

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

**UNITED STATES OF AMERICA**

-vs-

Case No. 3:06-cr-211(S2)-J-32TEM

**TONY HENDERSON**  
a/k/a "Hollywood"

Defense Atty.: Tony Henderson, *Pro Se*  
AUSA: Russell C. Stoddard

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JUDGE	Thomas E. Morris U. S. Magistrate Judge	DATE AND TIME	5/16/2011 2:07 - 3:07
DEPUTY CLERK	Carol Holliman	TAPE/REPORTER	Scott Gamertsfelder Official Court Reporter DIGITAL
INTERPRETER		PRETRIAL/PROBATION:	None Present

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**CLERK'S MINUTES**

**PROCEEDINGS: EVIDENTIARY HEARING FOR PRESENTATION OF EVIDENCE AND ORAL ARGUMENT ON DEFENDANT'S RENEWED MOTION FOR RETURN OF PROPERTY (DOC. 162)**

Mr. Henderson placed under oath.

Defendant's exhibits - 1-15 admitted - attached to minutes.

Arguments by government and Mr. Henderson.

**Order to Enter**

# MARK ROSENBLUM, P.A.

Mark Rosenblum, P.A.  
500 North Ocean Street

Jacksonville, Florida 32202  
904.354.6637  
www.markrosenblum.com

Office 904.354.6002

Direct  
904.354.7228  
Facsimile

markrosenblum1  
aw@bellsouth.net

June 13, 2008

Russell Stoddard, Esq.  
Assistant United States Attorney  
United States Courthouse  
300 N. Hogan Street  
Jacksonville, FL 32202

Re: Tony Henderson

Dear Russ:

U.S. District Court Middle District of Florida	
<b><u>DEFENDANT'S EXHIBIT</u></b>	
Exhibit Number:	<u>1</u>
Case Number:	<u>3:06-cv-211(s2)-J-S27EM</u>
	<u>U.S.</u>
	<u>Tony Henderson</u>
Date Identified:	<u>5-16-11</u>
Date Admitted:	<u>5-16-11</u>

When Tony Henderson was released on bond he surrendered the firearms contained in his house to law enforcement. He knows, of course, that he is prohibited from possessing the firearms, and therefore would like to make arrangements for his mother, who lives in Panama City, to get them. Please let me know what steps need to be taken to transfer the firearms. Enclosed is a list of the firearms, which as you can see was prepared by the FBI at the time Henderson turned them over.

Yours very truly,

Mark Rosenblum

U.S. District Court  
Middle District of Florida

**DEFENDANT'S EXHIBIT**

Exhibit Number:

2

Case Number:

3:06-cr-211(S2)-J3ZTEN

U.S.A.

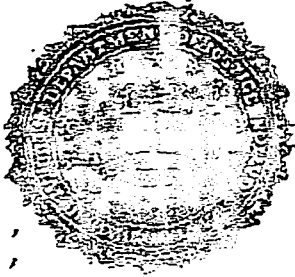
Tony Henderson<sup>v.</sup>

Date Identified:

5-16-11

Date Admitted:

5-16-11



FEDERAL BUREAU OF INVESTIGATION

Jacksonville, Florida Division

Facsimile Coversheet

(904)721-1211 (Main) / (904)727-6399 (Fax) 248-7000

Date: 6/12/06

Fax No.: (904) 829-5943

To: Alexander Christine, Jr

# of Pages: 3 (Including this sheet)

Attn:

From: SA James Pellicciotti (904) 727-8120 / (904) 626-8766 (A)

6-23-09 2:30  
Duty Agent RUSBY  
4-22-09  
Duty Agent  
4-30 11 AM  
5-13-09

Subject: Property List - Guns

Message: Alex  
Here is the list of guns we took from Tony Henderson. Any problems let me know. Hopefully we will prefer today!  
J. Pellicciotti

Privacy Notice: This information is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, exempt or protected from disclosure under applicable Federal or State law(s). If the reader of this information is not the intended recipient, or the employee or agent responsible for delivering the information to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this information is strictly prohibited. If you received this communication in error, please immediately call (904) 721-1211.

6-22-09 Skinner

On (date) 6/9/06

- item(s) listed below were:
- Received From
  - Returned To
  - Released To
  - Seized

(Name) Tony Henderson  
 (Street Address) 6195 Oakdale Ln  
 (City) MacLennan, FL 32063-3509

Description of Item(s):

- ① Rugger Special 101 Serial # 571-46662  
5 shot Revolver
- ② Jennings Firearm .22 (J-22) & Magazine - Serial # 157827
- ③ Smith & Wesson .357 magnum Serial # 72954
- ④ Foremost Model 40 -12 gauge shotgun # 3078949
- ⑤ Champion -16 gauge rifle - Serial # 62850XH
- ⑥ Iver Johnson Slide Action 22 w/ Bushnell scope  
Serial # 003561
- ⑦ Smith & Wesson - Border Patrol .357 Magnum  
Serial # USBP 1243 & case
- ⑧ Chymark .22 Bolt Action - Serial # 62724
- ⑨ M1 Garand Rifle (WWII) - Serial # 05432
- ⑩ Powermate Crossbow - no serial #
- ⑪ Little Bear 410 - Rifle - serial #

Received by: [Signature] 6/9/06 Received from: [Signature]  
 (Signature) (Signature) TOTAL P. 03

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
Receipt for Property Received/Returned/Released/Seized

On (date) 6/9/06

- item(s) listed below were:
- Received From
- Returned To
- Released To
- Seized

(Name) Tony Henderson  
 (Street Address) 6195 Oakdale Ln.  
 (City) Macclenny, FL 32063-5509

Description of Item(s):

- ① M1 Cushman - serial # 10667
- ② Remington 550 .22LR Semi-auto Serial # 550-6
- ③ Mosburg Made 152K .22 long Rifle - Serial # + magazine
- ④ M1 Garand - Ref # H 499 + Magazine
- ⑤ Black Powder - wall Hanger - Duplex # 53-126855
- ⑥ Greenhill - Model 60 .22 - Serial # 24275308 + Scope
- ⑦ Rosco Tiger Arms .22 # 0023232
- ⑧ Keltec .40 cal - Serial # 06581 + magazine
- ⑨ 3 M4 magazines

*[Large diagonal line with handwritten "JP" and "6/9/06" across the section]*

collected by: JP (Signature) Received from: Tony Henderson

December 17, 2008

Case#3:06-cr-211-J-32HTS

Agent in Charge  
Federal Bureau of Investigation  
7820 Arlington Expressway Suite 200  
Jacksonville, FL 32211

Dear Agent in Charge,

SUBJECT: TRANSFER OF FIREARMS

On 6/7/06 I was arrested by the FBI and DEA. On or about 6/8/06 Judge Monte C. Richardson requested that I turn over all of firearms over to FBI. On 6/9/06 Agents Janet Pellicciotti and J. Douglas Mathews met with my Attorney Alex Christine and I at my residence located at 6195 Oakdale Lane, MacClenny, FL 32063. I voluntarily turned all my firearms as noted on attached forms FD-597 and FD-302. On 11/30/07 I pled guilty to 21 U.S.C. 841(a) (1) and 841 (b) (1) (D), Distribution of Less Than 50 Kilograms of Marijuana. On 4/21/08 I was sentenced to six months imprisonment, four months house arrest and two years supervised probation.

On 12/1/08 I transferred possession and ownership of all firearms listed on attached form FD-597 to William Boggs located at 11481 Rosewood Lane, MacClenny, FL 32063. A bill of sell is attached. Please contact my wife Linda Henderson in writing at 6195 Oakdale Lane, MacClenny, FL 32063 or by phone 904-259-9441, and indicate when the property may be transferred. Thank you for your cooperation in this matter.

Sincerely,



Tony Henderson

U.S. District Court Middle District of Florida	
<b>DEFENDANT'S EXHIBIT</b>	
Exhibit Number:	<u>3</u>
Case Number:	<u>3:06-cr-211(S2)-J-32HTS</u> <u>U.S.A.</u>
	<u>Tony Henderson</u>
Date Identified:	<u>5-16-11</u>
Date Admitted:	<u>5-16-11</u>

TONY HENDERSON  
6195 OAKDALE LANE  
MACCLENNY, FL 32063



# FIREARM BILL OF SALE

Buyer certifies that they are not restricted or forbidden by law to own a firearm and buyer states that he/she:

- Has NEVER been convicted in any court of a crime punishable by imprisonment for a term exceeding 1 year.
- Is NOT a fugitive from justice.
- Is NOT an unlawful user of or addicted to any controlled substance.
- Has NEVER been adjudicated as a mental defective or has never been committed to a mental institution.
- Is NOT an alien illegally or unlawfully in the United States or an alien admitted to the United States under a nonimmigrant visa.
- Has NOT been discharged from the Armed Forces under dishonorable conditions.
- Having been a citizen of the United States, has NEVER denounced his or her citizenship.
- Is NOT subject to a court order that restrains the person from harassing, stalking, or threatening anyone.
- Has NOT been convicted of a misdemeanor crime of domestic violence.
- CAN lawfully receive, possess, and transport a firearm.
- Is NOT a person who is under indictment or information for a crime punishable by imprisonment for a term exceeding 1 year.

I truthfully state that I AM NOT a person who cannot legally buy, receive, and possess firearms and/or ammunition.

Full Name William Boggs Signature William C Boggs Date 12-1-08

Firearm(s) sold

ALL FIREARMS AND PROPERTY AS INDICATED ON FBI FORMS FD-302 AND FD-597

As of 01/26/09 this bill of sale is null and void. Ownership reverts back to original owner.  
01/26/09 Joy Henderson 01/26/09

Buyer

(NAME) William Boggs

(ADDRESS) 11481 Rosewood Lane  
MacClenny, FL 32063

(DL#) B200-923-44-288-0

(Contact#) 904-259-4449

Seller

(NAME) Tony Henderson

(ADDRESS) 6195 Oakdale Lane  
MacClenny, FL 32063

(DL#) H536-800-61-169-0

(Contact#) 904-259-9441

I understand the firearm is sold AS-IS and no warranty has been implied or given. Firearm should be inspected by a Competent gunsmith prior to using. Seller not responsible for any damages incurred or caused by the use of this firearm.

