UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

UNITED STATES OF AMERICA

v. **Case No. 6:25-cr-161-JSS-NWH**

VERLYNN JAMELAH HORNE

UNITED STATES' MOTION FOR ORDER OF FORFEITURE AND PRELIMINARY ORDER OF FORFEITURE FOR SPECIFIC ASSET

The United States moves this Court, pursuant to 18 U.S.C. § 981(a)(1)(C), 28 U.S.C. § 2461(c), and Fed. R. Crim. P. 32.2(b)(2), to enter (1) an order of forfeiture against the defendant in the amount of $2,517,930, which represents the amount of proceeds the defendant obtained from the wire fraud scheme charged in Count Six of the Indictment; as well as, (2) a preliminary order of forfeiture for the real property located at:

> 1922 Black Lake Blvd., Winter Garden, Florida, 34787,
>
> Lot 7, Block 6, Stoneybrook West Unit 2, according to the map or plat thereof, as recorded in Plat Book 46, Page(s) 55 through 57, inclusive, of the Public Records of Orange County, Florida.
>
> Parcel Identification Number: 34-22-27-8287-06070.
>
> Titled Owner: Terrance L. Horne and Verlynn J. Horne,[1]

---

[1] On July 31, 2025, Terrance L. Horne, the defendant's then husband, signed a Consent to Forfeiture forfeiting all right, title, and interest he may have in the real property. *See* Exhibit A.

which was purchased with proceeds obtained from the wire fraud scheme charged in Count Six. In support, the United States submits the following.

MEMORANDUM OF LAW

I. Statement of Facts

A. Allegations Against the Defendant

1. In pertinent part, the defendant was charged in an Indictment with wire fraud, in violation of 18 U.S.C. § 1343 (Count Six). Doc. 1.

2. The Indictment contained forfeiture allegations putting the defendant on notice that, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), the United States was seeking forfeiture of any property, real or personal, involved in the offense, or any property traceable to such property, including an order of forfeiture representing the amount of proceeds the defendant personally obtained, and the real property identified above. *Id.* at 14-16.

B. Finding of Guilt and Admissions Related to Forfeiture

3. The defendant pled guilty to Counts Six and Twelve of the Indictment. Docs. 65, 67. The Court accepted the defendant's plea and adjudicated her guilty. Doc. 73.

4. The defendant admitted in her Plea Agreement (Doc. 65 at 19-22), that she committed wire fraud, in violation of 18 U.S.C. § 1343. Specifically, the defendant admitted she personally obtained $2,517,930 in proceeds from the wire fraud scheme charged in Count Six of the Indictment. The defendant also admitted

that she used the fraud proceeds for her own personal use, including to purchase the Black Lake Blvd. Property. *Id.*

5. Pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), the defendant admitted and agreed that the United States was entitled to an order of forfeiture in the amount of $2,517,930, representing the amount of proceeds she personally obtained as a result of the wire fraud scheme, and further admitted that the Black Lake Blvd Property was subject to forfeiture. Doc. 65 at 5. Moreover, the defendant agreed that the order of forfeiture would be final upon entry. *Id.* at 7.

II. Applicable Law

A. Applicable Forfeiture Statute

The Court's authority to order civil forfeiture of property for violations of 18 U.S.C. § 1343 is found in 18 U.S.C. § 981(a)(1)(C). Section 981(a)(1)(C) provides for the civil forfeiture of any property, real or personal, which constitutes or is derived from proceeds from any offense constituting "specified unlawful activity" as defined in 18 U.S.C. § 1956(c)(7). A "specified unlawful activity," as defined in 18 U.S.C. § 1956(c)(7), includes offenses listed in 18 U.S.C. § 1961(1). Specifically, 18 U.S.C. § 1961(1) includes violations of 18 U.S.C. § 1343. Pursuant to 28 U.S.C. § 2461(c), the government is authorized to forfeit this property criminally, and the procedures for the forfeiture and disposition of the property are governed by 21 U.S.C. § 853.

