IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

UNITED STATES OF AMERICA	)	CRIMINAL NO.: 3:22-cr-00823-MGL-1
	)	
v.	)	
	)	
JACOB LITICKER,	)	
a/k/a "Jay Stunna"	)	

PRELIMINARY ORDER OF FORFEITURE
AS TO JACOB LITICKER

This matter is before the court on the motion of the United States for a Preliminary Order of Forfeiture as to Defendant Jacob Liticker, ("Liticker", "Defendant"), based upon the following:

1. On September 27, 2022, an Indictment was filed charging Liticker with conspiracy to commit wire fraud related to Economic Injury Disaster Loans through the Small Business Administration, in violation of 18 U.S.C. §§ 1343 and 1349.

2. Pursuant to Fed. R. Crim. P. 32.2(a), the Indictment contained a forfeiture allegation providing that, upon Liticker's conviction, certain properties enumerated therein, or equivalent substitute assets, would be subject to forfeiture to the United States. As specified therein, such assets include, but are not limited to, the following:

> Cash Proceeds/Forfeiture Judgment:[1]
>
> A sum of money equal to all property the Defendants obtained as a result of the wire fraud conspiracy offense charged in this Indictment, and all interest and proceeds traceable thereto as a result of their violations of 18 U.S.C. §§ 1343 and 1349.

3. On July 28, 2023, a Bill of Particulars was filed with the court regarding

[1] The government is pursuing a forfeiture judgment against Defendant Liticker in the amount of $807,990.09

property alleged in the Indictment filed September 27, 2022, as also being subject to forfeiture to the United States. Such property includes:

A. Bank Accounts:

1) All contents (up to $10,000.00) from Checking Acct #36080986422 held in the name of Vivica Daniels at Capital One Bank, Columbia, SC
Asset ID: 23-DCI-000013

2) All contents (up to $17,816.80) from Checking Acct #36093877913 held in the name of Isaac Opondo at Capital One Bank, Columbia, SC
Asset ID: 23-DCI-000014

3) All contents (up to $11,944.01) from Checking Acct #36096347985 held in the name of Jacolby Black at Capital One Bank, Columbia, SC
Asset ID: 23-DCI-000015

4) All contents (up to $20,832.00) from Checking Acct #36120997342 held in the name of Travion Smith at Capital One Bank, Columbia, SC
Asset ID: 23-DCI-000016.

4. On October 1, 2024, a Change of Plea and Sentencing Hearing is scheduled. It is anticipated that the Defendant will enter a plea of guilty as to Count 1 of the Indictment.

5. Based upon Defendant's conviction, the court has determined that the government has established the requisite nexus between the amount of proceeds and the property involved in Defendant's offenses and the violation for which Liticker has been convicted; therefore, the United States is entitled to a preliminary order of forfeiture, subject to the provisions of 21 U.S.C. § 853 governing third party rights. The court has determined that the property described above is subject to forfeiture, pursuant to 21 U.S.C. §§ 853 and 881, and 28 U.S.C. § 2461(c).

6. The Court further finds that one or more of the conditions set forth in Title 21, United States Code, Section 853(p), exists.

7. It is, therefore, ORDERED that the United States is entitled to forfeit substitute

assets equal to the value of the proceeds obtained by Defendant Liticker as a result of his violations of Title 18, United States Code, Section 1349 and that such substitute assets shall not exceed the value of the proceeds Defendant Liticker obtained of $807,990.09.

Accordingly, it is hereby **ORDERED,**

1. The below-described property, and all right, title, and interest of the Defendant, Jacob Liticker, in and to such property, is hereby forfeited to the United States of America, for disposition in accordance with law, subject to the rights of third parties in such property under 21 U.S.C. § 853(n):

A. Bank Accounts:

1) All contents (up to $10,000.00) from Checking Acct #36080986422 held in the name of Vivica Daniels at Capital One Bank, Columbia, SC Asset ID: 23-DCI-000013

2) All contents (up to $17,816.80) from Checking Acct #36093877913 held in the name of Isaac Opondo at Capital One Bank, Columbia, SC Asset ID: 23-DCI-000014

3) All contents (up to $11,944.01) from Checking Acct #36096347985 held in the name of Jacolby Black at Capital One Bank, Columbia, SC Asset ID: 23-DCI-000015

4) All contents (up to $20,832.00) from Checking Acct #36120997342 held in the name of Travion Smith at Capital One Bank, Columbia, SC Asset ID: 23-DCI-000016.

2. FORFEITURE IS ORDERED against Jacob Liticker and in favor of the United States in the amount of $807,990.09, along with appropriate costs and interest thereon at the rate provided for in 28 U.S.C. § 1961. The United States may at any time move pursuant to Rule 32.2(e) to amend this Order to substitute property to satisfy the judgment.

3. The United States may sell or otherwise dispose of any substitute assets in

accordance with law as required to satisfy the above imposed judgment.

4. Upon entry of this Order, the Government is further authorized to conduct discovery to identify or locate other substitute assets, in accordance with Fed. R. Crim. P. 32.2(b)(3); and to commence proceedings that comply with statutes governing third party rights, if applicable.

5. The government is not required to publish notice regarding the judgment against Defendant; however, the Order shall be recorded in the records of the County Clerk's Office in the County of the debtor's residence, place of business, and any and all other counties in which the debtor has either real or personal property, as a lien thereon.

6. The United States shall publish notice of this Order and its intent to dispose of the personal property in such manner as the Attorney General may direct. The United States may also, to the extent practicable, provide written notice to any person known to have an alleged interest in the said property.

7. Upon entry of this Order, the United States is authorized to seize the above-described property as directed by the United States Attorney's Office and to commence proceedings that comply with statutes governing third party rights.

8. Any person, other than the named Defendant, asserting a legal interest in the subject property may, within thirty days of the final publication of notice or receipt of notice, whichever is earlier, petition the court for a hearing without a jury to adjudicate the validity of his alleged interest in the subject property and for an amendment of the order of forfeiture, pursuant to 21 U.S.C. § 853(n)(6) and Fed. R. Crim. P. 32.2(c).

9. Any petition filed by a third party asserting an interest in the above-described property shall 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 the subject property, the time and circumstances of the petitioner's acquisition of the right, title or interest in such property, and additional facts supporting the petitioner's claim and the relief sought.

10. After the disposition of any motion filed under Fed. R. Crim. P. 32.2(c)(1)(A) and before a hearing on the petition, discovery may be conducted in accordance with the Federal Rules of Civil Procedure upon a showing that such discovery is necessary or desirable to resolve factual issues.

11. The United States shall have clear title to the property following the court's determination of all third party interests, or, if no petitions are filed, following the expiration of the period provided in 21 U.S.C. § 853(n)(2) for the filing of third party petitions.

12. The court shall retain jurisdiction to resolve disputes which may arise and to enforce and amend this Order as necessary, pursuant to Fed. R. Crim. P. 32.2(e).

13. Upon entry of the criminal judgment, this Order becomes final as to Defendant and shall be made a part of the sentence and included in the criminal judgment.

14. The Clerk, United States District Court, shall provide one (1) certified copy of this Order to the United States Attorney's Office.

IT IS SO ORDERED.

s/ Mary Geiger Lewis
MARY GEIGER LEWIS
UNITED STATES DISTRICT JUDGE

September 30, 2024

Columbia, South Carolina.