Buyer Signature: William C Boggs Date 12-1-08 Seller Signature: Joy Henderson Date 12-1-08

March 2, 2009

Case#3:06-cr-211-J-32HTS

Agent in Charge  
Federal Bureau of Investigation  
7820 Arlington Expressway Suite 200  
Jacksonville, FL 32211

Dear Agent in Charge.

SUBJECT: TRANSFER OF FIREARMS

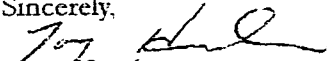
On 12/1/08 I transferred possession and ownership of all firearms listed on attached form FD-597 to William Boggs located at 11481 Rosewood Lane, MacClenny, FL 32063.

On 1/26/09 William Boggs informed the FBI and myself that he did not want to take possession and ownership of the firearms. So the bill of sale is now null and void.

On 2/4/09 I spoke with Robert Rosier about transferring possession and ownership of all firearms listed on the attached form FD-597. Mr. Rosier informed me that he has contacted your office and inquired about taking possession of the firearms. The case Agent was going to contact him regarding the firearms, but has not done so as of 3/2/09.

Please contact my wife Linda Henderson at 904-259-9441 and Robert Rosier at 904-949-6888, and indicate when the property may be transferred. Thank you for your cooperation in this matter.

Sincerely,

  
Tony Henderson

TONY HENDERSON  
6195 OAKDALE LANE  
MACCLENY, FL 32063

U.S. District Court Middle District of Florida	
<b>DEFENDANT'S EXHIBIT</b>	
Exhibit Number:	<u>4</u>
Case Number:	<u>3:06-cr-211(S2)-J-32HTS</u>
	<u>U.S.A.</u>
	<u>Tony Henderson</u>
Date Identified:	<u>5-16-11</u>
Date Admitted:	<u>5-16-11</u>

# FIREARM BILL OF SALE

Buyer certifies that they are not restricted or forbidden by law to own a firearm and buyer states that he/she:

- Has NEVER been convicted in any court of a crime punishable by imprisonment for a term exceeding 1 year.
- Is NOT a fugitive from justice.
- Is NOT an unlawful user of or addicted to any controlled substance.
- Has NEVER been adjudicated as a mental defective or has never been committed to a mental institution.
- Is NOT an alien illegally or unlawfully in the United States or an alien admitted to the United States under a nonimmigrant visa.
- Has NOT been discharged from the Armed Forces under dishonorable conditions.
- Having been a citizen of the United States, has NEVER denounced his or her citizenship.
- Is NOT subject to a court order that restrains the person from harassing, stalking, or threatening anyone..
- Has NOT been convicted of a misdemeanor crime of domestic violence.
- CAN lawfully receive, possess, and transport a firearm.
- Is NOT a person who is under indictment or information for a crime punishable by imprisonment for a term exceeding 1 year.

I truthfully state that I AM NOT a person who cannot legally buy, receive, and posse's firearms and/or ammunition.

I understand that the seller has been convicted of a felony and cannot possess any firearms.

Firearm(s) sold

ALL FIREARMS AND PROPERTY AS INDICATED ON ATTACHED FBI FORMS FD-597

Seller certifies that:

- None of the weapons are prohibited or illegally altered.
- None have been reported lost, stolen or used in any crime.
- He is legally entitled to sell and/or transfer title of his firearms.
- He has been convicted of a felony and cannot own or possess any firearm.
- Transfers sole ownership and possession of property to buyer.

Buyer:

(NAME) Robert L. Rosier  
ADDRESS): 6222 Hunters Lane  
St. Augustine, FL 32092


(DL#)  
(Contact #) 904-940-6888  
904-858-0639

Seller:

(NAME) Tony Henderson  
(ADDRESS): 6195 Oakdale Lane  
MacClenny, FL 32063

(DL#) H536-800-61-169-0  
(Contact #) 904-259-1436  
904-233-3613

Buyer: Robert L. Rosier Signature:  Date: 02/04/09

Seller: Tony Henderson Signature:  Date: 02/04/09

April 6, 2009

Case#3:06-cr-211-J-32HTS

Agent in Charge  
Federal Bureau of Investigation  
7820 Arlington Expressway Suite 200  
Jacksonville, FL 32211

Dear Agent in Charge,

SUBJECT: TRANSFER OF FIREARMS

On 12/1/08 I transferred possession and ownership of all firearms listed on attached form FD-597 to William Boggs located at 11481 Rosewood Lane, MacClenny, FL 32063.

On 1/26/09 William Boggs informed the FBI and myself that he did not want to take possession and ownership of the firearms. So the bill of sale is now null and void.

On 2/4/09 I spoke with Robert Rosier about transferring possession and ownership of all firearms listed on the attached form FD-597. Mr. Rosier informed me that he has contacted your office and inquired about taking possession of the firearms. The case Agent was going to contact him regarding the firearms, but has not done so as of 4/6/09.

Could you or the case Agent please contact my wife Linda Henderson at 904-259-9441 and Robert Rosier at 904-949-6888, and indicate when the property may be transferred. I would very much like to get this taken care of as soon, and if any way possible. Thank you for your cooperation in this matter.

Sincerely,

  
Tony Henderson

TONY HENDERSON  
6195 OAKDALE LANE  
MACCLENNEY, FL 32063

U.S. District Court Middle District of Florida	
<b>DEFENDANT'S EXHIBIT</b>	
Exhibit Number:	<u>5</u>
Case Number:	<u>3:06-cr-211(S2)-J-32HTS</u>
	<u>U.S.A.</u>
	<u>Tony Henderson</u>
Date Identified:	<u>5-16-11</u>
Date Admitted:	<u>5-16-11</u>

**DEFENDANT'S EXHIBIT**

December 14, 2009

Case#3:06-cr-211-J-32HTS

Exhibit Number: 6

Case Number: 3:06-cr-211(62)-J-32TEM  
U.S.A.

Agent in Charge  
Federal Bureau of Investigation  
6061 Gate Parkway  
Jacksonville, FL 32256

Tony Henderson  
Date Identified: 5-16-11  
Date Admitted: 5-16-11

Dear Agent in Charge,

SUBJECT: TRANSFER OF FIREARMS

I have made several good faith attempts with your office to try and transfer the possession and ownership of my firearms. that were voluntarily turned to your office on June 09, 2006.

On 12/01/08 I transferred possession of ownership of all firearms listed on form FD-597 to William Boggs located at 11481 Rosewood Lane, MacClenny, FL 32063.

On 01/24/09 your office contacted Mr. William Boggs concerning taking possession of the firearms.

On 01/26/09 Mr. Boggs informed the FBI and myself that he did not want to take possession and ownership of the firearms. So the bill of sale became null and void.

On 02/04/09 I spoke with Mr. Robert Rosier located at 6222 Hunters Lane, St. Augustine, FL 32092 about taking possession and ownership of the firearms. Mr. Rosier stated that he would take ownership. Mr. Rosier has contacted your office twice that I am aware of and given you all his personal information. Mr. Rosier can be contacted at 904-940-6888 or 904-858-0639.

I have contacted your office on several occasions and spoke with the duty Agent trying to get an answer as to why I am not being allowed to turn over the firearms.

04/22/09 1:00pm Agent (would not give name)

04/30/09 11:00am Agent (would not give name)


05/13/09 11:00am Agent (would not give name)

06/22/09 2:30pm Agent Rusty

On 12/14/09 at 11:00am I again contacted your Office and spoke with Agent Ubanks. Agent Ubanks informed me that the FBI was aware of my request and they would be contacting me. I ask Agent Ubanks how come it only took approximately 3 weeks for them to approve Mr. Boggs to take possession of the firearms, but now they would not allow me to turn them over to Mr. Rosier. He said that he did not know, but they were trying to work with the US Attorney's Office regarding the situation. I requested to speak with a supervisor and was denied to speak with anyone else.

Could you or the case Agent please contact my wife Linda Henderson at 904-259-1436 / 904-233-3613, and Robert Rosier at 904-940-6888 / 904-858-0639, and indicate when the property may be transferred. If you are unable to allow me to transfer the property, could you please contact me by phone or in writing and explain why not. I would like to get this taken care of if any way possible. Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tony Henderson', written in a cursive style.

Tony Henderson

Tony Henderson  
6195 Oakdale Lane  
MacClenny, FL 32063



U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to  
File No.

6061 Gate Parkway  
Jacksonville, Florida 32256  
January 5, 2010

Mr. Tony Henderson  
6195 Oakdale Lane  
Jacksonville, Florida 32063

RE: Miscellaneous firearms  
FBI Abandonment No. 3330-2010-A-0002  
Asset ID No. A06-FBI-00141

Dear Mr. Henderson:

The Federal Bureau of Investigation (FBI), Jacksonville Division, is in receipt of your January 4, 2010, claim of ownership for the above-captioned weapons.

The FBI is conducting an investigation into the merits of your claim. You will be advised in writing of the ruling on the claim.

If you have any questions, you may contact Paralegal Specialist Sharon K. Snow, telephone number (904) 248-7000.

U.S. District Court Middle District of Florida	
<b>DEFENDANT'S EXHIBIT</b>	
Exhibit Number:	7
Case Number:	3:06-cv-211(SZ)-J-32TEM U.S.A.
	<i>Tony Henderson</i>
Date Identified:	5-16-11
Date Admitted:	5-16-11

Very truly yours,

JAMES CASEY  
Special Agent in Charge

By: Timothy A. Adams  
Chief Division Counsel



U.S. District Court Middle District of Florida <b>DEFENDANT'S EXHIBIT</b>	
Exhibit Number:	8
Case Number:	3:06-cr-211(SZ)-J-32EM U.S.A.
	Tony Henderson
Date Identified:	5-16-11
Date Admitted:	5-16-11

U.S. Department of Justice

Federal Bureau of Investigation

December 16, 2009

Certified, Return Receipt

Mr. Tony Henderson  
 6195 Oakdale Lane  
 Macclenny, FL 32063

RE: Asset ID Number: A06-FBI-00141  
 Asset Description: Miscellaneous firearms (See Attached List)  
 Abandonment Number: 333010A002

Dear Mr. Henderson:

On June 9, 2006, the Federal Bureau of Investigation (FBI) seized the above referenced property.

You are hereby advised that you have thirty (30) days from the date postmarked on this letter to claim the above-described property. If the property is not claimed by this date, title to the property will vest in the United States in accordance with Title 41, Code of Federal Regulations (C.F.R.), Section 128-48.102-1.

