

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

UNITED STATES OF AMERICA

v.

Case No. 2:17-cr-101-FtM-99CM

HERMAN FLEMING

PRELIMINARY ORDER OF FORFEITURE

The United States moves, pursuant to 18 U.S.C. § 924(d)(1), 28 U.S.C. § 2461(c), and Rule 32.2(b)(2), Federal Rules of Criminal Procedure, for a preliminary order of forfeiture for the following assets:

1. An Inter Ordnance Inc. model AKM247, 7.62x39mm rifle;
2. a Glock, model 33, .357 Sig caliber pistol, a Smith and Wesson, model SD40VE;
3. A .40 caliber pistol (manufactured in Massachusetts or Connecticut);
4. 20 rounds of Wolf 7.62x39 mm ammunition; and
5. 50 rounds of .357 Sig ammunition manufactured by Speer, Winchester, and Remington.

Being fully advised in the relevant facts, the Court finds as follows:

The defendant has been found guilty of Count Two of the indictment charging with receipt of a firearm by a person under felony indictment or information, in violation of 18 U.S.C. § 922(n) and 924(a)(1)(D).

The United States has established the requisite nexus between the defendant's crime of conviction and the property identified above. The government is now entitled to possession of the firearms and ammunition, pursuant to the provisions of 18 U.S.C. §

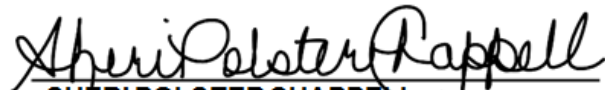
924(d)(1), 28 U.S.C. § 2461(c), and Rule 32.2(b)(2).

Accordingly, it is **ORDERED**

The motion of the United States is **GRANTED**. Pursuant to 18 U.S.C. § 924(d), 28 U.S.C. § 2461(c), and Federal Rule of Criminal Procedure 32.2(b)(2), the firearms and ammunition identified above are **FORFEITED** to the United States of America for disposition according to law, subject to the provisions of 21 U.S.C. § 853, as incorporated by 28 U.S.C. § 2461(c).

The Court retains jurisdiction to address any third party interest that may be asserted and to complete the forfeiture and disposition of the property.

ORDERED in Fort Myers, Florida, on March 22nd, 2018.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies to:
All Parties\Counsel of Record