

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 8:19-cv-908-T-02AEP

v.

13318 LOST KEY PLACE, LAKEWOOD
RANCH, FLORIDA, *et al.*

Defendants.

JUDGMENT OF FORFEITURE

THIS CAUSE comes before the Court on the United States' Unopposed
Second Motion for Judgment of Forfeiture (Dkt. 61) for the following assets:

- a. The real property, attachments thereto, and appurtenances thereon, located at: 444 Gulf of Mexico Drive, Longboat Key, Florida; and
- b. The real property, attachments thereto, and appurtenances thereon, located at 4058 Founders Club Drive, Sarasota, Florida,

(collectively, the Defendant Properties).

The Court finds that the Defendant Properties are subject to forfeiture pursuant to 18 U.S.C. §§ 981(a)(1)(C) and (a)(1)(A) and Supp'l Rule G, Supplemental Rules for Certain Admiralty or Maritime Claims and Asset Forfeiture Actions.

Having been fully advised in the premises, the Court finds that the Defendant Properties are forfeitable to the United States because the

Defendant Properties are proceeds of violations of 18 U.S.C. §§ 1341 (mail fraud) and 1343 (wire fraud), or a conspiracy to commit mail and wire fraud (18 U.S.C. § 1349). Additionally, the monetary transactions made to purchase the Defendant Properties were conducted in violation of 18 U.S.C. § 1957(a) because they were knowingly conducted with more than \$10,000 in funds derived from specified unlawful activity (specifically, mail and wire fraud).

The Court further finds that the United States properly noticed the only entities or individuals known to have a possible interest in the Defendant Properties, including the court-appointed Receiver in the related matter *Commodity Futures Trading Commission v. Oasis International, et al.*, Case No. 8:19-cv-886-T-33SPF, 444 Gulf Of Mexico Drive, LLC, 4058 Founders Club Drive, LLC, Michael DaCorta, Sarasota County Tax Collector, Sailboat Square Condominium Association, Inc., and The Founders Club Community Association, Inc.

The Court further finds that the United States filed a Declaration of Publication which reflects that notice of this forfeiture was posted on an official government internet website (www.forfeiture.gov) for at least 30 consecutive days, from April 20, 2019 through and including May 19, 2019,

pursuant to Supp'l Rule G(4)(a)(iv)(C).

The court-appointed Receiver, having been granted authority and control over, among other things, the Defendant Properties, has received notice of this action and has consented to the forfeiture of the Defendant Properties.

No entity or individual other than the Sarasota County Tax Collector and the Sailboat Square Condominium Association, Inc., whose interests have been recognized, has filed a claim or statement of interest and the time for doing so has expired. Despite their failure to file a claim, the United States has also agreed to recognize the interest of The Founders Club Community Association, Inc. Thus, it is now appropriate for the Court to enter a Judgment of Forfeiture for the Defendant Properties.

Accordingly, it is hereby

ORDERED, ADJUDGED AND DECREED that for good cause shown, said Motion of the United States is hereby GRANTED.

It is further ORDERED that, pursuant to the provisions of 18 U.S.C. §§ 981(a)(1)(C) and (a)(1)(A) and Supp'l Rule G, all right, title, and interest in the Defendant Property is hereby CONDEMNED and FORFEITED to the

United States for disposition according to law. Clear title to the Defendant Properties is now vested in the United States of America, subject to any *ad valorem* asset taxes and *non-ad valorem* assessments due and owing to Sarasota County Tax Collector, assessments due and owing to the homeowners associations and to the terms of the Consent Forfeiture Agreement entered into between the United States and the court-appointed Receiver.

DONE and ORDERED in Tampa, Florida, this 20th day of August, 2019.



WILLIAM F. JUNG
UNITED STATES DISTRICT JUDGE

Copies to:
Suzanne C. Nebesky, AUSA
Counsel of Record