To claim the property, you must submit a written claim, sworn under penalty of perjury, to Special Agent Janet Pellicciotti, 6061 Gate Parkway, Jacksonville, FL 32256, telephone number 904-248-7348. Pursuant to 41 C.F.R., Section 128-48.503, the claim must include a statement of facts and circumstances that justify granting the claim. Additionally, the claim must be supported by documentary evidence establishing your valid, good faith interest in the property. Upon the receipt of the claim, the FBI will conduct an investigation into the merits of the claim. **Be advised that federal law prohibits anyone convicted of a felony from possessing a firearm. See Title 18, United States Code, Section 922.** Furthermore, no firearm will be returned without documentary proof of ownership.

This will be the only notice that you receive concerning this property.

Very truly yours,

James Casey  
 Special Agent in Charge

By:

*Timothy A. Adams*  
 Timothy A. Adams



**FEDERAL BUREAU OF INVESTIGATION  
WAIVER OF OWNERSHIP OF FIREARM  
Asset ID: A06-FBI-00141**

On June 9, 2006, the Federal Bureau of Investigation seized Miscellaneous firearms (See Attached List) from Tony Henderson, 6195 Oakdale Lane, Macclenny, FL. I understand that the Code of Federal Regulations (C.F.R.) requires that FBI inform me that I have the opportunity to claim this firearm (41 C.F.R. 128-48.102-1). I understand that if I do not claim this firearm within 30 days of signing this document, the title to the firearm will vest in the United States Government.

- ( ) I hereby acknowledge receipt of the notice that I have a right to claim this firearm.
- ( ) I hereby knowingly and voluntarily waive any right, title and interest in the firearm and agree not to contest the vesting of title in the United States Government.

I unconditionally release and hold harmless the FBI, its officers, employees and Agents, from any and all claims, demands, damages, causes of actions or suits, of whatever kind and description, and wheresoever situated, that might now exists or hereafter exist by reason of or growing out of or affecting, directly or indirectly, the seizure or waiver of ownership interest in the described firearm.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

SSN: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Witness: \_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Mr. Henderson

Item List for Abandonment Notice

December 16, 2009 (2:22PM)

Abandonment No: 333010A002

ASSET ID	ITEM DESCRIPTION	ITEM VALUE	VIN/SERIAL NO
A06-FBI-00141	1 Ruger model SP101 5-shot revolver	237.51	571-46661
	1 Jennings model J-22 pistol	523.84	187827
	1 Smith & Wesson model 66-2 revolver	136.44	AHJ0991
	1 High Standard Foremost model 4011 12-gauge shotgun	82.10	3078949
	1 Iver Johnson's Arms model Champion 16-gauge shotgun	57.67	62850XH
	1 Erma Werke GMBH model EW22 .22-caliber rifle, with Bushnell scope (imported by Iver Johnson's Arms)	76.77	003561
	1 Smith & Wesson model 66 6-shot revolver, US Border Patrol #1243	136.44	7K49862
	1 Rogue Rifle Co. model Chipmunk Actra bolt-action rifle	47.31	62724
	1 Japanese Arisika 6.5mm rifle, nonfunctional	10.00	C5432
	1 Powermaster crossbow	50.00	none
	1 Savage .410 bore shotgun, engraved "Little Pet"	34.63	429HY
	1 U.S. Rifle Arms Corp. USA, Model M1A1 Garand, .308 caliber semi-automatic rifle with three magazines	1613.40	10667
	1 Remington model 550-I semi-automatic rifle	118.03	none
	1 O.F. Mossberg & Sons model 152K rifle, with one magazine	76.88	none
	1 RFI Enfield Mark III* 7.62 caliber rifle and one magazine	50.00	H4991
	1 Homemade percussion cap muzzle-loading rifle, nonfunctional	10.00	83-126855
	1 Marlin Firearms Greenfield model 60 rifle with scope	33.15	24275308
	1 Rossi model M92 rifle (imported by Interarms)	160.20	K023232
	1 Kel Tec model SUB-2000 semi-automatic submachine gun	252.75	06581

**DEFENDANT'S EXHIBIT**

Exhibit Number:

9

Case Number:

3:06-cr-211(s2)-J-32 TM

USA

Date Identified:

5-16-11

Date Admitted:

5-16-11

*Tony Henderson*

6195 Oakdale Lane  
Macclenny, FL 32063  
December 28, 2009

Special Agent Janet Pellicciotti  
6061 Gate Parkway  
Jacksonville, FL 32256

Ref: Asset ID Number: A06-FBI-00141  
Asset Description: Miscellaneous firearms  
Abandonment Number: 333010A002

Dear Agent Pellicciotti:

Pursuant to the letter dated December 16, 2009, I hereby make a claim for the above property.

First, let me point out that at no time was I advised that my property was "seized" on June 9, 2006. I was never given notice under the statute of that "seizure". I was asked to voluntarily turn over any weapons that I owned until the resolution of criminal charges. The items were not evidence in the trial and were never identified as proceeds of any illegal activity. There is no basis for "seizure" of the property. In fact, at the time I voluntarily turned over my property, I was given a property receipt, copy attached which listed the items and identified them as "received from" and the "seized" box was not checked. Additionally, the property has not been abandoned by me as numerous letters and notes indicate I have been trying to transfer of my property to a person who has no involvement in my criminal case and has no statutory bar from possessing the property. Rather, I have been frustrated in my attempts to transfer my property and have been provided no assistance in resolving this matter.

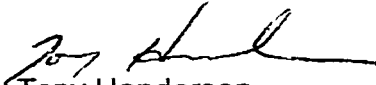
Rather than argue the fine points of proper seizure authority and subsequent notice, I wish to finally resolve this matter. As advised by you, I have a right to submit a written claim for the property and do so by this writing and attached form. The attached receipt is the documentary evidence that the property was received from me. The firearms have been owned by me for many years. Many were given to me by family members and some were given to me by friends over the years. None of the weapons are prohibited or illegally altered and none have been reported lost, stolen or used in any crime. I am aware that because I have been convicted of a felony, I may not possess my firearms, however, I am legally entitled to sell and/or transfer title of my firearms as any other legal owner.

Therefore, I am claiming the property as "received from" me by the FBI on June 9, 2006, has been legally transferred to Robert Rosier, 6222 Hunter's Lane, St. Augustine, FL 32092, Phone 904-940-6888. Mr. Rosier has been provided a Bill

of Sale for all of the property currently being held as under the above Asset ID Number. Mr. Rosier will be filing a claim and in the event that Mr. Rosier's claim is granted and the property is released to him, I relinquish any property interest I have in the firearms. In the event that Mr. Rosier's claim is denied for any reason, I hereby retain my interest in the property and file this claim and my right to transfer my interest to a person of my choosing.

Because this property has not been properly seized, I have drafted a settlement agreement for your consideration to resolve all issues related to the listed firearms.

Please contact me as to how to proceed to a mutually agreeable resolution.

 12/28/09  
Tony Henderson  
6195 Oakdale Lane  
Macclenny, FL 32063

Attached List of Property  
Attached Claim Form  
Attached Proposed Settlement Agreement:

JUN-12-2006 09:24

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
Receipt for Property Received/Returned/Released/Seized

Page 1 of 2

On (date) 6/9/06

- item(s) listed below were:
- Received From
  - Returned To
  - Released To
  - Seized

(Name) Tony Henderson  
 (Street Address) 6195 Oakdale Ln  
 (City) Maclenny, FL 32063-5509

Description of Item(s)

- ① Rugger Special 101 Serial # 571-46662  
5 shot Revolver
- ② Jennings Firearms .22 (J-22) & Magazine - Serial # 187827
- ③ Smith & Wesson .357 magnum Serial # 72954
- ④ Foremost Model 40 -12 gauge shotgun Serial # 3078949
- ⑤ Champion -16 gauge rifle - Serial # 628504H
- ⑥ Iver Johnson Slide Action 22 w/ Bushnell scope  
Serial # 003561
- ⑦ Smith & Wesson -Bardin Patrol .357 Magnum  
Serial # USBP 1243 & case
- ⑧ Chymant .22 Bolt Action - Serial # 62724
- ⑨ M1 Grad Rifle (WWII) - Serial # 05432
- ⑩ Powermaster Cross bow - no Serial #
- ⑪ Little Bear 410 - Rifle - Serial #

Issued by: [Signature] SP 6/9/06  
 Received from: [Signature] (Signature)

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
Receipt for Property Received/Returned/Released/Seized

On (date) 6/9/06

Page 2 of 2

- item(s) listed below were:
- Received From
  - Returned To
  - Released To
  - Seized

(Name) Tony Henderson  
 (Street Address) 6195 Oakdale Ln.  
 (City) Maccleenny, FL 32063-5509

Description of Item(s):

- (1) MI (Mabon) - serial # 10067
- (2) Remington 550 .22LR Semi-Auto Serial # 550-L
- (3) Mosburg Made 15 1/2" .22 long Rifle - Serial #
- (4) MI Grid - Ref # H 499 \* Magazine
- (5) Black Powder - wall Hanger - Package # 53-126855
- (6) Greenfield - Model 60 122 - Serial # 24275302 \* Scope
- (7) Rossi Javelin Arms .22 # 10023232
- (8) Keltec .40 cal - serial # 06581 \* magazine
- (9) 3 MI magazines

*[Large diagonal line across the page with handwritten "JP" and "6/9/06" written over it]*

Received by: [Signature]  
(Signature)

Received from: Tony Henderson

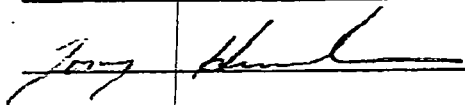
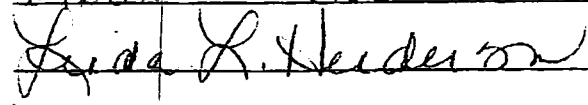
FEDERAL BUREAU OF INVESTIGATION  
WAIVER OF OWNERSHIP OF FIREARM

Asset ID: A06-FBI-00141

On June 9, 2006, the Federal Bureau of Investigation seized Miscellaneous firearms (See Attached List) from Tony Henderson, 6195 Oakdale Lane, Macclenny, FL. I understand that the Code of Federal Regulations (C.F.R.) requires that FBI inform me that I have the opportunity to claim this firearm (41 C.F.R. 128-48.102-1). I understand that if I do not claim this firearm within 30 days of signing this document, the title to the firearm will vest in the United States Government.

