

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

Plaintiff

FELIX DELGADO-MONTALVO (1)

Defendant

v. CRIMINAL NO. 21-463 (RAM)

PRELIMINARY ORDER OF FORFEITURE

WHEREAS, defendant Felix Delgado-Montalvo plead guilty to Count One of the Indictment.

WHEREAS, as part of his plea agreement, he forfeited to the United States his interests in:

- 1). \$35,820.00 U.S. currency;
- 2). Rolex Datejust, Model # 126300, Serial # 5N8209Z4;
- 3). Rolex Datejust, Model # 116234, Serial # 5E1T3127;
- 4). Rolex Submariner, Model # 114060, Serial # V89H9750;
- 5). Rolex "Pepsi," Model # 116719, Serial # V0813336; and
- 6). Vacheron Constantin, Model # 4500S/1, Serial # 1383714; and

WHEREAS, the United States has made a sufficient showing of the forfeitability of the properties; and

WHEREAS, the Court has jurisdiction pursuant to 18 U.S.C. § 981(A)(1)(C); 28 U.S.C. § 2461(c), and Rule 32.2 of the Federal Rules of Criminal Procedure to order the defendant, as part of his sentence, to forfeit the properties to the United States; accordingly,

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IT IS ORDERED,

1. That the United States is now entitled to possession of the properties, free and clear, pursuant to 18 U.S.C. § 981(A)(1)(C); 28 U.S.C. § 2461(c), and Rule 32.2 of the Federal Rules of Criminal

Procedure and any and all of the defendant's interest in the properties is forfeited to the United States; and it is further

ORDERED that the United States is authorized to seize the properties for disposition in accordance with the law, subject to the provisions of 18 U.S.C. § 981(A)(1)(C); 28 U.S.C. § 2461(c), and Rule 32.2 of the Federal Rules of Criminal Procedure; and it is further

ORDERED that upon the issuance of this Preliminary Order of Forfeiture, the United States will publish notice of the Order on the official government internet site, (www.forfeiture.gov), as required by 21 U.S.C § 853(n); and it is further

ORDERED that notice of this Order will include notice of the Federal Bureau of Investigation (FBI) and the United States Marshals Service's (USMS) intent to dispose of the properties in a manner directed by the Attorney General; and it is further

ORDERED that the United States will notify any person, having or claiming a legal interest in the properties, advising each person of his or her right to file a petition with the Court to contest the forfeiture in accordance with 21 U.S.C. § 853(n) and Rule 32.2(c) of the Federal Rules of Criminal Procedure; and it is further

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ORDERED that a copy of any petition should be served on Assistant United States Attorney, Seth A. Erbe, within thirty (30) days of the final publication of notice or of receipt of actual notice, whichever is earlier; and it is further

ORDERED that the notice will state that the petition is for a hearing to adjudicate the validity of the petitioner's alleged interest in the properties, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's rights, title or interest in the forfeited properties and any additional fact supporting the petitioner's claim and the relief sought.

2. Upon adjudication of all third-party interests, the Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853; 18 U.S.C. § 981(A)(1)(C); 28 U.S.C. § 2461(c), and Rule 32.2 of the Federal Rules of Criminal Procedure; in which all interests will be addressed.

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 12th day of February 2024.

S/ RAÚL M. ARIAS-MARXUACH

United States District Judge