

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ANTONIO C. ALLEN,

Defendant.

Case No. 10-cr-30178-DRH

**PRELIMINARY ORDER FOR FORFEITURE PURSUANT TO
FED.R.CRIM.P. 32.2 WITH RESPECT TO
CERTAIN PROPERTY OF ANTONIO C. ALLEN**

HERNDON, District Judge:

In the Indictment filed in the above cause on October 20, 2010, the United States sought forfeiture of certain property of Antonio C. Allen. The Court, upon consideration of guilty plea in this matter, hereby finds that the following property is forfeitable and hereby orders forfeited the following property:

\$5,250.00 in United States currency seized from the defendant on January 24, 2010; and

One Ruger Model P91DC, .40 caliber, semi-automatic pistol, bearing serial number 340-20233, and any and all ammunition contained therein.

The United States shall provide notice of the forfeiture and the right of persons other than the defendant who have any claim or legal interest in any of the property to file a petition with the Court. The notice shall be provided in a manner consistent

with Supplemental Rule G(4)(a) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions.

The notice shall state that the petition shall be set 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, the time and circumstances of the petitioner's acquisition of the right, title or interest in the property, any additional facts supporting the petitioner's claim, and the relief sought.

The United States shall, 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 the Order for Forfeiture, as a substitute for the published notice to those persons so notified.

Upon the filing a petition alleging the third-party interests in the property, the court may amend this order to resolve the claimed third-party interests.

The United States Marshal and the custodian for the Bureau of Alcohol, Tobacco, Firearms, and Explosives shall seize and reduce to their possession, if they have not already done so, the above-described property.

This Order, pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, shall become final with respect to Defendant Antonio C. Allen at the time of the Defendant's sentencing, regardless of whether or not the rights of actual or potential third-party petitioners have been determined by that time. This Order shall be made part of the sentence of Defendant Antonio C. Allen and shall be included in

the Judgment imposed against the Defendant. This Order is a final order with respect to the Defendant, and this Order may be amended with respect to petitions filed by third-parties claiming an interest in the subject-matter forfeited property.

IT IS SO ORDERED.

Signed this 24th day of August, 2012.

David R. Herndon



Digitally signed by
David R. Herndon
Date: 2012.08.24
09:17:04 -05'00'

**Chief Judge
United States District Court**