- I hereby acknowledge receipt of the notice that I have a right to claim this firearm.
- I hereby knowingly and voluntarily waive any right, title and interest in the firearm and agree not to contest the vesting of title in the United States Government.

I unconditionally release and hold harmless the FBI, its officers, employees and Agents, from any and all claims, demands, damages, causes of actions or suits, of whatever kind and description, and wheresoever situated, that might now exists or hereafter exist by reason of or growing out of or affecting, directly or indirectly, the seizure or waiver of ownership interest in the described firearm.

Name:	Tony Henderson
Address:	6195 Oakdale Lane, MacClenny, FL 32063
Telephone:	904-534-3577
Date of Birth:	05/09/1961
SSN:	452-27-0049
Signature:	
Date:	12/28/09
Witness:	Linda L. Henderson
Signature:	
Title:	Wife
Date:	12/28/09

**SETTLEMENT, INDEMNIFICATION, AND HOLD HARMLESS AGREEMENT**

Federal Bureau of Investigation No.: A06-FBI-00141  
Asset Description: Miscellaneous firearms – attached list  
Abandonment Number: 333010A002  
Claimant: Tony Henderson

1. On or about June 9, 2006, U.S. Department of Justice, Federal Bureau of Investigation (FBI) received the above referenced property owned by Tony Henderson as voluntarily turned over pending a criminal investigation unrelated to the above firearms.
2. On or about December 28, 2009, Tony Henderson filed a claim for the listed property.
3. U.S. Department of Justice and Tony Henderson agree to settle the claim in the following manner: (1) Tony Henderson agrees to withdraw his claim to the claimed firearms and (2) within 30 days of the execution of this agreement, the listed miscellaneous firearms will be returned to Robert Rosier, 6222 Hunter's Lane, St. Augustine, Florida 32092, 904-940-6888 upon presenting personal identification and a Bill of Sale to the Federal Bureau of Investigation, Jacksonville, Florida 32211.
4. By signing this agreement, Tony Henderson's claim is withdrawn.
5. Tony Henderson does not contest that U.S. Department of Justice, FBI has authority to turn over the above referenced property to Robert Rosier.
6. Tony Henderson hereby releases and forever discharges the United States, its officers, agents, servants, and employees, its heirs, successors, or assigns, from any and all actions, suits, proceedings, debts, dues, contracts, judgments, damages, claims, petitions, and/or demands whatsoever in law or equity which Tony Henderson, his heirs, successors, or assigns ever had, now have, or may have in the future in connection with the possession, detention, seizure, and/or release of the above listed property.
7. Tony Henderson agrees to hold and save the United States, its officers, agents, servants, and employees, its heirs, successors, or assigns, harmless from any claims by any others, including costs and expenses, for or on account of any and all lawsuits or claims of any character whatsoever in connection with the possession, detention, seizure, and/or release of the above listed property.

  
Tony Henderson

  
Date



**SETTLEMENT, INDEMNIFICATION, AND HOLD HARMLESS AGREEMENT**

Federal Bureau of Investigation No.: A06-FBI-00141  
Asset Description: Miscellenous firearms – attached list  
Abandonment Number: 333010A002  
Claimant: Tony Henderson  
Signature Page -2-

\_\_\_\_\_  
For U.S. Department of Justice  
Federal Bureau of Investigation

\_\_\_\_\_  
Date

# FIREARM BILL OF SALE

Buyer certifies that they are not restricted or forbidden by law to own a firearm and buyer states that he/she:

- Has NEVER been convicted in any court of a crime punishable by imprisonment for a term exceeding 1 year.
- Is NOT a fugitive from justice.
- Is NOT an unlawful user of or addicted to any controlled substance.
- Has NEVER been adjudicated as a mental defective or has never been committed to a mental institution.
- Is NOT an alien illegally or unlawfully in the United States or an alien admitted to the United States under a nonimmigrant visa.
- Has NOT been discharged from the Armed Forces under dishonorable conditions.
- Having been a citizen of the United States, has NEVER denounced his or her citizenship.
- Is NOT subject to a court order that restrains the person from harassing, stalking, or threatening anyone..
- Has NOT been convicted of a misdemeanor crime of domestic violence.
- CAN lawfully receive, possess, and transport a firearm.
- Is NOT a person who is under indictment or information for a crime punishable by imprisonment for a term exceeding 1 year.

I truthfully state that I AM NOT a person who cannot legally buy, receive, and posse's firearms and/or ammunition.

I understand that the seller has been convicted of a felony and cannot possess any firearms.

Firearm(s) sold

ALL FIREARMS AND PROPERTY AS INDICATED ON ATTACHED FBI FORMS FD-597

Seller certifies that:

- None of the weapons are prohibited or illegally altered.
- None have been reported lost, stolen or used in any crime.
- He is legally entitled to sell and/or transfer title of his firearms.
- He has been convicted of a felony and cannot own or possess any firearm.
- Transfers sole ownership and possession of property to buyer.

Buyer:

(NAME) Robert L. Rosier

ADDRESS): 6222 Hunters Lane  
St. Augustine, FL 32092

(DL#)

(Contact #) 904-940-6888  
904-858-0639

Seller:


(NAME) Tony Henderson

(ADDRESS): 6195 Oakdale Lane  
MacCienny, FL 32063

(DL#) H536-800-61-169-0

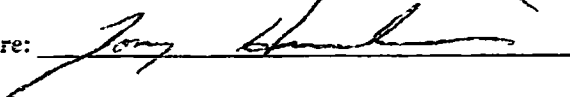
(Contact #) 904-259-1436  
904-233-3613

Buyer: Robert L. Rosier Signature:



Date: 02/04/09

Seller: Tony Henderson Signature:



Date: 02/04/09

7008 1140 0003 6705 3959

JACKSONVILLE FL 32256

Postage	61	0535
Certified Fee	\$2.80	06
Return Receipt Fee (Endorsement Required)	\$2.30	Postmark Here
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 6.15	12/30/2009

Sent To  
 SA Janet Pellicciotti, FBI  
 Street, Apt. No.,  
 or PO Box No.  
 City, State, ZIP+4

SENDER COMPLETE THIS SECTION

- Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 Special Agent Janet Pellicciotti  
 Federal Bureau of Investigation  
 6061 Gate Parkway  
 Jacksonville FL 32256

COMPLETE THIS SECTION ON DELIVERY

A. Signature  Agent  Addressee  
 B. Received by (Printed Name) C. Date of Delivery  
 B. Houghl 12/30/09  
 D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:  
 3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.  
 4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number (Transfer from service label) 7008 1140 0003 6705 3959

U.S. District Court  
Middle District of Florida  
**DEFENDANT'S EXHIBIT**

Exhibit Number: 10

Case Number: 3:06-cr-211(S)-J-SRM  
U.S.A.

Tony Henderson

Date Identified: 5-16-11

Date Admitted: 5-16-11

6222 Hunter's Lane  
St. Augustine, FL 32092  
December 28, 2009

Special Agent Janet Pellicciotti  
6061 Gate Parkway  
Jacksonville, FL 32256

Ref: Asset ID Number: A06-FBI-00141  
Asset Description: Miscellaneous firearms  
Abandonment Number: 333010A002

Dear Agent Pellicciotti:

My name is Robert L. Rosier. This letter is to notify you that as of December 28, 2009, I hereby make a claim for the above property. I am claiming the property as "received from" Tony Henderson and turned over to the FBI on or about June 9, 2006. I have a right to submit a written claim for the property and do so by this writing and attached form.

On 2/4/09 Tony Henderson contacted me about selling and transferring ownership and possession of some firearms that he had voluntarily turned over to the FBI on 06/09/06. Mr. Henderson stated that he needed to sell the firearms in order to help with the dept that his family had incurred since his arrest and conviction. I agreed to buy the firearms in order to help him and his family with their financial situation.

Mr. Henderson provided me with a receipt and a list of the firearms and property. I am enclosing a copy of the receipt, claim form and a list of the property. I am a good friend of Mr. Henderson, and a person who has no involvement with his criminal case and no statutory bar from possessing the property.

I met Tony Henderson in March 2004. He and his wife Linda joined our camping club and we have since become good friends. I have always known Mr. Henderson to be an honest and trustworthy man. I have never had any reason not to trust his character both professionally or personal.

I understand that in the event that my claim is granted and the property is released to me the that Tony Henderson *will relinquish* all interest he has in the firearms and property. In the event that my claim is denied for any reason, I understand that Tony Henderson will retain ownership and interest in the property and has the right to transfer ownership to a person of his choosing.

Please contact me as to how to proceed to a mutually agreeable resolution.  
I can be contacted at the below address or phone ~~904-940-6888~~.



