

United States District Court
Middle District of Florida
Jacksonville Division

UNITED STATES OF AMERICA,

Plaintiff,

v.

NO. 3:23-cr-159-WWB-PDB

PAUL ALLEN ANDERSON, JR.,

Defendant.

Order

The defendant's pro se petition for the return of two firearms (a Sentry Arms 7.62 mm rifle and a Taurus G2C 9mm semi-automatic pistol), Doc. 64, is **denied without prejudice**. The defendant cannot legally possess firearms as a convicted felon. *See* 18 U.S.C. § 922(g)(1). Although a court has the authority to approve the transfer of a convicted felon's firearms to a third party if the disposition prevents the convicted felon from later exercising control over the firearms, *see Henderson v. United States*, 575 U.S. 622 (2015), the defendant here agreed to forfeit the firearms in his plea agreement, and, in any event, has not suggested a third party. *See* Doc. 33 at p. 9 ¶ 11 (plea agreement in which "the defendant agrees to forfeit to the United States immediately and voluntarily ... "one Sentry Arms 7.62 mm rifle, bearing serial number SV7P004826 ... [and] "one Taurus, G2C 9mm semi-automatic handgun, bearing serial number TLP03317").

To the extent the defendant intends to challenge his conviction or sentence through a direct appeal of the criminal judgment, he remains

represented by counsel for that purpose. *See* 11th Cir. R. Addendum Four (d)(2) (“Retained counsel for a criminal defendant has an obligation to continue to represent that defendant until successor counsel either enters an appearance or is appointed under the Act, and may not abandon or cease representation of a defendant except upon order of this court.”); *see also* Doc. 60 (judgment entered on November 1, 2024); Fed. R. App. P. 4(b)(1)(A) (“In a criminal case, a defendant’s notice of appeal must be filed in the district court within 14 days after the later of: (i) the entry of either the judgment or the order being appealed; or (ii) the filing of the government’s notice of appeal.”).

Ordered in Jacksonville, Florida, on November 7, 2024.



PATRICIA D. BARKSDALE
United States Magistrate Judge

c: Rodney Brown, Assistant United States Attorney
William Kent, Esquire
Ryan McFarland, Esquire
Paul Allen Anderson, Jr.