

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

MACKENZY TOUSSAINT, a/k/a “Mack,”

Defendant.

21 Cr. 247 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

The Court has received and reviewed (1) the motion by defendant Mackenzy Toussaint for the return of property, pursuant to Fed. R. Crim. P. 41(g), filed January 7, 2026, Dkt. 300; (2) the Government’s submission that both opposes Toussaint’s motion and supports its proposed preliminary order of forfeiture as to substitute assets, Dkt. 302 & Exs. A–B, filed January 30, 2026; and (3) Toussaint’s response, in further support of his Rule 41(g) motion and in opposition to the Government’s proposed preliminary order of forfeiture, Dkt. 303, filed February 27, 2026.

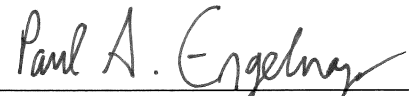
On the factual basis and for the reasons stated by the Government, the Court is today entering the preliminary order of forfeiture. The Government is directed forthwith to serve this order, and the executed preliminary order of forfeiture, on Toussaint, via certified mail, and to file an affirmation on the docket of this case attesting to such service.

Also for the reasons stated by the Government, the Court denies Toussaint’s motion for the return of property, with the exception of item 1B36, whose return to Toussaint the Government does not oppose. If Toussaint wishes to receive item 1B36, he is to file a letter on the docket of this case so stating. Upon the filing of such a letter, the Government is to return

item 1B36 to Toussaint at the correctional institution at which he is then held, and to file on the docket of this case an affirmation attesting to having done so.

The Clerk of Court is respectfully directed to terminate the motions pending at dockets 300 and 302.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: May 6, 2026
New York, New York