Robert L. Rosier  
6222 Hunters Lane  
St. Augustine, FL 32092

Attached List of Property  
Attached Claim Form  
Attached Firearm Bill of Sale

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
Receipt for Property Received/Returned/Released/Retained

Page 1 of 3

On (date) 6/9/06

- Item(s) listed below were:
- Received From
- Returned To
- Released To
- Seized

(Name) Tom Waldson  
 (Street Address) 1195 Oakdale Ln  
 (City) Maitland, FL 32863-5509

Description of Item(s)

- ① Ruger, Special 101 Small # 571-46662  
5 shot Revolver
- ② Remington-Union 22 (22) # 157827  
Tennys Firearms
- ③ Smith & Wesson .357 magnum # 72954
- ④ Foremost Model 40 - 12 gauge shotgun # 3073246
- ⑤ Champion - 16 gauge rifle - Serial # 6285044
- ⑥ Iver Johnson Slide Action 22 w/ Bushnell scope  
Serial # 903561
- ⑦ Smith & Wesson - Bertha Patent .357 Magnum  
Serial # USBP 1243 of case
- ⑧ Remington 22 Bolt Action - Serial # 62784
- ⑨ M1 Garand Rifle (M1G) - Serial # 05432
- ⑩ Remington Crossbow - Serial #
- ⑪ Little Bear 410 - Rifle - Serial #

Received by: [Signature] Received from: [Signature]  
 (Signature) (Signature)

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
Receipt for Property Received/Returned/Released/Seized

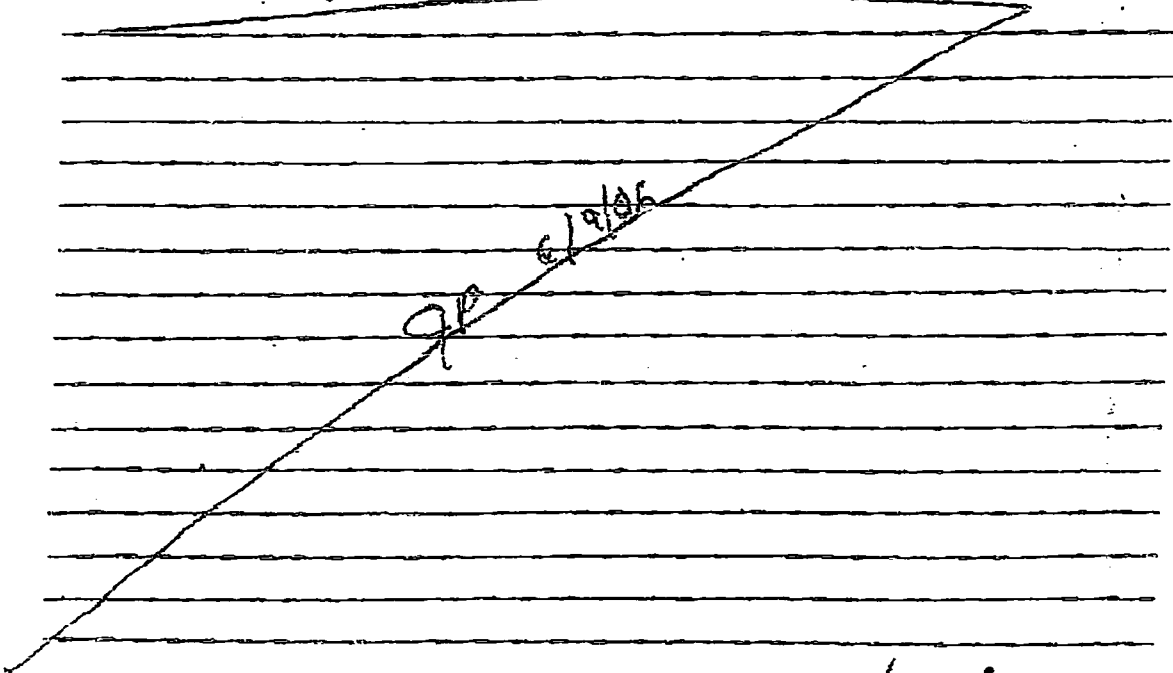
On (date) 6/9/06

- Item(s) listed below were:
- Received From
  - Returned To
  - Released To
  - Seized

(Name) Tommy Helason  
 (Street Address) 6195 Octdale Ln.  
 (City) Macedonny, FL 32063-5509

Description of Item(s)

- ① M1 Cushman - serial # 10067
- ② Remington 550 122LR Semi-Auto Serial # 550-6
- ③ Mosburg Made 152K 122 Long Rifle - Serial # Magazine
- ④ M1 Card - Ref # A499 Magazine
- ⑤ Black Powder - wall Hanger - Package # 83-126855
- ⑥ Greenhill - M-107 122 - Ser # 24275308 Magazine Scope
- ⑦ Rossi Tiger Arms .32 # 15023232
- ⑧ Keltec .40 cal - Serial # 06581 Magazine
- ⑨ 3 M1 magazines



Received by: John Palko (Signature)      Received from: Tommy Helason (Signature)

FEDERAL BUREAU OF INVESTIGATION  
CLAIM OF OWNERSHIP OF FIREARMS  
Asset ID: A06-FBI-00141

I Robert L. Rosier hereby make a claim for the property associated with the above asset ID number. On 06/09/06, the Federal Bureau of Investigation seized Miscellaneous firearms (See Attached List) from Tony Henderson, 6195 Oakdale Lane, MacClenny, FL. On 02/04/09 Tony Henderson contacted me about selling and transferring ownership and possession of the above said property. I have purchased the firearms and property as listed on the attached property forms and have enclosed a "Bill of Sale". This form is to serve as notice to the FBI as to my right to claim the property as described on attached list. I understand that the (C.F.R.) requires that FBI inform me that I have the opportunity to claim the firearms (41 C.F.R. 128-48.102-1). I understand that if I do not claim the firearms within 30 days of signing this document, the title to the firearms will vest in the United States Government.

I unconditionally release and hold harmless the FBI, its officers, employees and Agents, from any and all claims, demands, damages, causes of actions or suits, of whatever kind and description, and wheresoever situated, that might now exist or hereafter exist by reason of or growing out of or affecting, directly or indirectly, the seizure or waive of ownership interest in the described firearms.

Name: Robert L. Rosier  
Address: 6222 Hunters Cove  
Telephone: 904-940-6888  
Date of Birth: 27 Nov. 1942  
SSN: \_\_\_\_\_  
Signature: [Handwritten Signature]  
Date: 12-30-09  
Witness: Wm M Rowles  
Signature: [Handwritten Signature]  
Title: VP W.W. BAG  
Date: 12/30/09



# FIREARM BILL OF SALE

Buyer certifies that they are not restricted or forbidden by law to own a firearm and buyer states that he/she:

- Has NEVER been convicted in any court of a crime punishable by imprisonment for a term exceeding 1 year.
- Is NOT a fugitive from justice.
- Is NOT an unlawful user of or addicted to any controlled substance.
- Has NEVER been adjudicated as a mental defective or has never been committed to a mental institution.
- Is NOT an alien illegally or unlawfully in the United States or an alien admitted to the United States under a nonimmigrant visa.
- Has NOT been discharged from the Armed Forces under dishonorable conditions.
- Having been a citizen of the United States, has NEVER denounced his or her citizenship.
- Is NOT subject to a court order that restrains the person from harassing, stalking, or threatening anyone..
- Has NOT been convicted of a misdemeanor crime of domestic violence.
- CAN lawfully receive, possess, and transport a firearm.
- Is NOT a person who is under indictment or information for a crime punishable by imprisonment for a term exceeding 1 year.

I truthfully state that I AM NOT a person who cannot legally buy, receive, and possess firearms and/or ammunition.

I understand that the seller has been convicted of a felony and cannot possess any firearms.

Firearm(s) sold

ALL FIREARMS AND PROPERTY AS INDICATED ON ATTACHED FBI FORMS FD-597

Seller certifies that:

- None of the weapons are prohibited or illegally altered.
- None have been reported lost, stolen or used in any crime.
- He is legally entitled to sell and/or transfer title of his firearms.
- He has been convicted of a felony and cannot own or possess any firearm.
- Transfers sole ownership and possession of property to buyer.

Buyer:

(NAME) Robert L. Rosier  
(ADDRESS): 6222 Hunters Lane  
St. Augustine, FL 32092

(DL#)

(Contact #) 904-940-6888  
904-858-0639

Seller:

(NAME) Tony Henderson  
(ADDRESS): 6195 Oakdale Lane  
MacClenny, FL 32063

(DL#) H536-800-61-169-0

(Contact #) 904-259-1436  
904-233-3613

Buyer: Robert L. Rosier Signature: \_\_\_\_\_

Date: 02/04/09

Seller: Tony Henderson Signature: \_\_\_\_\_

Date: 02/04/09



U.S. District Court  
Middle District of Florida  
**DEFENDANT'S EXHIBIT**

Exhibit Number: 11

Case Number: 3:06-cr-211(S2)-J-32RM

U.S.A.

Tony Henderson v.

Date Identified: 5-16-11

Date Admitted: 5-16-11

U.S. Department of Justice  
Federal Bureau of Investigation

In Reply, Please Refer to  
File No.

May 21, 2010

CERTIFIED RETURN RECEIPT

Tony Henderson  
6195 Oakdale Lane  
Macclenny, Florida 32063

RE: MISCELLANEOUS FIREARMS - SEE ATTACHED LIST

SEIZURE NUMBER: 3330-10-A-0002

ASSET ID NUMBER: A06-FBI-00141

Dear Mr. Henderson:

Reference the claim for the return of the above referenced property that you filed on January 4, 2010. Your claim has been reviewed and is hereby denied.

A claim for property being abandoned shall not be granted unless the claimant establishes a valid, good faith interest in the property. Title 41, Code of Federal Regulations (C.F.R.), Section 128-48.503(b). The claim must be sworn, must state the interest of the claimant in the property as owner, mortgagee, or otherwise, must be supported by satisfactory documentary evidence, and must include the facts and circumstances justifying the granting of the claim. 41 C.F.R. § 128-48.503(a).

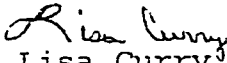
You have failed to satisfy the regulatory requirements. Assuming *arguendo* that you are the owner of the firearms, our investigation into the merits of your claim confirms your status as a convicted felon. Any firearm possession, actual or constructive, by a convicted felon is prohibited by law. See Title 18, United States Code (U.S.C.), Sections 922(g) and 3665. Therefore, the release of the firearms to you or your designee, Robert Rosier, as you have requested, would place you in violation of federal law, as it would amount to constructive possession. See United States v. Howell, 425 F.3d 971, (11th Cir. 2005); United States v. Felici, 208 F.3d 667, 670 (8th Cir. 2000), cert. denied 516 U.S. 897 (1995), citing United States v. Sample, 136 F.3d 562 (8th Cir. 1998). Moreover, as you do not have the authority to legally possess firearms, you cannot

Tony Henderson

delegate the authority to any other person. See Howell, 136 F.3d at 977. Consequently, your claim for the release of the subject firearms to Robert Rosier must be denied, as you have failed to establish a valid, good faith interest in the property as required by 41 C.F.R. § 128-48.503.