B. Order of Forfeiture

For cases in which a defendant no longer has the actual dollars or property traceable to proceeds in his possession, or the government cannot locate all of those assets, the obligation to forfeit simply takes the form of an order of forfeiture in favor of the United States. *See United States v. Padron*, 527 F.3d 1156, 1161-62 (11th Cir. 2008). Rule 32.2(b)(1) provides that, where the government seeks an order of forfeiture, the Court must determine the amount of money that the defendant will be ordered to pay.

Because the defendant has dissipated most of the criminal proceeds that she obtained from the wire fraud scheme, Doc. 65 at p.6, the United States seeks an order of forfeiture against the defendant in the amount of $2,517,930. As the defendant has agreed, she personally obtained $2,517,930 in proceeds as a result of the wire fraud scheme. If the Court finds that the defendant obtained at least $2,517,930 as a result of her participation in the scheme and that the defendant has dissipated those proceeds, then it is appropriate for the Court to enter an order of forfeiture against the defendant in that amount pursuant to Rule 32.2(b)(2).

C. Direct Asset

Rule 32.2(b)(1) provides that, when the government seeks to forfeit specific property, the Court must determine whether the government has established the requisite nexus between the property and the defendant's crime. Fed. R. Crim. P.

32.2(b)(1). The Court must do so as soon as practical after a verdict or finding of guilty, or after a plea of guilty is accepted. Fed. R. Crim. P. 32.2(b)(1)(A).

The Court's determination may be based on evidence already in the record, or any additional evidence submitted by the parties and accepted by the Court as relevant and reliable. Fed. R. Crim. P. 32.2(b)(1)(B). As the defendant has agreed, the real property identified above was purchased with proceeds of the wire fraud scheme that she obtained as a result of her participation in the offense charged in Count One. Therefore, the real property is subject to forfeiture, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c).

The net proceeds[2] from the forfeiture of the real property will be credited toward the balance of the defendant's $2,517,930 order of forfeiture.

III. <u>Conclusion</u>

For the reasons stated above, the United States requests that, pursuant to 18 U.S.C. § 981(a)(1)(C), 28 U.S.C. § 2461(c), and Fed. R. Crim. P. 32.2(b)(2), the Court enter (1) an order of forfeiture against the defendant in the amount of $2,517,930, and (2) a preliminary order of forfeiture for the Black Lake Blvd. Property, which was purchased with proceeds of the wire fraud scheme charged in Count Six. The United States further requests that the order of forfeiture become final to the defendant at the time it is entered.

---

[2] According to an appraisal obtained by the United States in April 2025, the Black Lake Blvd. Property is valued at approximately $811,000. (The defendant purchased the property in 2020 for approximately $495,000).

The United States further requests that, because most of the $2,517,930 in proceeds was dissipated by the defendant, the United States may seek, as a substitute asset, pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c) and Rule 32.2(e)(1)(B), forfeiture of any of the defendant's property up to the value of $2,517,930.

Upon issuance of the Preliminary Order of Forfeiture, the United States will provide written notice to all third parties known to have an alleged legal interest in the property and will publish notice on the Internet at www.forfeiture.gov of its intent to forfeit the property. Determining whether a third party has any interest in the property must be deferred until a third-party files a claim. *See* Rule 32.2(c).

As required by Federal Rule of Criminal Procedure 32.2(b)(4)(B), the United States requests that the Court include the forfeiture when orally pronouncing the sentence and in the judgment. *See* Fed. R. Crim. P. 32.2(b)(4)(B) and *United States v. Kennedy*, 201 F.3d 1324, 1326 (11th Cir. 2000).

The United States further requests that the Court retain jurisdiction to address any third-party claim that may be asserted in these proceedings, to enter any further order necessary for the forfeiture and disposition of such property, and to order any other substitute assets forfeited to the United States up to the amount of the order of forfeiture.

Respectfully Submitted,

GREGORY W. KEHOE
United States Attorney

By: *s/Nicole M. Andrejko*
NICOLE M. ANDREJKO
Assistant United States Attorney
Florida Bar No. 0820601
400 W. Washington Street, Suite 3100
Orlando, Florida 32801
Telephone: (407) 648-7560
Facsimile: (407) 648-7643
Email: Nicole.Andrejko@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on April 28, 2026, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to counsel of record.

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