

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**Case No. 6:09-cv-1852-Orl-28GJK**

**ASSETS DESCRIBED IN  
"ATTACHMENT A" TO THE  
VERIFIED COMPLAINT  
FOR FORFEITURE IN REM,**

**Defendants.**

**THIRD JUDGMENT OF FORFEITURE**

Pursuant to 18 U.S.C. § 981(a)(1)(A) and (C), the United States has filed a Third Motion for Judgment of Forfeiture. Doc. 294. The court, being fully advised, finds that the complaint has been filed and service of process has been completed in accordance with the provisions of Rule G of the Supplemental Rules for Admiralty or Maritime Claims, Federal Rules of Civil Procedure.

The Court further finds:

That the only individuals or entities known to have an interest in the approximately \$46,499.76 seized from First National Bank of Central Florida Account No. 0001040839 held in the name of Enrique Puellos on or about November 4, 2008 are Enrique Puellos and First Bank & Trust Leasing Services, a Division of Kinetic Leasing, Inc. (Kinetic).

That on October 1, 2013, the United States filed an Application to the Clerk of Courts for Entry of Default as to Enrique Puellos. Doc. 280. On December 3, 2013, the Clerk entered default against Enrique Puellos. Doc. 293.

That Kinetic signed a settlement agreement whereby it consented to the forfeiture of the funds seized from this account. Doc. 279-4 at p.8.

That the only individuals or entities known to have an interest in the approximately \$46,089.00 seized from First National Bank of Central Florida Account No. 001040804 held in the name of Fuad Abuchaibe on or about November 4, 2008 are Fuad Abuchaibe and Kinetic.

That on October 1, 2013, the United States filed an Application to the Clerk of Courts for Entry of Default as to Fuad Abuchaibe. Doc. 280. On December 3, 2013, the Clerk entered default against Fuad Abuchaibe. Doc. 292.

That because all potential claims to the funds seized from this account were resolved, the United States agreed to dismiss these funds from this litigation as part of its settlement agreement with Kinetic. Doc. 279-4 at p.8.

No other persons or entities have filed a claim in these proceedings against the above-referenced assets, and the time for filing a claim to any of the defendant assets in this forfeiture action has expired.

Accordingly, it is hereby

**ORDERED, ADJUDGED, and DECREED** that the United States' Third Motion for Judgment of Forfeiture is **GRANTED**. It is **FURTHER ORDERED** that,

pursuant to 18 U.S.C. § 981(a)(1)(C), and (C) all right, title, and interest in the following defendant asset, is hereby CONDEMNED and FORFEITED to the United States of America for disposition according to law, free and clear of all claims by Enrique Puellos, Kinetic and all others:


**Approximately \$46,499.76 seized from First National Bank of Central Florida Account No. 0001040839 held in the name of Enrique Puellos on or about November 4, 2008.**

In accordance with the Stipulated Settlement Agreement between the United States and Claimant Kinetic:

**Approximately \$46,089.00 seized from First National Bank of Central Florida Account No. 001040804 held in the name of Fuad Abuchaibe on or about November 4, 2008**

shall be dismissed from this action and paid to Kinetic pursuant to the terms of its settlement agreement with the United States.

DONE and ORDERED in Chambers in Orlando, Florida, this 23<sup>rd</sup> day of December, 2013.

  
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JOHN ANTOON, II  
UNITED STATES DISTRICT JUDGE