You may request that the Federal Bureau of Investigation reconsider the denial of your claim. A request for reconsideration must be based on evidence recently developed or not previously considered and must be submitted within ten days of the receipt of this letter denying your claim. See 41 C.F.R. § 128-48.502(e). The request must be addressed to the Director, Federal Bureau of Investigation, Finance Division, Forfeiture and Seized Property Unit, Suite 510, 935 Pennsylvania Avenue, N W Washington, D.C. 20535, Attention: Lisa Curry

Sincerely,

  
Lisa Curry

Property Management Officer

- 1 - AGC Stephanie Woods
- 1 - Jacksonville (58A-JK-49943)  
Attention: PS Sharon Snow
- 1 - FSPU Abandonment File (3330-10-A-0002)

**ITEM CONTENTS LIST**

<u>Item No.</u>	<u>Count</u>	<u>Item Description/Serial Number/Condition/Item Type/Disposition Type</u>	<u>Item Value</u>
	1	Ruger model SP101 5-shot revolver Item Type: Firearms Revolver Condition: Fair Serial No: 571-46662	\$237.51
	1	Jennings model J-22 pistol Item Type: Firearms Pistol Condition: Fair Serial No: 187827	\$523.84
	1	Smith & Wesson model 66-2 revolver Item Type: Firearms Revolver Condition: Fair Serial No: AHJ0991	\$136.44
	1	High Standard Foremost model 4011 12-gauge shotgun Item Type: Firearms Shotgun Condition: Fair Serial No: 3078949	\$82.10
	1	Iver Johnson's Arms model Champion 16-gauge shotgun Item Type: Firearms Shotgun Condition: Fair Serial No: 62850XH	\$57.67
	1	Erma Werke GMBH model EW22 .22-caliber rifle, with Bushnell scope (imported by Iver Johnson's Arms) Item Type: Firearms Rifle Condition: Fair Serial No: 003561	\$76.77
	1	Smith & Wesson model 66 6-shot revolver, US Border Patrol #1243 Item Type: Firearms Revolver Condition: Fair Serial No: 7K49862	\$136.44
	1	Rogue Rifle Co. model Chipmunk Actra bolt-action rifle Item Type: Firearms Rifle Condition: Fair Serial No: 62724	\$47.31
	1	Japanese Arisika 6.5mm rifle, nonfunctional Item Type: Firearms Rifle Condition: Poor Serial No: C5432	\$10.00
	1	Powermaster crossbow Item Type: Firearms Other Condition: Poor Serial No: none	\$50.00
	1	Savage .410 bore shotgun, engraved "Little Pet" Item Type: Firearms Shotgun Condition: Fair Serial No: 429HY	\$34.83

2	1	U.S. Rifle Arms Corp. USA, Model M1A1 Garand, .308 caliber semi-automatic rifle with three magazines		\$1,613.40
		Item Type: Firearms Rifle	Serial No: 10667	
		Condition: Fair		
13	1	Remington model 550-1 semi-automatic rifle		\$118.03
		Item Type: Firearms Rifle	Serial No: none	
		Condition: Fair		
14	1	O.F. Mossberg & Sons model 152K rifle, with one magazine		\$76.88
		Item Type: Firearms Rifle	Serial No: none	
		Condition: Fair		
15	1	RFI Enfield Mark III* 7.62 caliber rifle and one magazine		\$50.00
		Item Type: Firearms Rifle	Serial No: H4991	
		Condition: Poor		
16	1	Homemade percussion cap muzzle-loading rifle, nonfunctional		\$10.00
		Item Type: Firearms Other	Serial No: 83-126855	
		Condition: Poor		
17	1	Marlin Firearms Greenfield model 60 rifle with scope		\$33.19
		Item Type: Firearms Rifle	Serial No: 24275308	
		Condition: Fair		
18	1	Rossi model M92 rifle (imported by Interarms)		\$160.20
		Item Type: Firearms Rifle	Serial No: K023232	
		Condition: Fair		
19	1	Kel Tec model SUB-2000 semi-automatic submachine gun		\$252.75
		Item Type: Firearms Machinegun	Serial No: 06581	
		Condition: Fair		



U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to  
File No.

May 21, 2010

## CERTIFIED RETURN RECEIPT

Robert Rosier  
6222 Hunter's Lane  
St. Augustine, Florida 32093

RE: MISCELLANEOUS FIREARMS - SEE ATTACHED LIST

SEIZURE NUMBER: 3330-10-A-0002

ASSET ID NUMBER: A06-FBI-00141

Dear MR. ROSIER:

Reference the claim for the return of the above referenced property that you filed on December 30, 2009. Your claim has been reviewed and is hereby denied.

A claim for property being abandoned shall not be granted unless the claimant establishes a valid, good faith interest in the property. Title 41, Code of Federal Regulations (C.F.R.), Section 128-48.503(b). The claim must be sworn, must state the interest of the claimant in the property as owner, mortgagee, or otherwise, must be supported by satisfactory documentary evidence, and must include the facts and circumstances justifying the granting of the claim. 41 C.F.R. § 128-48.503(a).

You have failed to satisfy the regulatory requirements. Assuming arguendo that Tony Henderson is the owner of the firearms, our investigation into the merits of your claim confirms that he is a convicted felon. Any firearm possession, actual or constructive, by a convicted felon is prohibited by law. See Title 18, United States Code (U.S.C.), Sections 922(g) and 3665. Therefore, the release of the firearms to you as a designee of Mr. Henderson, as you have requested, would place Mr. Henderson in violation of federal law, as it would amount to constructive possession. See United States v. Howell, 425 F.3d 971, (11th Cir. 2005); United States v. Felici, 208 F.3d 657, 670 (8th Cir. 2000), cert. denied 516 U.S. 897 (1995), citing United States v. Sample, 136 F.3d 562 (8th Cir. 1998). Moreover, as Mr. Henderson does not have the authority to legally possess firearms, he cannot delegate the authority to any other person.

U.S. District Court  
Middle District of Florida**DEFENDANT'S EXHIBIT**

Exhibit Number:

12

Case Number:

3:06-cr-211(S2)J-32TEM  
U.S.A.

Date Identified:

5-16-11

Date Admitted:

5-16-11

Robert Rosler

See Howell, 136 F.3d at 977. Consequently, your claim for the release of the subject firearms as a designee of Mr. Henderson must be denied, as you and Mr. Henderson have failed to establish a valid, good faith interest in the property as required by 41 C.F.R. § 128-48.503.

You may request that the Federal Bureau of Investigation reconsider the denial of your claim. A request for reconsideration must be based on evidence recently developed or not previously considered and must be submitted within ten days of the receipt of this letter denying your claim. See 41 C.F.R. § 128-48.502(e). The request must be addressed to the Director, Federal Bureau of Investigation, Finance Division, Forfeiture and Seized Property Unit, Suite 510, 935 Pennsylvania Avenue, N W Washington, D.C. 20535, Attention: Lisa Curry

Sincerely,

  
Lisa Curry

Property Management Officer

- 1 - AGC Stephanie Woods
- 1 - Jacksonville (58A-JK-49943)  
Attention: PS Sharon Snow
- 1 - FSPU Abandonment File (3330-10-A-0002)

ITEM CONTENTS LIST

Item No.	Quantity	Item Description/Serial Number/Condition/Item Type/Disposition Type	Item Value
1	1	Ruger model SP101 5-shot revolver Item Type: Firearms Revolver Serial No: 571-1662 Condition: Fair	\$29.00
2	1	Hammings model J-22 pistol Item Type: Firearms Pistol Serial No: 18762 Condition: Fair	\$125.00
3	1	Smith & Wesson model 66-2 revolver Item Type: Firearms Revolver Serial No: A110691 Condition: Fair	\$130.00
4	1	High Standard Forester model 40-1 12-gauge shotgun Item Type: Firearms Shotgun Serial No: 3078949 Condition: Fair	\$50.00
5	1	Iver Johnson's Arms model Champion 16-gauge shotgun Item Type: Firearms Shotgun Serial No: 62830XM Condition: Fair	\$27.00
6	1	Erma Wehr GMEH model EWEH .35 caliber rifle with detachable scope (supported by Iver Johnson's Arms) Item Type: Firearms Rifle Serial No: 203551 Condition: Fair	\$75.00
7	1	Smith & Wesson model 56 6-shot revolver, US Border Patrol #1245 Item Type: Firearms Revolver Serial No: 7K49352 Condition: Fair	\$170.00
8	1	Ruger Rifle Co model Champion Axis bolt-action rifle Item Type: Firearms Rifle Serial No: 65714 Condition: Fair	\$47.00
9	1	Japanese Atsuka 6.5mm rifle, nonfunctional Item Type: Firearms Rifle Serial No: CS 031 Condition: Poor	\$40.00
10	1	Powermaster crossbow	\$100.00

