

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
CENTRAL DIVISION

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 v. ) No. 10-04032-03-CR-C-NKL  
 )  
 KEVIN RAY HUNTER, )  
 )  
 Defendant. )

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 Indictment in this case, the United States sought forfeiture of the following:

\$17,980.00 in United States currency,  
pursuant to 21 U.S.C. § 853 on the basis that the property constituted, or was derived from, any proceeds Defendant Kevin Ray Hunter obtained, directly or indirectly, or was used, or intended to be used, in any manner or part, to commit or to facilitate the commission of the violations alleged in Count One of the Indictment.

On April 29, 2011, Defendant Kevin Ray Hunter pled guilty to Count One of the Indictment, charging violations of 21 U.S.C. §§ 841(a)(1) and 846, and agreed to forfeit to the United States his interest in the property identified in the Forfeiture Allegation.

The Court has determined, based upon the evidence presented at the hearing held on April 29, 2011, that the United States has established the requisite nexus between the property described in the Forfeiture Allegation of the Indictment and the offense to which Defendant Kevin Ray Hunter pled guilty.

By virtue of the evidence presented at the hearing held on April 29, 2011, 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 Defendant's guilty plea and the Forfeiture Allegation of the Indictment, the above described property is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n).

2. Upon entry of this Order, the United States Attorney General or his designee is authorized to seize the above described property in accordance with Fed. R. Crim. P. 32.2(b)(3).

3. Pursuant to 21 U.S.C. § 853, the United States shall publish for at least thirty (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 Attorney General may direct, and notice that any person, other than

Defendant Kevin Ray Hunter, having or claiming a legal interest in the above described property, must file a petition with the Court (and serve a copy on Steven R. Berry, Special 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.

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

5. Upon adjudication of all third-party interests, this

Court will enter a Final Order of Forfeiture in which all interests will be addressed.

s/ NANETTE K. LAUGHREY  
**NANETTE K. LAUGHREY**  
United States District Judge

Dated this 25TH day of  
June, 2011, at Kansas City, Missouri.