casualty insurance premiums due under the mortgage.

13. The government has no knowledge of any third-party interest in the above-mentioned property, and no person or entity beyond the previously-described mortgage holders have filed a claim.

14. A proposed Final Order of Forfeiture will be submitted for the Court's consideration.

Applicable Law

15. When all third-party petitions have been adjudicated, or if no petitions are filed, it is appropriate to enter a final order of forfeiture in accordance with Rule

32.2(c)(2) of the Federal Rules of Criminal Procedure. In addition, 21 U.S.C. § 853(n)(7) provides that following the disposition of all petitions, or if no petitions are timely filed in accordance with 21 U.S.C. § 853(n)(2), “the United States shall have clear title to property that is the subject of the order of forfeiture and may warrant good title to any subsequent purchaser or transferee.” 21 U.S.C. § 853(n)(7).

16. As discussed above, other than American Commerce Bank and Cross Country Mortgage—whose interests have been addressed herein—no other party has have filed a petition or claimed an interest in the real property, and the time for filing such petition has expired.

Conclusion

17. Publication having been effected, and all claims or petitions to adjudicate an interest having been addressed, it is now appropriate to enter a final order of forfeiture for the property.

18. WHEREFORE, the United States respectfully requests that, pursuant to 21 U.S.C. § 853(n)(7), Rule 32.2(c)(2) of the Federal Rules of Criminal Procedure, this Court enter a final order, forfeiting to the United States all right, title and interest in the real property, for disposition according to law, and vesting clear title to said property in the United States of America, subject to the terms of the

Stipulated Settlement Agreement between the United States and Cross Country Mortgage, and the previous order of the Court regarding the interests of American Commerce Bank (Doc. 66).

Dated this 14th of September 2023.

Respectfully submitted,

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United States Attorney

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