11	1	U.S. Rifle Arms Corp USA Model M1A1 Garand .308 caliber semi-automatic rifle with three magazines Item Type: Firearms Rifle Serial No: 16367 Condition: Fair	\$1,400.00
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12	1	Item Type: Firearms Rifle Serial No: 203551 Condition: Fair	\$125.00
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13	1	G. F. Mossberg & Sons model 152X rifle with one magazine Item Type: Firearms Rifle Serial No: 203551 Condition: Fair	\$75.00
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14	1	RFC Enfield Mark III* 7.62 caliber rifle and one magazine Item Type: Firearms Rifle Serial No: H5931 Condition: Fair	\$50.00
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15	1	Rem-umado percussion cap muzzle-loading rifle, nonfunctional Item Type: Firearms Rifle Serial No: 89-126852 Condition: Poor	\$20.00
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16	1	Marlin Firearms Greenfield model 60 rifle with scope Item Type: Firearms Rifle Serial No: 24278715 Condition: Fair	\$120.00
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17	1	Ruger model M70 rifle (supported by Interarms) Item Type: Firearms Rifle Serial No: R023033 Condition: Fair	\$160.00
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18	1	Ruger model SUB-2000 semi-automatic subcompact gun Item Type: Firearms M4/M5/M6/M7/M8/M9/M10/M11/M12/M13/M14/M15/M16/M17/M18/M19/M20/M21/M22/M23/M24/M25/M26/M27/M28/M29/M30/M31/M32/M33/M34/M35/M36/M37/M38/M39/M40/M41/M42/M43/M44/M45/M46/M47/M48/M49/M50/M51/M52/M53/M54/M55/M56/M57/M58/M59/M60/M61/M62/M63/M64/M65/M66/M67/M68/M69/M70/M71/M72/M73/M74/M75/M76/M77/M78/M79/M80/M81/M82/M83/M84/M85/M86/M87/M88/M89/M90/M91/M92/M93/M94/M95/M96/M97/M98/M99/M100/M101/M102/M103/M104/M105/M106/M107/M108/M109/M110/M111/M112/M113/M114/M115/M116/M117/M118/M119/M120/M121/M122/M123/M124/M125/M126/M127/M128/M129/M130/M131/M132/M133/M134/M135/M136/M137/M138/M139/M140/M141/M142/M143/M144/M145/M146/M147/M148/M149/M150/M151/M152/M153/M154/M155/M156/M157/M158/M159/M160/M161/M162/M163/M164/M165/M166/M167/M168/M169/M170/M171/M172/M173/M174/M175/M176/M177/M178/M179/M180/M181/M182/M183/M184/M185/M186/M187/M188/M189/M190/M191/M192/M193/M194/M195/M196/M197/M198/M199/M200/M201/M202/M203/M204/M205/M206/M207/M208/M209/M210/M211/M212/M213/M214/M215/M216/M217/M218/M219/M220/M221/M222/M223/M224/M225/M226/M227/M228/M229/M230/M231/M232/M233/M234/M235/M236/M237/M238/M239/M240/M241/M242/M243/M244/M245/M246/M247/M248/M249/M250/M251/M252/M253/M254/M255/M256/M257/M258/M259/M260/M261/M262/M263/M264/M265/M266/M267/M268/M269/M270/M271/M272/M273/M274/M275/M276/M277/M278/M279/M280/M281/M282/M283/M284/M285/M286/M287/M288/M289/M290/M291/M292/M293/M294/M295/M296/M297/M298/M299/M300/M301/M302/M303/M304/M305/M306/M307/M308/M309/M310/M311/M312/M313/M314/M315/M316/M317/M318/M319/M320/M321/M322/M323/M324/M325/M326/M327/M328/M329/M330/M331/M332/M333/M334/M335/M336/M337/M338/M339/M340/M341/M342/M343/M344/M345/M346/M347/M348/M349/M350/M351/M352/M353/M354/M355/M356/M357/M358/M359/M360/M361/M362/M363/M364/M365/M366/M367/M368/M369/M370/M371/M372/M373/M374/M375/M376/M377/M378/M379/M380/M381/M382/M383/M384/M385/M386/M387/M388/M389/M390/M391/M392/M393/M394/M395/M396/M397/M398/M399/M400/M401/M402/M403/M404/M405/M406/M407/M408/M409/M410/M411/M412/M413/M414/M415/M416/M417/M418/M419/M420/M421/M422/M423/M424/M425/M426/M427/M428/M429/M430/M431/M432/M433/M434/M435/M436/M437/M438/M439/M440/M441/M442/M443/M444/M445/M446/M447/M448/M449/M450/M451/M452/M453/M454/M455/M456/M457/M458/M459/M460/M461/M462/M463/M464/M465/M466/M467/M468/M469/M470/M471/M472/M473/M474/M475/M476/M477/M478/M479/M480/M481/M482/M483/M484/M485/M486/M487/M488/M489/M490/M491/M492/M493/M494/M495/M496/M497/M498/M499/M500/M501/M502/M503/M504/M505/M506/M507/M508/M509/M510/M511/M512/M513/M514/M515/M516/M517/M518/M519/M520/M521/M522/M523/M524/M525/M526/M527/M528/M529/M530/M531/M532/M533/M534/M535/M536/M537/M538/M539/M540/M541/M542/M543/M544/M545/M546/M547/M548/M549/M550/M551/M552/M553/M554/M555/M556/M557/M558/M559/M560/M561/M562/M563/M564/M565/M566/M567/M568/M569/M570/M571/M572/M573/M574/M575/M576/M577/M578/M579/M580/M581/M582/M583/M584/M585/M586/M587/M588/M589/M590/M591/M592/M593/M594/M595/M596/M597/M598/M599/M600/M601/M602/M603/M604/M605/M606/M607/M608/M609/M610/M611/M612/M613/M614/M615/M616/M617/M618/M619/M620/M621/M622/M623/M624/M625/M626/M627/M628/M629/M630/M631/M632/M633/M634/M635/M636/M637/M638/M639/M640/M641/M642/M643/M644/M645/M646/M647/M648/M649/M650/M651/M652/M653/M654/M655/M656/M657/M658/M659/M660/M661/M662/M663/M664/M665/M666/M667/M668/M669/M670/M671/M672/M673/M674/M675/M676/M677/M678/M679/M680/M681/M682/M683/M684/M685/M686/M687/M688/M689/M690/M691/M692/M693/M694/M695/M696/M697/M698/M699/M700/M701/M702/M703/M704/M705/M706/M707/M708/M709/M710/M711/M712/M713/M714/M715/M716/M717/M718/M719/M720/M721/M722/M723/M724/M725/M726/M727/M728/M729/M730/M731/M732/M733/M734/M735/M736/M737/M738/M739/M740/M741/M742/M743/M744/M745/M746/M747/M748/M749/M750/M751/M752/M753/M754/M755/M756/M757/M758/M759/M760/M761/M762/M763/M764/M765/M766/M767/M768/M769/M770/M771/M772/M773/M774/M775/M776/M777/M778/M779/M780/M781/M782/M783/M784/M785/M786/M787/M788/M789/M790/M791/M792/M793/M794/M795/M796/M797/M798/M799/M800/M801/M802/M803/M804/M805/M806/M807/M808/M809/M810/M811/M812/M813/M814/M815/M816/M817/M818/M819/M820/M821/M822/M823/M824/M825/M826/M827/M828/M829/M830/M831/M832/M833/M834/M835/M836/M837/M838/M839/M840/M841/M842/M843/M844/M845/M846/M847/M848/M849/M850/M851/M852/M853/M854/M855/M856/M857/M858/M859/M860/M861/M862/M863/M864/M865/M866/M867/M868/M869/M870/M871/M872/M873/M874/M875/M876/M877/M878/M879/M880/M881/M882/M883/M884/M885/M886/M887/M888/M889/M890/M891/M892/M893/M894/M895/M896/M897/M898/M899/M900/M901/M902/M903/M904/M905/M906/M907/M908/M909/M910/M911/M912/M913/M914/M915/M916/M917/M918/M919/M920/M921/M922/M923/M924/M925/M926/M927/M928/M929/M930/M931/M932/M933/M934/M935/M936/M937/M938/M939/M940/M941/M942/M943/M944/M945/M946/M947/M948/M949/M950/M951/M952/M953/M954/M955/M956/M957/M958/M959/M960/M961/M962/M963/M964/M965/M966/M967/M968/M969/M970/M971/M972/M973/M974/M975/M976/M977/M978/M979/M980/M981/M982/M983/M984/M985/M986/M987/M988/M989/M990/M991/M992/M993/M994/M995/M996/M997/M998/M999/1000	Serial No: 06594	\$232.00
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6195 Oakdale Lane  
Macclenny, Florida 32063  
June 3, 2010

Director  
Federal Bureau of Investigation  
Finance Division  
Forfeiture & Seized Property Unit  
Suite 510  
935 Pennsylvania Avenue, N.W.  
Washington, DC 20534  
Attn: Lisa Curry

Seizure Number 3330-10-A-0002  
Asset ID Number A06-FBI-00141

Dear Ms. Curry

My claim for return of the above property has been denied. I request that this issue be reconsidered. The above property has been deemed abandoned by the FBI, however, this property was never seized under any authority of law and I have never been provided notice of seizure. The property was voluntarily turned over to the FBI at their request when I was arrested. They requested that the property be turned over for safekeeping and I cooperated. I was never advised that doing so would render this property subject to seizure or abandonment. The firearms were never purchased with proceeds of any crime or part of any crime in any way. I cooperated as a law enforcement officer and fully expected by property rights to be respected. I voluntarily turned over the items at the request of the FBI as I assumed they were concerned about the safe keeping of the weapons until the conclusion of the criminal case. Please see the letter from me dated December 28, 2009.

My wife and children have and continue to have a financial and vested interest in this property. In order to resolve this matter, my family attempted to transfer the title to the weapons to an interested party who would then give compensation to my wife and my children. The FBI now states that I cannot transfer title because I am a convicted felon. However, if I had not voluntarily cooperated and temporarily transferred possession for safekeeping to the FBI, I could have long ago transferred title and possession.

Please reconsider the abandonment of this property and return the property or title to the property to my wife and children and allow them the opportunity to transfer title to any person legally permitted to possess them. My wife and children have never abandoned their claim to the property. It is unfair dealing to ask me to turn over property that I am legally entitled to possess when there is no legal basis for seizure until such time as the FBI determines that my rights have

U.S. District Court Middle District of Florida	
<b>DEFENDANT'S EXHIBIT</b>	
Exhibit Number:	13
Case Number:	3:06-cr-211(SZ)-J-3270M
	USA
	Tony Henderson
Date Identified:	5-16-11
Date Admitted:	5-16-11

been extinguished and then refuse to allow my family or another lawful owner to now exercise their rights.

Please advise me under what theory my property was taken from my possession and the regulations that deny my heirs their legal interest in my jointly owned property. I ask that the abandonment be reconsidered and relief granted to my wife and children.

Respectfully submitted

A handwritten signature in black ink, appearing to read "Tony Henderson", written in a cursive style.

Tony Henderson

Attachment – letter dated December 28, 2009.

6195 Oakdale Lane  
Macclenny, FL 32063  
December 28, 2009

Special Agent Janet Pellicciotti  
6061 Gate Parkway  
Jacksonville, FL 32256

Ref: Asset ID Number: A06-FBI-00141  
Asset Description: Miscellaneous firearms  
Abandonment Number: 333010A002

Dear Agent Pellicciotti:

Pursuant to the letter dated December 16, 2009, I hereby make a claim for the above property.

First, let me point out that at no time was I advised that my property was "seized" on June 9, 2006. I was never given notice under the statute of that "seizure". I was asked to voluntarily turn over any weapons that I owned until the resolution of criminal charges. The items were not evidence in the trial and were never identified as proceeds of any illegal activity. There is no basis for "seizure" of the property. In fact, at the time I voluntarily turned over my property, I was given a property receipt, copy attached which listed the items and identified them as "received from" and the "seized" box was not checked. Additionally, the property has not been abandoned by me as numerous letters and notes indicate I have been trying to transfer of my property to a person who has no involvement in my criminal case and has no statutory bar from possessing the property. Rather, I have been frustrated in my attempts to transfer my property and have been provided no assistance in resolving this matter.

