



USA v. Thomas et al

2019 | Cited 0 times | D. Nevada | March 13, 2019

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA, Plaintiff, v. CAMERON LEE THOMAS, Defendant.

2:18-CR-239-RFB-GWF Preliminary Order of Forfeiture

This Court finds Cameron Lee Thomas pled guilty to Counts One and Two of a Two-Count Superseding Criminal Information charging him in Count One with assault with a dangerous weapon with intent to do bodily harm in violation of 18 U.S.C. § 113(a)(3) and in Count Two with possession of a firearm during and in relation to a crime of violence in violation of 18 U.S.C. § 924(c)(1)(A)(i). Superseding Criminal Information, ECF No. 99; Binding Plea Agreement, ECF No. 101; Arraignment and Guilty Plea, ECF No. 102.

This Court finds Cameron Lee Thomas agreed to the forfeiture of the property set forth in the Stipulation to Modify the Binding Plea Agreement. Stipulation to Modify the Binding Plea Agreement, ECF No. 112.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Stipulation to Modify the Binding Plea Agreement and the offenses to which Cameron Lee Thomas pled guilty.

The following property is (1) any firearm or ammunition involved in or used in any knowing violation of any criminal law of the United States, 18 U.S.C. §§ 113(a)(3) and 924(c)(1)(A)(i) and (2) any firearm or ammunition intended to be used in any crime of violence, 18 U.S.C. §§ 113(a)(3) and 924(c)(1)(A)(i), and is subject to forfeiture pursuant to 18 U.S.C. § 924(d)(1) with 28 U.S.C. § 2461(c) and 18 U.S.C. § 924(d)(1), (2)(C), and (3)(A) with 28 U.S.C. § 2461(c): Glock model 21 .45 caliber handgun bearing serial number BECT 123 (property). This Court finds that the United States of America may amend this order at any time to add subsequently located property or substitute property to the forfeiture order pursuant to Fed. R. Crim. P. 32.2(b)(2)(C) and 32.2(e).

This Court finds the United States of America is now entitled to, and should, reduce the aforementioned property to the possession of the United States of America.



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NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the United States of America should seize the aforementioned property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory rights, ownership rights, and all rights, titles, and interests of Cameron Lee Thomas in the aforementioned property are forfeited and are vested in the United States of America and shall be safely held by the United States of America until further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America shall publish for at least thirty (30) consecutive days on the official internet government forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the time under the applicable statute when a petition contesting the forfeiture must be filed, and state the name and contact information for the government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and 21 U.S.C. § 853(n)(2).

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity who claims an interest in the aforementioned property must file a petition for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, which petition shall be signed by the petitioner under penalty of perjury pursuant to 21 U.S.C. § 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the petitioner's /// right, title, or interest in the forfeited property and any additional facts supporting the petitioner's petition and the relief sought.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no later than thirty (30) days after the notice is sent or, if direct notice was not sent, no later than sixty (60) days after the first day of the publication on the official internet government forfeiture site, www.forfeiture.gov.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the following address at the time of filing:

Daniel D. Hollingsworth Assistant United States Attorney 501 Las Vegas Boulevard South, Suite 1100 Las Vegas, Nevada 89101. IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency following publication of notice of seizure and intent to administratively forfeit the above-described property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies of this Order to all counsel of record.

DATED _____, 2019.



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HONORABLE RICHARD F. BOULWARE UNITED STATES DISTRICT JUDGE CERTIFICATE OF SERVICE A copy of the foregoing was served upon counsel of record via Electronic Filing on January 31, 2019.

/s/ Heidi L. Skillin HEIDI L. SKILLIN FSA Contractor Paralegal

