

FILED

UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT

APPEAL FROM:  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

2012 SEP -5 PM 1:32

CLERK, US DISTRICT COURT  
MIDDLE DISTRICT OF FL  
JACKSONVILLE, FLORIDA

UNITED STATES,

Plaintiff,

v.

CASE NO. 03:06-CR-211-J-32HTS

TONY HENDERSON,

JUDGE THOMAS J. CORRIGAN

Defendant.

MOTION TO PRESERVE PROPERTY PENDING APPEAL

The Appellant hereby moves this Court to issue an Order Preserving the 19 Firearms that is the subject of this civil action. The Appellant's wife has a marital interest in the property that was placed in the control of the FBI pursuant to the terms of the bond in the above matter. The property has never been seized, and is not subject to seizure as property used in furtherance of any crime and is not contraband per se and neither the Defendant nor his spouse have never been provided notice of any action against the property. On defendant's own initiative, he sought return of the property or its value to his wife to preserve her marital interest in the property and she has a legal right to own, possess or divest herself of the property. In order to preserve the rights, it is imperative that the property be maintained in the condition in which it was turned over pending review of the rights in this case.

Dated: September 4, 2012

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Tony Henderson". The signature is written in a cursive style with a long horizontal stroke at the end.

Tony Henderson, Pro Se  
6195 Oakdale Lane  
MacClenny, FL 32063  
Phone: 904-259-1436  
904-233-3613

**Attachment**

**Property receipt describing property at issue**

Mr. Henderson

Item List for Abandonment Notice

December 16, 2009 (2:22PM)

Abandonment No: 333010A002

<u>ASSET ID</u>	<u>ITEM DESCRIPTION</u>	<u>ITEM VALUE</u>	<u>VIN/SERIAL NO</u>
A06-FBI-00141	1 Ruger model SP101 5-shot revolver	237.51	571-46662
	1 Jennings model J-22 pistol	523.84	167627
	1 Smith & Wesson model 66-2 revolver	136.44	AHJ0391
	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"	34.83	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	93-126885
	1 Marlin Firearms Greenfield model 60 rifle with scope	33.19	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