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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

| | | |
|---------------------------|---|-----------------------|
| UNITED STATES OF AMERICA, |) | Case No. 97cr2520-LAB |
| |) | |
| Plaintiff, |) | |
| |) | ORDER OF CRIMINAL |
| v. |) | FORFEITURE |
| |) | |
| BENJAMIN ARELLANO-FELIX, |) | |
| aka El Senor, |) | |
| aka El Min, |) | |
| aka 76, |) | |
| aka 7-7, |) | |
| aka MK, |) | |
| aka Licenciado Sanchez, |) | |
| aka Licenciado Alegria, |) | |
| |) | |
| Defendant. |) | |

WHEREAS, in the Superseding Information in the above-captioned case, the United States sought forfeiture of \$100,000,000.00 (one hundred million U.S. dollars) of the above-named Defendant, BENJAMIN ARELLANO-FELIX ("Defendant"), pursuant to Title 18, United States Code, Sections 1963 and 982; and

WHEREAS, on or about January 4, 2012, Defendant pled guilty to both counts of the Superseding Information, which plea included a consent to the forfeiture allegations and an agreement to entry of a \$100,000,000.00 judgment against the Defendant in favor of the United States pursuant to 18 U.S.C. § 1963 and 18 U.S.C. § 982; and

WHEREAS, by virtue of the admissions of the Defendant set out in the plea agreement and guilty plea, the Court determined that \$100,000,000.00 U.S. dollars represents the amount of

1 properties obtained as a result of the racketeering offenses and represents the value of the
2 properties involved in the laundering conspiracy offense in violation of, respectively, 18 U.S.C.
3 §§ 1962, 371, and 1956 as set forth in the Superseding Information; and

4 WHEREAS, by virtue of said guilty pleas and the Court's findings, the United States is
5 now entitled to an Order of Forfeiture and a judgment in its favor against the Defendant in the
6 amount of \$100,000,000.00, pursuant to 18 U.S.C. §1963, 18 U.S.C. § 982 and Rule 32.2(b) of the
7 Federal Rules of Criminal Procedure; and

8 WHEREAS, Rule 32.2(c)(1) provides that "no ancillary proceeding is required to the extent
9 that the forfeiture consists of a money judgment;" and

10 WHEREAS, by virtue of the facts set forth in the plea agreement, the United States has
11 established the requisite nexus between the judgment and the offense; and

12 WHEREAS, the United States, having submitted the Order herein to the Defendant through
13 his attorneys of record, to review, and no objections having been received;

14 Accordingly, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

15 1. Defendant BENJAMIN ARELLANO-FELIX shall forfeit to the United States the
16 sum of \$100,000,000.00 pursuant to 18 U.S.C. §§ 1963 and 982; and

17 2. Judgment shall be entered in favor of the United States against Defendant
18 BENJAMIN ARELLANO-FELIX in the amount of \$100,000,000.00 with interest to accrue
19 thereon in accordance with law; and

20 3. This Court shall retain jurisdiction in the case for the purpose of enforcing the order
21 of forfeiture and collecting and enforcing the judgment; and

22 4. Pursuant to Rule 32.2(b)(3), this Order of Forfeiture shall be made final as to the
23 Defendant at the time of sentencing and is part of the sentence and included in the judgment; and

24 5. The United States may, at any time, move pursuant to Rule 32.2(e) to amend this
25 Order of Forfeiture to substitute property having a value not to exceed \$100,000,000.00 together
26 with all accrued interest to satisfy the money judgment in whole or in part; and


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6. The United States may take any and all actions available to it to collect and enforce the judgment.

DATED: 2/16/2012


LARRY A. BURNS, Judge
United States District Court