

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 Fourth Motion for Judgment of Forfeiture for the real property, attachments thereto, and appurtenances thereon, located at: 6922 LaCantera Circle, Lakewood Ranch, Florida (the Defendant Property).

The Court finds that the Defendant Property is subject to forfeiture pursuant to 18 U.S.C. §§ 981(a)(1)(C) and (a)(1)(A) and Supp'1 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 Property is forfeitable to the United States because the Defendant Property is 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 transaction made to purchase the Defendant Property was conducted in violation of 18 U.S.C. § 1957(a) because it was 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 Property, 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, 6922 LaCantera Circle, LLC, Michael DaCorta, Manatee County Tax Collector, Country Club/Edgewater Village Association, Inc., and Nathan Perry and Heather Perry.

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 Property, has received notice

of this action and has consented to the forfeiture of the Defendant Property.

No entity or individual other than the Manatee County Tax Collector and Nathan Perry and Heather Perry, 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 Country Club/Edgewater Village Association. Thus, it is now appropriate for the Court to enter a Judgment of Forfeiture for the Defendant Property.

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 Property is now vested in the United States of America, subject to the terms of the Consent Forfeiture Agreement between the United States and the Receiver, any *ad valorem* asset taxes and *non-ad valorem* assessments due and

owing to Manatee County Tax Collector, assessments due and owing to the Country Club/Edgewater Village HOA, and the following amounts which the United States has agreed that the Receiver will pay to the Perrys out of the proceeds from the sale of the Defendant Property (to the extent that there are sufficient proceeds after the payment of expenses related to seizure, maintenance, custody, and disposal of the Defendant Property):

- a. Unpaid principal in the amount of \$1,500,000.00 due under the Mortgage recorded on October 2, 2018, under Instrument No. 201841100370, Book: 2750, Pages 3148-3153, in Manatee County, Florida;
- b. All reasonable unpaid interest, at the contractual rate, in the amount of \$16,027.44 as of June 17, 2019, with a daily per diem rate of \$205.48 until date of payment;
- c. Reasonable attorneys' fees and costs for the Perrys' attorneys in the amount of \$2,500.00; and
- d. Any expenses for which the Claimants are entitled for reimbursement pursuant to the terms of the Mortgage and Note, in their capacity as Mortgagees.

DONE and ORDERED in Tampa, Florida, this 5th day of September,

2019.



WILLIAM F. JUNG
UNITED STATES DISTRICT JUDGE