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## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA

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11 UNITED STATES OF AMERICA, 2:12-CR-00025 MCE 12 Plaintiff, APPLICATION AND ORDER FOR MONEY JUDGMENT 13 v. 14 STANCIL ENTERPRISES, INC., et al,

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## United States of America v. Approximately \$5,173.45 in U.S. Cur.. ank Account Number 3444347300

Defendants.

Doc. 20

On or about February 6, 2012, defendant Stancil Enterprises, 18 | Inc. entered a quilty plea to Count One of the Information, which 19 charges it with Conspiracy to Aid and Abet Evasion of Reporting 20 Requirements in violation of 18 U.S.C. § 371, involving 31 U.S.C.  $21 \parallel \S 5313(a)$  and 31 U.S.C. § 5324(a).

As part of its plea agreement with the United States, 23 defendant Stancil Enterprises, Inc. agreed to forfeit voluntarily 24 and immediately \$428,589.30, as a personal money judgment pursuant 25 to Fed. R. Crim. P. 32.2(b)(1), which reflects the property 26 involved in the offense as a result of violations of 18 U.S.C. § 27 ||371, involving 31 U.S.C. § 5313(a) and 31 U.S.C. § 5324(a), to 28 which it has pled guilty. Stancil Enterprises, Inc. also agreed

1 that the \$5,173.45 in U.S. Currency seized from Wells Fargo Bank Account Number 3444347300, by the Internal Revenue Service on or about November 19, 2009, and subject of the related case 2:10-MC-00046 MCE, shall be applied to the above-listed money judgment. See Defendant Stancil Enterprises, Inc.'s Plea Agreement  $\P$  II.D.

Plaintiff hereby applies for entry of a money judgment as follows:

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- Pursuant to 31 U.S.C. § 5317(c)(1) and Fed. R. Crim. P. 1. 32.2(b)(1), the Court shall impose a personal forfeiture money judgment against defendant Stancil Enterprises, Inc. in the amount 11 of \$428,589.30.
- 2. The above-referenced personal forfeiture money judgment is imposed based on defendant Stancil Enterprises, Inc.'s 14 conviction for violating 18 U.S.C. § 371, involving 31 U.S.C. § 5313(a) and 31 U.S.C. § 5324(a). Said amount reflects a property 16 involved in the offense, which the defendant agreed is subject to forfeiture based on the offense of conviction. Any funds applied 18 towards such judgment shall be forfeited to the United States of 19 America and disposed of as provided for by law.
- The \$5,173.45 in U.S. Currency seized from Wells Fargo 21 Bank Account Number 3444347300, by the Internal Revenue Service on 22 or about November 19, 2009, and subject of the related case 2:10-23 MC-00046 MCE, shall be applied to the above-listed money judgment.
- The remaining \$423,415.85 of the above-listed money judgment shall be paid on or before the expiration of the 30th day 26 following entry of judgment relating to Stancil Enterprises, Inc.
  - Upon entry of judgment and commitment of Stancil Enterprises, Inc., the Clerk of the Court shall disburse the

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1 $423,415.85 of the $923,415.85 deposited on February 27, 2012, on
 2 behalf of Stancil Enterprises, Inc., plus any interest that has
 3 accrued on that amount, payable to the U.S. Department of Treasury
 4 and sent to the U.S. Attorney's Office, Attn: Asset Forfeiture
 5 Unit, 501 I Street, Suite 10-100, Sacramento, CA 95814.
                                                                The Clerk
 6 of the Court shall waive any and all service fees on the
 7 $423,415.85. The $423,415.85 shall be seized and held by the U.S.
 8 Department of Treasury, in its secure custody and control.
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10 DATED: 3/2/2012
                                        BENJAMIN B. WAGNER
                                        United States Attorney
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                                          <u>/s/ Jean M. Hobler</u>
                                        JEAN M. HOBLER
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                                        Assistant U.S. Attorney
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A personal forfeiture money judgment in the amount of

The \$5,173.45 in U.S. Currency seized from Wells Fargo

The remaining \$423,415.85 of the above-listed money

judgment shall be paid on or before the expiration of the 30th day

14 Enterprises, Inc., the Clerk of the Court shall disburse the

22 Department of Treasury, in its secure custody and control.

Upon entry of judgment and commitment of Stancil

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For good cause shown, it is hereby ORDERED and ADJUDGED:

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\$428,589.30 shall be imposed against defendant Stancil

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Enterprises, Inc.

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7 Bank Account Number 3444347300, by the Internal Revenue Service on

8 or about November 19, 2009, and subject of the related case 2:10-

9 MC-00046 MCE, shall be applied to the above-listed money judgment.

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12 following entry of judgment relating to Stancil Enterprises, Inc.

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15 \$423,415.85 of the \$923,415.85 deposited on February 27, 2012, on

16 behalf of Stancil Enterprises, Inc., plus any interest that has

17 accrued on that amount, payable to the U.S. Department of Treasury

18 and sent to the U.S. Attorney's Office, Attn: Asset Forfeiture

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20 of the Court shall waive any and all service fees on the

21 \$423,415.85. The \$423,415.85 shall be seized and held by the U.S.

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5. Any funds applied towards such judgment shall be forfeited to the United States of America and disposed of as provided for by law.

IT IS SO ORDERED.

Dated: March 7, 2012

MORRISON C. ENGLAND JR. UNITED STATES DISTRICT JUDGE