

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,	:	
	:	2:20-cr-094(3)
Plaintiff,	:	JUDGE MORRISON
	:	
v.	:	
	:	
ERIC AHIEKPOR,	:	
	:	
Defendant.	:	

PRELIMINARY ORDER OF FORFEITURE

WHEREAS, in accordance with Rule 32.2 of the Federal Rules of Criminal Procedure, the Superseding Information (Doc. 65) filed in this action contained forfeiture allegations notifying Defendant Eric Ahiekpor that the United States sought the forfeiture of any property, real or personal, involved in the offense as alleged in Count One of the Superseding Information, in violation of 18 U.S.C. § 1956(h), or any property traceable to such property, in accordance with 18 U.S.C. § 982(a)(1), and all property constituting or derived from proceeds traceable to the violation of 18 U.S.C. § 1343 as alleged in Count Two of the Superseding Information, in accordance with 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), including, but not limited to, a sum of money equal to \$150,000.00 in United States currency in the form of a forfeiture money judgment. The forfeiture allegations also contained substitute asset clauses; and

WHEREAS, in the Plea Agreement (Doc. 66) filed on May 12, 2021, Defendant Eric Ahiekpor agreed to plead guilty to Counts One and Two of the Superseding Information. Defendant Eric Ahiekpor also agreed to voluntarily surrender for forfeiture to the United States all of his right, title, and interest in any and all property, real or personal, involved in the offense alleged in Count One of the Superseding Information to which he has agreed to plead guilty, or

any property traceable to such property. Defendant Eric Ahiekpor further agreed to voluntarily surrender for forfeiture to the United States all of his right, title, and interest in any and all property, real or personal, constituting or derived from proceeds traceable to the violation alleged in Count Two of the Superseding Information to which he has agreed to plead guilty, including, but not limited to, the entry of a forfeiture money judgment against him in the amount of \$150,000.00 in favor of the United States. Defendant Eric Ahiekpor acknowledged that this forfeiture money judgment represents the amount of proceeds he personally obtained as a result of the offense alleged in Count Two of the Superseding Information, in violation of 18 U.S.C. § 1343, and that it is therefore forfeitable to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c). The Defendant agreed that the United States is entitled to forfeit any of his property up to the value of the \$150,000.00 forfeiture money judgment as substitute assets. Defendant Eric Ahiekpor consented to the entry of any orders of forfeiture necessary to complete forfeiture in accordance with his Plea Agreement, including the entry of a forfeiture money judgment against him in the amount of \$150,000.00; and

WHEREAS, on June 7, 2021, Defendant Eric Ahiekpor entered a Plea of Guilty to Counts One and Two of the Superseding Information in accordance with his Plea Agreement; and

WHEREAS, based upon the record of this case and agreement of the parties, the Court finds that the requisite nexus exists between the subject property and Counts One and Two of the Superseding Information, that the subject property identified herein is forfeitable under 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c) and 18 U.S.C. § 982(a)(1), and that the United States is now entitled to possession of the subject property.

Accordingly, it is hereby **ORDERED, ADJUDGED, AND DECREED:**

1. That Defendant Eric Ahiekpor shall forfeit to the United States the subject property that is:

Any property, real or personal, involved in his violation of 18 U.S.C. § 1956(h), or any property traceable to such property; and

A sum of money equal to \$150,000.00 in United States Currency representing the amount of proceeds Defendant Eric Ahiekpor personally obtained as a result of his violation of 18 U.S.C. § 1343 in the form of a forfeiture money judgment.

Substitute Assets

If any of the above described forfeitable property, as a result of any act or omission of Defendant Eric Ahiekpor:

- (a) cannot be located upon the exercise of due diligence;**
- (b) has been transferred or sold to, or deposited with a third party;**
- (c) has been placed beyond the jurisdiction of the court;**
- (d) has been substantially diminished in value; or**
- (e) has been commingled with other property which cannot be divided without difficulty,**

the United States may, in accordance with 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 982(b)(1) and/or 28 U.S.C. § 2461(c), seek forfeiture of any property of Defendant Eric Ahiekpor up to the value of the forfeitable property.

2. That the designated agent with the Internal Revenue Service shall immediately seize property as it is identified and hold same in his secure custody and control.

3. That the United States is authorized to conduct any discovery proper in identifying, locating, or disposing of the subject property in accordance with Fed. R. Crim. P. 32.2(b)(3).

4. That, in accordance with 21 U.S.C. § 853(n), as incorporated by 18 U.S.C. § 982(b) and 28 U.S.C. § 2461(c), and Fed. R. Crim. P. 32.2(b)(6), as property of Defendant Eric Ahiekpor is identified, the United States shall publish notice of this Order, or any subsequent orders, and of its intent to dispose of the subject property in such manner as the Attorney General may direct.

The United States shall also provide written notice to any person who reasonably appears to be a potential claimant with standing to contest the forfeiture in the ancillary proceeding.

5. That pursuant to Fed. R. Crim. P. 32.2(b)(4), this Preliminary Order of Forfeiture shall become final as to Defendant Eric Ahickpor at the time of sentencing and shall be made part of the sentence and included in the judgment. If no third party files a timely claim, the United States may, as provided by Fed. R. Crim. P. 32.2(c)(2), notify the Court that this Order shall become the Final Order of Forfeiture.

6. That following the Court's disposition of all petitions filed in accordance with 21 U.S.C. § 853(n), as incorporated by 18 U.S.C. § 982(b) and 28 U.S.C. § 2461(c), or, if no such petitions are filed, following the expiration of the period for the filing of such petitions, the United States shall have clear title to the subject property.

7. That the Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Fed. R. Crim. P. 32.2(e).

ORDERED this 4th day of Aug, 2021.



HONORABLE SARAH D. MORRISON
UNITED STATES DISTRICT JUDGE

Respectfully submitted,

VIPAL J. PATEL
Acting United States Attorney

s/Peter K. Glenn-Applegate
PETER K. GLENN-APPLEGATE (0088708)
Assistant United States Attorney