

**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
	)	
ELDER ENRIQUE ORDONEZ-CHANAS,	)	
	)	
Defendant.	)	

**MOTION OF THE UNITED STATES FOR A FINAL ORDER  
OF FORFEITURE, WITH SUPPORTING SUGGESTIONS**

The United States of America, by its undersigned counsel, respectfully submits its Motion for a Final Order of Forfeiture in the above-entitled case for the reasons set forth in the following supporting suggestions. A proposed order is submitted with this motion.

**SUPPORTING SUGGESTIONS**

1. In the Forfeiture Allegation of the Superseding Indictment in this case, the United States sought forfeiture of the following property pursuant to 18 U.S.C. § 982(a)(2)(B):

\$28,981.67 in United States currency from Arvest Bank account number 61192957, Arvest Bank account number 42841395, and Arvest Bank account number 42825052.<sup>1</sup>

The Forfeiture Allegation also sought a personal money judgment against the defendant for \$5,250,000.00 in United States currency, in that such sum in the aggregate, constitutes or is 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(a)(6)(A), and 1028(b)(5). The defendant

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<sup>1</sup> The \$28,981.67 in United States currency seized from Arvest Bank account number 61192957, Arvest Bank account number 42841395, and Arvest Bank account number 42825052 were administratively forfeited by U.S. Customs and Border Protection on August 3, 2012.

and co-defendants will be jointly and severally liable for the money judgment.

2. On April 8, 2013, the defendant Elder Enrique Ordonez-Chanas entered into a plea agreement with the United States in which he agreed to forfeit to the United States the property identified in the Forfeiture Allegation. The defendant also agreed to forfeit to the United States \$1,701 in United States currency recovered from him at the time of his arrest. The defendant Elder Enrique Ordonez-Chanas consented to the entry of a money judgment in the sum of \$5,250,000.00.

3. By virtue of the plea agreement, this Court entered a Preliminary Order of Forfeiture regarding the \$1,701 in United States currency and money judgment on June 14, 2013.

4. By virtue of the plea agreement the United States has established that the defendant has an interest in the property subject to forfeiture.

5. In accordance with 21 U.S.C. § 853, the United States properly posted notice of the forfeiture of the above-described property and the requirements for filing a claim for the property on an official government internet site ([www.forfeiture.gov](http://www.forfeiture.gov)) for at least 30 consecutive days, beginning on June 26, 2013, and ending on July 25, 2013. A copy of the Declaration of Publication is on file with the Court.

6. Pursuant to 21 U.S.C. § 853, any person asserting a legal interest in the property subject to forfeiture may, within thirty (30) days of the final publication of notice, or of receipt of actual notice, whichever is earlier, petition the Court for a hearing to adjudicate the validity of his/her alleged interest in the property. No claims were filed within that thirty-day period. Therefore, any third-party interests are barred by failure of those parties to file a timely petition.

Accordingly, the United States respectfully requests that this Court enter a final order of forfeiture as proposed in the attached order.

Respectfully submitted,

Tammy Dickinson  
United States Attorney

By

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**CERTIFICATE OF SERVICE**

I hereby certify that on September 12, 2013, the foregoing motion was electronically filed with the Clerk of the Court using the CM/ECF system for electronic delivery to all counsel of record.

/s/ Jess E. Michaelsen  
Jess E. Michaelsen  
Assistant United States Attorney