

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
ST. JOSEPH DIVISION**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 12-06001-CR-SJ-GAF
	)	
MARTIN ALEJANDRO LLANAS-RODRIGUEZ,	)	
	)	
JULIO CESAR LLANAS-RODRIGUEZ,	)	
	)	
LUIS ADALBERTO FELIPE-LOPEZ,	)	
	)	
JON L. GRIPPANDO,	)	
	)	
Defendants.	)	

**PRELIMINARY ORDER OF FORFEITURE**

This matter is before the Court on the Motion of the United States for a Preliminary Order of Forfeiture. In the Forfeiture Allegation of the Superseding Indictment in this case, the United States sought forfeiture of the following:

\$23,906 in United States currency from Bank of America  
account number 5860 2385 4236,<sup>1</sup>

pursuant to 18 U.S.C. § 982(a)(2)(B) on the basis that the property constituted, or was derived from, proceeds obtained, directly or indirectly, and any property which was used, or intended to be used, in any manner or part, to commit or to facilitate the commission of the alleged offenses.

The Forfeiture Allegation also sought a personal money judgment against the defendants for \$5,250,000.00 in United States currency, in that such sum in the aggregate, constitutes or is

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<sup>1</sup> The \$23,906 in United States currency seized from Bank of America account number 5860 2385 4236 was administratively forfeited by U.S. Customs and Border Protection on August 3, 2012.

derived from proceeds traceable to offenses alleged in Counts One through Twenty-Five, pursuant to 8 U.S.C. § 1324(b), and 18 U.S.C. §§ 982(6)(A), and 1028(b)(5). The defendants and their co-conspirators will be jointly and severally liable for the money judgment.

On November 8, 2012, the defendant Martin Alejandro Llanas-Rodriguez entered into a plea agreement with the United States in which he agreed to plead guilty to Counts One and Thirty-Eight of the Superseding Indictment, charging violations of 18 U.S.C. §§ 371 and 1028A, and to forfeit to the United States his interest in the property identified in the Forfeiture Allegation. The defendant also agreed to forfeit to the United States \$1,124 in United States currency recovered from the defendant at the time of his arrest. The defendant Martin Alejandro Llanas-Rodriguez consented to the entry of a money judgment in the sum of \$5,250,000.00.

On November 20, 2012, the defendant Julio Cesar Llanas-Rodriguez entered into a plea agreement with the United States in which he agreed to plead guilty to Counts One and Forty-Three of the Superseding Indictment, charging violations of 18 U.S.C. §§ 371 and 1028A, and consented to the entry of a money judgment in the sum of \$5,250,000.00.

On March 26, 2013, the defendant Jon L. Grippando entered into a plea agreement with the United States in which he agreed to plead guilty to Count One of the Superseding Indictment, charging violations of 18 U.S.C. § 371, and consented to the entry of a money judgment in the sum of \$5,250,000.00.

On March 28, 2013, the defendant Luis Adalberto Felipe-Lopez entered into a plea agreement with the United States in which he agreed to plead guilty to Counts One and Thirty-Five of the Superseding Indictment charging violations of 18 U.S.C. §§ 371 and 1028A, and consented to the entry of a money judgment in the sum of \$5,250,000.00.

The Court has determined, based upon the evidence set forth in the plea agreements, that the United States has established the requisite nexus between the property described herein and in Forfeiture Allegation of the Superseding Indictment and the offenses to which the defendants have plead guilty.

By virtue of the plea agreements, the United States is now entitled to a Preliminary Order of Forfeiture and to possession of the property pursuant to 21 U.S.C. § 853.

Accordingly, it is hereby ORDERED:

1. Based upon the plea agreements and the Forfeiture Allegation of the Superseding Indictment, the \$1,124 in United States currency is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853.

2. Furthermore, the defendants each shall pay to the United States \$5,250,000.00 as a personal money judgment for which the defendants will be jointly and severally liable.

3. Upon entry of this Order, the Secretary of the Treasury or his designee is authorized to seize the above-described property in accordance with Fed. R. Crim. P. 32.2(b)(3).

4. Pursuant to 21 U.S.C. § 853, the United States shall publish for at least 30 consecutive days on the government's official website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of the Preliminary Order of Forfeiture, notice of the United States' intent to dispose of the property in such manner as the Department of Treasury may direct, and notice that any person, other than the defendants Martin Alejandro Llanas-Rodriguez, Julio Cesar Llanas-Rodriguez, Jon L. Grippando, and Luis Adalberto Felipe-Lopez, having or claiming a legal interest in the above-described property must file a petition with the Court (and serve a copy on Jess Michaelsen, Assistant United States Attorney), within thirty (30) days of the final publication of notice or of receipt of actual notice,

whichever is earlier.

This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, 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 property and any additional facts supporting the petitioner's claim and the relief sought.

The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property that is the subject of this Preliminary Order of Forfeiture, as a substitute for published notice as to those persons so notified.

5. Pursuant to Fed. R. Crim. P. 32.2(b)(3), this Preliminary Order of Forfeiture shall become final as to the defendant at the time of sentencing (or before if the defendant consents) and shall be made part of the sentence and included in the judgment.

6. The United States may conduct any discovery it considers necessary to identify, locate, or dispose of the property subject to forfeiture or substitute assets for such property.

7. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture in which all interests will be addressed.

s/ Gary A. Fenner  
GARY A. FENNER, JUDGE  
UNITED STATES DISTRICT COURT

DATED: April 9, 2013