IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Criminal Case No. 21-cr-00392-RM

UNITED STATES OF AMERICA,

Plaintiff,

v.

DANIEL STONEBARGER,

Defendant.

NOTICE OF PRELIMINARY ORDER OF FORFEITURE

NOTICE IS HEREBY GIVEN that on March 22, 2022, in the above-captioned case, the United States District Court for the District of Colorado entered a Preliminary Order of Forfeiture as to defendant Daniel Stonebarger, forfeiting the defendant's interest in the following property to the United States, pursuant to 18 U.S.C § 981(a)(1)(C) and 28 U.S.C. § 2461(c): $548,861.29 in fraud proceeds from Bank of America account ending in 6774, account titled to Finish Armor, LLC;

YOU ARE HEREBY NOTIFIED that the United States intends to dispose of this property as provided by law.

Pursuant to 21 U.S.C. § 853(n), any person claiming a legal right, title, or interest in any of the property described above must petition the United States District Court for the District of Colorado, 901 19th Street, Denver, Colorado 80294, for a hearing to adjudicate the validity of the alleged legal interest in this property. The petition must be

filed within thirty (30) days of the receipt of this notice or thirty (30) days of the last publication of this notice, whichever is earlier. If a hearing is requested, it shall be held before the Court alone, without a jury.

The petition must be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title, or interest in each of the forfeited properties and the time and circumstances of the petitioner's acquisition of the right, title or interest in each property and any additional facts supporting the petitioner's claim and the relief sought. 21 U.S.C. § 853(n)(3).

A copy of the petition should be served on Assistant United States Attorney Tonya S. Andrews, United States Attorney's Office, 1801 California Street, Suite 1600, Denver, Colorado 80202.

Pursuant to 21 U.S.C. § 853(n)(2), NEITHER A DEFENDANT IN THE ABOVE-STYLED CASE NOR HIS/HER AGENT IS ENTITLED TO FILE A PETITION.

ANY HEARING on your petition shall, to the extent practicable and consistent with the interests of justice, be held within thirty (30) days of the filing of your petition. The Court may consolidate your hearing on the petition with any other hearings requested on any other petitions filed by any other person other than the defendant named above.

YOU HAVE THE RIGHT at the hearing to testify and present evidence and witnesses on your own behalf and cross-examine witnesses who appear at the hearing. The United States may present evidence and witnesses in rebuttal and in defense of its claim to the property and cross-examine witnesses who appear at the hearing. In addition to testimony and evidence presented at the hearing, the Court shall consider the relevant

portions of the record of the criminal cases which resulted in the Preliminary Order of Forfeiture.

If, after the hearing, the Court determines that the petitioner has established by a preponderance of the evidence that: (a) the petitioner has a legal right, title or interest in the property, and such right, title or interest renders the Preliminary Order of Forfeiture invalid in whole or in part because the right, title, or interest was vested in the petitioner rather than the defendant or was superior to any right, title, or interest of the defendant at the time of the commission of the acts which gave rise to the forfeiture of the property; or (b) the petitioner is a bona fide purchaser for value of the right, title, or interest in the property and was at the time of purchase reasonably without cause to believe that the property was subject to forfeiture; the Court shall amend the Preliminary Order of Forfeiture in accordance with its determination. 21 U.S.C. § 853(n)(6).

IF YOU FAIL TO FILE A PETITION TO ASSERT YOUR RIGHT, TITLE, OR INTEREST IN THE ABOVE-DESCRIBED PROPERTY WITHIN THIRTY (30) DAYS OF THIS NOTICE, YOUR RIGHT, TITLE, AND INTEREST IN THIS PROPERTY SHALL BE LOST AND THE PROPERTY FORFEITED TO THE UNITED STATES OF AMERICA.

DATED this 21st day of June 2022.

Respectfully submitted,

COLE FINEGAN
United States Attorney

s/ *Tonya S. Andrews*
Tonya S. Andrews
Assistant United States Attorney
United States Attorney's Office

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Denver, Colorado 80202
Telephone: 303-454-0100
Fax: 303-454-0405
Email: tonya.andrews@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of June 2022, I electronically filed the foregoing with the Clerk of Court using the ECF system which will give notice to all attorneys of record, and mailed the same, via regular and certified mail, to the following:

Finish Armor, LLC
c/o Daniel D. Stonebarger
11020 Timber Ridge Lane
Highlands Ranch, CO 80103
Cert No. 7021 0350 0002 0599 2982

Finish Armor, LLC
c/o Daniel D. Stonebarger
9457 S. University Blvd. #807
Highlands Ranch, CO 80126
Cert No. 7021 0350 0002 0599 2999

s/Sheri Gidan
FSA Records Examiner
United States Attorney's Office