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UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRENT RICHARD JOHNSON,

Defendant.

JOINT STIPULATION REGARDING
FORFEITURE DETERMINATION

Case No. 2:24-cr-00383-RJS

Chief Judge Robert J. Shelby

The United States of America and Defendant Brent Richard Johnson agree as follows:

1. The Indictment includes a forfeiture notice advising the defendants that the United States is seeking forfeiture of specific property. ECF 1.
2. Under Rule 32.2(b)(5) of the Federal Rules of Criminal Procedure, either plaintiff or defendant may request to have the jury retained to determine the forfeitability of specific property upon a guilty verdict. The “court must determine before the jury begins deliberating whether either party requests that the jury be retained to determine the forfeitability of specific property if it returns a guilty verdict.” Rule 32.2(b)(5)(A).
3. The parties agree that the Court may decide whether the United States has established the requisite nexus between the forfeitable property and the offenses, and the jury

does not need to be retained to determine forfeitability. Since a forfeiture phase of the trial will not be necessary, the parties will not provide forfeiture jury instructions to the Court.

4. Within a reasonable time after a verdict of guilt, the United States will submit a motion for order of forfeiture, which can be resolved in the ordinary course of post-trial proceedings.

Respectfully submitted,

FELICE JOHN VITI
Acting United States Attorney

/s/ Travis K. Elder

TRAVIS K. ELDER
CAROL A. DAIN
Assistant U.S. Attorneys

/s/ Craig R. Johnson

CRAIG R. JOHNSON
Attorney for Mr. Johnson
(signed with permission)