

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

UNITED STATES OF AMERICA

VS.

CASE NO: 6:24-cr-186-GAP-RMN

RAYMOND NEIL SMITH

ORDER OF FORFEITURE

THIS CAUSE comes before the Court upon the United States' Motion for an Order of Forfeiture for \$284,000 and a Preliminary Order of Forfeiture for the following assets:

- a. a 2018 42-foot Yellowfin vessel, hull number YFY42115H718, titled in the name of Raymond Neil Smith II, seized on February 29, 2024; and
- b. a 2020 42-foot Freeman vessel, hull number IGG42080F020, titled in the name of Raymond Neil Smith II.

Being fully advised of the relevant facts, the Court hereby finds that the defendant obtained \$284,000 in proceeds from his participation in the conspiracy to smuggle aliens offense charged in Count One.

The Court further finds that the Yellowfin vessel facilitated the conspiracy

offense charged in Count One and that the Freeman vessel facilitated the unlawful transportation of aliens within the United States offense charged in Count Two.

Accordingly, it is hereby:

ORDERED, ADJUDGED, and DECREED that for good cause shown, the United States' motion (Doc. 54) is **GRANTED**.

It is **FURTHER ORDERED** that, pursuant to 8 U.S.C. § 1324(b)(1), 18 U.S.C. § 982(a)(6), 28 U.S.C. § 2461(c), and Fed. R. Crim. P. 32.2(b)(2), the United States is entitled to: 1) an Order of Forfeiture for the \$284,000 the defendant obtained from his participation in the conspiracy to smuggle aliens offense charged in Count One; and 2) a Preliminary Order of Forfeiture for the Yellowfin and Freeman vessels as they facilitated the charged offenses.

It is **FURTHER ORDERED** that, because the \$284,000 was dissipated by the defendant, and the United States could not locate those proceeds, the United States may seek, as a substitute asset, pursuant to 21 U.S.C. § 853(p), forfeiture of any of the defendant's property up to the value of \$284,000.

It is **FURTHER ORDERED** that:

1. The United States will provide written notice to all third parties known to have an alleged legal interest in the vessels and will publish notice on the internet at www.forfeiture.gov.

2. That any person, other than Raymond Neil Smith, who has or claims any right, title or interest in the vessels must file a petition with this Court for a hearing to adjudicate the validity of their alleged interest in the vessels. The petition should be mailed to the Clerk of the United States District Court, Orlando Division, 401 W. Central Blvd., Suite 1200, Orlando, Florida 32801-0120, within 30 days of the final publication of notice or of receipt of actual notice, whichever is earlier.
3. The petition shall be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title or interest in the forfeited vessels, the time, and circumstances of the petitioner's acquisition of the right, title or interest in the vessels and any additional facts surrounding the petitioner's claim and the relief sought.
4. After receipt of the petition by the Court, the Court will set a hearing to determine the validity of the petitioner's alleged interest in the vessels.
5. That upon adjudication of all third-party interests in the vessels this Court will enter a Final Order of Forfeiture in which all interests will be addressed.

It is **FURTHER ORDERED** that, upon entry, this order shall become a final order of forfeiture as to the defendant.

The Court retains jurisdiction to address any third-party claim that may be asserted in these proceedings, to enter any further order necessary for the

forfeiture and disposition of such property, and to order any other substitute assets forfeited to the United States up to the amount of the order of forfeiture.

DONE and ORDERED in Orlando, Florida on September 20, 2024.




GREGORY A. PRESNELL
UNITED STATES DISTRICT JUDGE

Copies furnished to:

United States Marshal
United States Attorney
United States Probation Office
United States Pretrial Services Office
Counsel for Defendant