

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA	:	
	:	
-v.-	:	DECLARATION IN SUPPORT
	:	OF FINAL ORDER OF
	:	<u>FORFEITURE</u>
RAFAEL MARTINEZ,	:	
	:	S2 22 Cr. 251 (LJL)
	:	
Defendant.	:	
	:	
	:	
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Katherine Reilly, pursuant to Title 28, United State Code, Section 1746, declares under penalty of perjury as follows:

1. I am an Assistant United States Attorney in the Office of Damian Williams, United States Attorney for the Southern District of New York, and attorney for the Government herein. I am responsible for the above-captioned matter, and as such, I am familiar with the facts and circumstances of this proceeding. This declaration is submitted in support of the Government's submission for the entry of a Final Order of Forfeiture in the above-captioned case.

2. On or about March 24, 2023, the Court entered a Preliminary Order of Forfeiture as to Money Judgment/Specific Property (the "Preliminary Order of Forfeiture") (D.E. 66) with respect to RAFAEL MARTINEZ (the "Defendant"), imposing a money judgment in the amount of \$44,546,712.94 in United States currency against the Defendant, and forfeiting to the United States all right, title and interest of the Defendant in, *inter alia*, the following specific property:

- a. \$250,273.84 formerly on deposit in JPMorgan Chase Bank, N.A. account number 3375794608, held in the name of Rafael Martinez, seized by the Government on or about March 8, 2022;

- b. \$10,544,757.26 formerly on deposit in Carver Federal Savings Bank account number 110013868, held in the name of “MBE Capital Partners, LLC,” seized by the Government on or about March 9, 2022;
- c. \$4,560,000 formerly on deposit in Citibank, N.A. account number 9348809151, held in the name of Rafael Martinez, seized by the Government on or about March 9, 2022;
- d. A White 2017 Ferrari Model 488 Spider, with VIN No. ZFF80AMAXH0228614, and New Jersey License Plate No. D7NWE;
- e. A Black 2021 BMW Model 750, with VIN No. WBA7U2C04MCF02203, and New Jersey License Plate No. R56PBG; and
- f. A 2018 Porsche Model 911 Turbo, with VIN No. WP0CD2A98JS162197, and New Jersey License Plate No. M38PVZ,

(a. through f., collectively, the “Specific Property”).

3. The Notice of Forfeiture and the intent of the Government to dispose of the Specific Property was posted on an official government internet site (www.forfeiture.gov) beginning on July 26, 2023, for thirty (30) consecutive days, through August 24, 2023, pursuant to Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty and Maritime Claims and Asset Forfeiture Actions, and proof of such publication was filed with the Clerk of the Court.

4. On or about June 15, 2023, Notice of the Preliminary Order of Forfeiture was sent via certified mail to the following parties:

Chelsea Martinez
c/o Cesar de Castro, Esq.
111 Fulton Street, Suite 602
New York, NY 10038

Carra Wallace
c/o Max Nicholas, Esq.
Spears & Imes LLP

767 3rd Avenue
New York, NY 10017

Louis Green
c/o George B. Donnini, Esq.
Butzel Attorneys and Counselors,
201 West Big Beaver Road, Suite 1200
Troy, MI 48084

(collectively, the “Noticed Parties”).

5. Since final publication of the Notice of Forfeiture, thirty (30) days have expired and no petitions or claims to contest the forfeiture of the Specific Property have been filed.

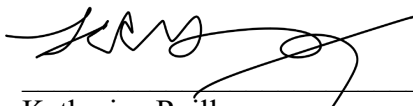
6. The Defendant and the Noticed Parties are the only individuals and/or entities known by the Government to have a potential interest in the Specific Property.

7. Accordingly, the Government requests that the Court enter the proposed Final Order of Forfeiture.

8. No previous application for the relief requested herein has been sought.

Dated: New York, New York
November 15, 2023

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: 
Katherine Reilly
Assistant United States Attorney
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