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UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,
Plaintiff,
v.
AUSTIN HSU,
Defendant.

NO. CR20-191-JLR

~~PROPOSED~~



ORDER OF FORFEITURE

THIS MATTER comes before the Court on the United States' Motion for Entry of a Preliminary Order of Forfeiture ("Motion") seeking to forfeit, to the United States, the Defendant Austin Hsu's interest in the following property:

A sum of money in the amount of \$191,427.79, reflecting the unrecovered proceeds the defendant obtained from his commission of Wire Fraud. The Defendant has acknowledged this sum of money is separate and distinct from the restitution that is ordered in this case. The United States has agreed, however, that it will request the Attorney General apply any amounts it collects toward satisfaction of this forfeited sum to the restitution that is ordered. The United States has also agreed that any amount the Defendant pays toward restitution will be credited against this forfeited sum.

1 The Court, having reviewed the United States' Motion, as well as the other papers
2 and pleadings filed in this matter, hereby FINDS that entry of an Order of Forfeiture is
3 appropriate because:

- 4 • The proceeds of Wire Fraud, in violation of 18 U.S.C. § 1343, are
5 forfeitable pursuant to 18 U.S.C. § 981(a)(1)(C) by way of 28 U.S.C.
6 § 2461(c);
- 7 • In his plea agreement, the Defendant agreed to forfeit the above-identified
8 sum of money pursuant to 18 U.S.C. § 981(a)(1)(C) by way of 28 U.S.C.
9 § 2461(c), as it reflects the unrecovered proceeds the Defendant obtained
10 from his commission of Wire Fraud (Dkt. No. 34, ¶ 13);
- 11 • This sum of money is personal to the Defendant; pursuant to Federal Rule
12 of Criminal Procedure ("Fed. R. Crim. P.") 32.2(c)(1), no third-party
13 ancillary process is required before forfeiting it.

14
15 NOW, THEREFORE, THE COURT ORDERS:

16 1) Pursuant to 18 U.S.C. § 981(a)(1)(C) by way of 28 U.S.C. § 2461(c), and
17 his plea agreement, the Defendant's interest in the above-identified sum of money is fully
18 and finally forfeited, in its entirety, to the United States;

19 2) Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A)-(B), this Order will become
20 final as to the Defendant at the time he is sentenced; it will be made part of the sentence;
21 and, it will be included in the judgment;

22 3) No right, title, or interest in the identified sum of money exists in any party
23 other than the United States;


24 4) Pursuant to Fed. R. Crim. P. 32.2(e), in order to satisfy this sum of money,
25 in whole or in part, the United States may move to amend this Order, at any time, to
26 include substitute property having a value not to exceed the sum of money; and,

27 ///

1 5) The Court will retain jurisdiction in this case for the purpose of enforcing
2 this Order, as necessary.

3
4 IT IS SO ORDERED

5 DATED this 8th day of August, 2021.
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9 
10 THE HON. JAMES L. ROBART
11 UNITED STATES DISTRICT JUDGE

12 Presented by:

13
14 s/Michelle Jensen

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