

FR:LDM:TRP
F. #2020R00016

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

LUIS ENRIQUE MARTINELLI
LINARES,

Defendant.

FINAL ORDER
OF FORFEITURE

21-CR-65 (RJD)

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WHEREAS, on or about December 2, 2021, Luis Enrique Martinelli Linares (the “defendant”), entered a plea of guilty to a violation of 18 U.S.C. § 1956(h), as charged in Count One of the above-captioned Indictment;

WHEREAS, at the defendant’s sentencing on or about May 20, 2022, this Court entered a Preliminary Order of Forfeiture (“Preliminary Order”), which, among other things, required the defendant, pursuant to 18 U.S.C. §§ 982(a)(1) and 982(b)(1), and 21 U.S.C. § 853(p): (a) to pay a forfeiture money judgment in the amount of eighteen million eight hundred ninety-two thousand five hundred thirty-two dollars and forty cents (\$18,892,532.40) (the “Forfeiture Money Judgment”); and (b) forfeit all right, title, and interest in the following assets (collectively, the “Forfeitable Assets”), and all proceeds traceable thereto, as property involved in the defendant’s violation of 18 U.S.C. § 1956(h) and/or substitute assets, pursuant to 18 U.S.C. §§ 982(a)(1) and 982(b)(1), and 21 U.S.C. § 853(p): (i) all funds on deposit at Bank Vontobel AG in Switzerland in account nos. 10.520976-6 and 10.328861-1, held in the names of Diamong Investments Corp. and

Waterspoon International Ltd., respectively; (ii) all funds previously restrained by U.S. Immigration and Customs Enforcement in connection with the defendant's immigration bond, file no. A***-**4-620, Bond Receipt no. KROC1900454, and associated with Treasury Account Symbol 70X6697 Fund Code 05, currently on deposit in the United States Marshals Service's Seized Asset Deposit Fund ("SADF") in the approximate amount of one million thirty-two thousand five hundred and eight dollars and fourteen cents (\$1,032,508.14) in U.S. Currency; (iii) all funds previously held in the attorney escrow account at International Finance Bank held for the benefit of the defendant, account no. 011648, currently on deposit in the SADF, in the approximate amount of six hundred ninety-seven thousand four hundred fifty-eight dollars and seventy-five cents (\$697,458.75); (iv) all funds held in the attorney escrow account in Switzerland at Schmid Rechtsanwälte, account CH-0023-0230-1103-5365L, for the benefit of the defendant and Ricardo Alberto Martinelli Linares; (v) the real property and premises (the "Miami Condo") located at Icon Tower, 495 Brickell Avenue, Apt. 4701, Miami, FL, 33131, the net sale proceeds of which are currently on deposit in the SADF in the approximate amount of one million four hundred ninety-three thousand, nine hundred sixty-one dollars and ninety-eight cents (\$1,493,961.98), as well as approximately five thousand one hundred seventy three dollars and forty two cents (\$5,173.42) in rental income derived from the Miami Condo; and (vi) six hundred sixty-nine thousand (\$669,000), currently on deposit at the SADF;

WHEREAS, in accordance with the Preliminary Order and the custom and practice in this district, legal notice of the forfeiture was published on the official government website, www.forfeiture.gov, for thirty (30) consecutive days beginning November 10, 2022, through and including December 9, 2022; and

WHEREAS, no third party has filed with the Court any petition or claim in connection with the Forfeitable Assets, and the time to do so under 21 U.S.C. § 853(n)(2) has expired.

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED, pursuant to 18 U.S.C. §§ 982(a)(1) and 982(b)(1), and 21 U.S.C. § 853(p) and the Preliminary Order, that all right, title and interest in the Forfeitable Assets and any payments towards the Forfeiture Money Judgment is hereby condemned, forfeited, and vested in the United States.

IT IS FURTHER ORDERED that the U.S. Marshals Service, or its duly authorized agents and/or contractors be, and hereby are, directed to dispose of the Forfeitable Assets in accordance with all applicable laws and regulations.

IT IS FURTHER ORDERED that the United States District Court for the Eastern District of New York shall retain jurisdiction over this case for the purposes of enforcing the Preliminary Order and this Final Order of Forfeiture and any supplemental orders of forfeiture as may be necessary.

IT IS FURTHER ORDERED that the Clerk of Court shall enter final judgment of forfeiture to the United States in accordance with the terms of this Final Order of Forfeiture and the Preliminary Order.

IT IS FURTHER ORDERED that the Clerk of Court shall send by inter-office mail three (3) certified copies of this executed Final Order of Forfeiture to the United States

Attorney's Office, Eastern District of New York, Attn: Assistant U.S. Attorney Laura D. Mantell, United States Attorney's Office, Eastern District of New York, 271-A Cadman Plaza East, 7th Floor, Brooklyn, New York 11201.

Dated: Brooklyn, New York
____ January 27 _____, 2023

SO ORDERED:

Handwritten signature of Kiyo A. Matsumoto, with the text "s/KAM" written below it.

HONORABLE KIYO A. MATSUMOTO
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF NEW YORK