

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

UNITED STATES OF AMERICA

vs.

CASE NO. 3:06-cr-211-J-32TEM

TONY HENDERSON

ORDER

This case is before the Court on Defendant Tony Henderson's (hereinafter referred to as "Petitioner") Motion to Return/Disposition of Property (Doc. #155), and the United States' response in opposition (Doc. #159). The property in issue consists of nineteen (19) firearms that were turned over to the Federal Bureau of Investigation (FBI) by the Petitioner shortly after his arrest in the case. Petitioner states in his motion that he transferred his "non-possessory" interest in the firearms to a Robert Rosier on February 4, 2009, and that Mr. Rosier had filed a claim for the firearms which the FBI denied. In the instant motion, Petitioner states he filed an appeal of the denial to return with the FBI on June 3, 2010, and no decision has been made. Previously, the Court took the matter under advisement, requiring "[t]he parties shall provide the Court a copy of the final agency action once they receive it. Once the United States receives the final decision of the agency, it shall ensure that the firearms are not sold or destroyed until the Court has issued its Order in the matter." (Doc. # 160, Court Order.) To date, no further information has been filed with the Court.

Therefore, it is hereby **ORDERED**:

The parties, either individually or jointly, are directed to file a notice to the Court, which shall advise current information as to the status of the weapons Petitioner has

requested be returned to a third party. Said notice shall be filed not later than the close of business on **JANUARY 24, 2011**.

DONE AND ORDERED in Jacksonville, Florida, this 27th day of December, 2010

Copies to:
Asst. U.S. Attorney (Stoddard)
Tony Henderson, *pro se*



THOMAS E. MORRIS
United States Magistrate Judge