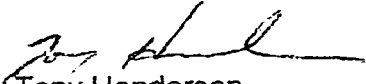
Rather than argue the fine points of proper seizure authority and subsequent notice, I wish to finally resolve this matter. As advised by you, I have a right to submit a written claim for the property and do so by this writing and attached form. The attached receipt is the documentary evidence that the property was received from me. The firearms have been owned by me for many years. Many were given to me by family members and some were given to me by friends over the years. None of the weapons are prohibited or illegally altered and none have been reported lost, stolen or used in any crime. I am aware that because I have been convicted of a felony, I may not possess my firearms, however, I am legally entitled to sell and/or transfer title of my firearms as any other legal owner.

Therefore, I am claiming the property as "received from" me by the FBI on June 9, 2006, has been legally transferred to Robert Rosier, 6222 Hunter's Lane, St. Augustine, FL 32092, Phone 904-940-6888. Mr. Rosier has been provided a Bill

of Sale for all of the property currently being held as under the above Asset ID Number. Mr. Rosier will be filing a claim and in the event that Mr. Rosier's claim is granted and the property is released to him, I relinquish any property interest I have in the firearms. In the event that Mr. Rosier's claim is denied for any reason, I hereby retain my interest in the property and file this claim and my right to transfer my interest to a person of my choosing.

Because this property has not been properly seized, I have drafted a settlement agreement for your consideration to resolve all issues related to the listed firearms.

Please contact me as to how to proceed to a mutually agreeable resolution.

 12/28/09  
Tony Henderson  
6195 Oakdale Lane  
Macclenny, FL 32063

Attached List of Property  
Attached Claim Form  
Attached Proposed Settlement Agreement

MACCLENNY MAIN PO  
 MACCLENNY, Florida  
 320639998  
 1143840585 -0097  
 (904)259-2712  
 06/04/2010 02:04:08 PM

Sales Receipt  
 Product Description      Sale Unit      Final  
 Qty      Price



PO ZIP Code	Day of Delivery	Postage	Return Receipt Fee
Date Accepted	Scheduled Date of Delivery	COOD Fee	Insurance Fee
Time Accepted	Month	Total Postage & Fees	Insured Fee
Time Accepted	Day	Insured Fee	Insured Fee
Time Accepted	Year	Insured Fee	Insured Fee
Final Rate	Int'l Alpha Country Code	Acceptance Emp. Initials	

FROM: (PLEASE PRINT)      PHONE 1

FOR PICKUP OR TRACKING  
 VISIT WWW.USPS.COM  
 CALL 1-800-235-8789



UNITED STATES POSTAL SERVICE®

Post Office To Addressee

Customer Copy  
 Label 1-18, March 2004

Delivery Attempt	Time	Employee Signature
City	Time	Employee Signature
City	Time	Employee Signature
City	Time	Employee Signature
City	Time	Employee Signature
City	Time	Employee Signature

**CUSTOMER USE ONLY**

PAID BY ACCOUNT       WAIVER OF SIGNATURE (See note, Main Copy)  
 Express Mail Corporation Acct. No.       Additional insured/insured by void if  
 customer provides waiver of signature  
 Federal Agency Acct. No. or       Additional insured/insured by void if  
 Postal Service Acct. No.       Additional insured/insured by void if  
 customer provides waiver of signature  
 Federal Agency Acct. No. or       Additional insured/insured by void if  
 Postal Service Acct. No.       Additional insured/insured by void if  
 customer provides waiver of signature

NO DELIVERY       Weekend       Holiday       Mailed Signature

TO: (PLEASE PRINT)      PHONE 1

FOR INTERNATIONAL DESTINATIONS, WRITE COUNTRY NAME BELOW.



U.S. District Court  
Middle District of Florida  
**DEFENDANT'S EXHIBIT**

Exhibit Number: 14

Case Number: 3:06-cr-211(S)-J-ETM  
USA

Tony Henderson

Date Identified: 5-16-11

Date Admitted: 5-16-11

U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to  
File No.

01/26/2011

CERTIFIED RETURN RECEIPT

Tony Henderson  
6195 Oakdale Lane  
Macclenny, Florida 32063

**RE: MISCELLANEOUS WEAPONS - SEE ATTACHED LIST**

**SEIZURE NUMBER: 3330-10-A-0002**

**ASSET ID NUMBER: A06-FBI-00141**

Dear Mr. Henderson:

Reference your letter mailed to the Federal Bureau of Investigation (FBI) dated June 3, 2010, requesting reconsideration of our denial of your claim for the return of the above-referenced property.

Our letter denying your claim, dated May 21, 2010, explained the legal and factual basis for that decision. Your request for reconsideration of our decision does not present any evidence recently developed or not previously considered. Consequently, pursuant to Title 41, Code of Federal Regulations, Section 128-48.502, your request for reconsideration must be denied.

This decision is final. No further requests for consideration of this matter will be accepted.

Sincerely,

Lisa Curry  
Property Management Officer

- 1 - AGC Stephanie Woods
- 1 - Jacksonville (58A-JK-49943)  
Attention: PS Sharon Snow
- 1 - FSPU Abandonment File (3330-10-A-0002)

**ITEM CONTENTS LIST**

<u>Item Seq. No.</u>	<u>Count</u>	<u>Item Description/Serial Number/Condition/Item Type/Disposition Type</u>	<u>Item Value</u>
1	1	Ruger model SP101 5-shot revolver Item Type: Firearms Revolver Condition: Fair Serial No: 571-46662	\$237.51
2	1	Jennings model J-22 pistol Item Type: Firearms Pistol Condition: Fair Serial No: 187827	\$523.84
3	1	Smith & Wesson model 66-2 revolver Item Type: Firearms Revolver Condition: Fair Serial No: AHJ0991	\$136.44
4	1	High Standard Foremost model 4011 12-gauge shotgun Item Type: Firearms Shotgun Condition: Fair Serial No: 3078949	\$82.10
5	1	Iver Johnson's Arms model Champion 16-gauge shotgun Item Type: Firearms Shotgun Condition: Fair Serial No: 62850XH	\$57.67
6	1	Erma Werke GmbH model EW22 .22-caliber rifle, with Bushnell scope (imported by Iver Johnson's Arms) Item Type: Firearms Rifle Condition: Fair Serial No: 003561	\$76.77
7	1	Smith & Wesson model 66 6-shot revolver, US Border Patrol #1243 Item Type: Firearms Revolver Condition: Fair Serial No: 7K49862	\$136.44
8	1	Rogue Rifle Co. model Chipmunk Actra bolt-action rifle Item Type: Firearms Rifle Condition: Fair Serial No: 62724	\$47.31
9	1	Japanese Arisika 6.5mm rifle, nonfunctional Item Type: Firearms Rifle Condition: Poor Serial No: C5432	\$10.00
10	1	Powermaster crossbow Item Type: Firearms Other Condition: Poor Serial No: none	\$50.00
11	1	Savage .410 bore shotgun, engraved "Little Pet" Item Type: Firearms Shotgun Condition: Fair Serial No: 429HY	\$34.83
12	1	U.S. Rifle Arms Corp. USA, Model M1A1 Garand, .308 caliber semi-automatic rifle with three magazines Item Type: Firearms Rifle Condition: Fair Serial No: 10667	\$1,613.40
13	1	Remington model 550-1 semi-automatic rifle Item Type: Firearms Rifle Condition: Fair Serial No: none	\$118.03
14	1	O.F. Mossberg & Sons model 152K rifle, with one magazine Item Type: Firearms Rifle Condition: Fair Serial No: none	\$76.88



15	1	RFI Enfield Mark III* 7.62 caliber rifle and one magazine Item Type: Firearms Rifle Condition: Poor	Serial No: H4991	\$50.00
16	1	Homemade percussion cap muzzle-loading rifle, nonfunctional Item Type: Firearms Other Condition: Poor	Serial No: 83-126855	\$10.00
17	1	Marlin Firearms Greenfield model 60 rifle with scope Item Type: Firearms Rifle Condition: Fair	Serial No: 24275308	\$33.19
18	1	Rossi model M92 rifle (imported by Interarms) Item Type: Firearms Rifle Condition: Fair	Serial No: K023232	\$160.20
19	1	Kel Tec model SUB-2000 semi-automatic submachine gun Item Type: Firearms Machinegun Condition: Fair	Serial No: 06581	\$252.75

U.S. District Court  
Middle District of FloridaDEFENDANT'S EXHIBIT

Exhibit Number:

15

U.S. Department of Justice

Case Number:

3:06-cr-211(S2)-J-32TEM

Federal Bureau of Investigation

USA

In Reply, Please Refer to  
File No.

Date Identified:

5-16-11

6061 Gate Parkway  
Jacksonville, FL 32256  
January 21, 2011

Date Admitted:

5-16-11

United States Attorney's Office  
Middle District of Florida  
300 N. Hogan Street, Suite 700  
Jacksonville, Florida 32202

Attention: AUSA Russell Stoddard

RE: Tony Henderson  
Case No. 3:06-cr-211-J-32TEM

Dear AUSA Stoddard:

As you know, in approximately December 2009, the FBI initiated an abandonment process to resolve the disposition of a number of weapons seized from Mr. Henderson pursuant to his June 2006 arrest on charges of distribution of marijuana, which are in FBI custody. Mr. Henderson filed a claim to the firearms in the abandonment process in January 2010. His claim was denied on May 21, 2010, and on June 3, 2010, he filed a request for reconsideration. Mr. Henderson also filed a Motion for Return on July 16, 2010.

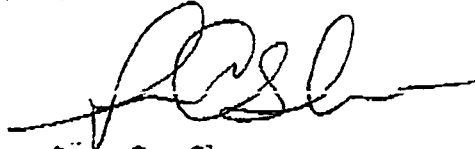
FBI-Jacksonville personnel contacted the Legal Forfeiture Unit at FBI HQ on this date and were advised that Mr. Henderson's request for reconsideration is still under review; however, it is being handled as a priority matter, and a ruling is anticipated within a week.

The firearms are being maintained in FBI-Jacksonville's evidence gun vault. They will be so maintained until Mr. Henderson's claim and Motion have been resolved.

If you have any questions, please contact Paralegal Specialist Sharon Snow at (904) 248-7346.

Sincerely yours,

JAMES CASEY  
Special Agent in Charge



By: Ann C. Shannon  
A/Associate Division Counsel