UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

UNITED STATES OF AMERICA

v. **Case No. 6:21-cr-141-RBD-NWH**

EMMET BOWENS
a/k/a Emmitt Bowens

PROPOSED FORFEITURE JURY INSTRUCTIONS

The United States of America hereby requests that, if the defendant is convicted of one or more of the offenses charged in Counts One, Two and Four through Six of the Indictment, and, if the Court grants a request by the defendant for a jury determination regarding the forfeiture of the specific assets identified in the Indictment, the following proposed jury instructions be given during the separate forfeiture hearing following the conviction.

Respectfully Submitted,

GREGORY W. KEHOE
United States Attorney

By: *s/Nicole M. Andrejko*

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CERTIFICATE OF SERVICE

I hereby certify that on December 15, 2025, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system that will send a notice of electronic filing to counsel of record.

s/Nicole M. Andrejko
NICOLE M. ANDREJKO
Assistant United States Attorney

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SPECIAL JURY CHARGE

FORFEITURE

Members Of The Jury:

Your verdict in this case does not complete your jury service, as it would in most cases, because there is another matter you must now consider and decide, namely, whether there is a nexus between certain assets identified in the Indictment and the crimes for which the defendant was convicted.

In a section of the Indictment not previously disclosed to you, it is alleged that certain assets (a) constitute or are derived from proceeds obtained, directly or indirectly, as a result of the offenses charged in Counts One and/or Two; and/or (b) are property involved in the money laundering offenses as charged in Counts Four through Six.

In view of your guilty verdict, you must also decide, under the law I will now explain to you, whether such asset should be forfeited to the United States.

The term "forfeited" simply means for someone to be divested or deprived of the ownership of something as a part of the punishment allowed by law for the

commission of certain criminal offenses.

In deciding these issues, you should consider all of the evidence you have already heard during the trial plus the additional evidence that will be presented to you when I finish giving you these instructions.

A copy of the forfeiture allegations of the Indictment will be given to you to consider during your supplemental deliberations. It describes in particular the property allegedly subject to forfeiture to the United States:

a. approximately $250,610.82 seized from Barclays Bank account number 1300066779467 held in the name of Emmet Bowens;

b. approximately $250,668.76 seized from Barclays Bank account number 130006698297 held in the name of Emmet Bowens; and

c. approximately $115,321.18 seized from Barclays Bank account number 130006698303 held in the name of Emmet Bowens.

To be entitled to the forfeiture of any of those items, the Government must have proved by a preponderance of the evidence:

Option No. One

First: That the property to be forfeited constitutes, or was derived from, the proceeds the Defendant obtained, directly or indirectly, as the result of committing the offenses charged in Counts One and/or Two of the Indictment.[1]

OR

[1] 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c).

Option No. Two

That the property to be forfeited was involved in the offenses charged in Counts Four through Six.[2]

A "preponderance of the evidence" simply means an amount of evidence that is enough to persuade you that a claim or contention is more likely true than not true.

To be "derived" from something means that the property under consideration must have been formed or developed out of the original source so as to be directly descended from that source.

While deliberating concerning the issue of forfeiture you must not reexamine your previous determination regarding the Defendant's guilt. But all the instructions previously given to you concerning your consideration of the evidence, the credibility of the witnesses, your duty to deliberate together, your duty to base your verdict solely on the evidence without prejudice, bias, or sympathy, and the necessity of a unanimous verdict, will continue to apply during these supplemental deliberations.

[2] 18 U.S.C. § 982(a)(1).