

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

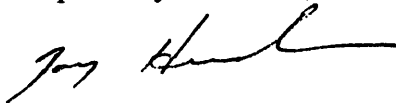
Defendant.

NOTICE OF APPEAL

Notice is hereby given that Tony Henderson, defendant in the above named case, hereby appeals to the United States Court of appeals for the Eleventh Circuit from the Order Denying Defendant's Renewed Motion to Return/Disposition of Property entered in this action on the 8th day of August, 2012.

Dated: September 4, 2012

Respectfully submitted,



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

Attachments

Motion to Proceed In Forma Pauperis
Motion for Preservation of Property Pending Appeal

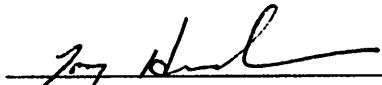
CERTIFICATE OF SERVICE

I, Tony Henderson, hereby certify and affirm that a true and correct copy of this Motion to Preserve Property Pending Appeal, Notice to Appeal and Motion for Permission to Appeal in Forma Pauperis and Affidavit was served on the following persons on September 4, 2012 by regular U.S. Mail:

U.S. District Judge Honorable Timothy J. Corrigan
U.S. District Court
Middle District of Florida
300 N. Hogan Street
Jacksonville, FL 32202

U.S. District Court
Clerk of the Court
Middle District of Florida
300 N. Hogan Street
Jacksonville, FL 32202

Russell Stoddard
Assistant U.S. Attorney
300 N. Hogan Street, Ste. 700
Jacksonville, FL 32202



Tony Henderson

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's Motion to Return/Disposition of Property (Doc. 155), Defendant's Renewed Motion for Return of Property (Doc. 162), Defendant's Renewed Motion for Return of Property (Doc. 163) and Defendant's Renewed Motion to Return/Disposition of Property (Doc. 165), to which the United States has filed a response (Doc. 159). The Magistrate Judge held a hearing on May 16, 2011, following which the Magistrate Judge entered a Report and Recommendation (Doc. 169) recommending that the Motions be denied. Defendant objected to the Report and Recommendation (Doc. 170) and the government did not respond to the objections. Having now conducted a de novo review, it is

ORDERED:


1. Defendant's Objections to Report and Recommendation (Doc. 170) are **OVERRULED.**

2. The Report and Recommendation (Doc. 169) is **ADOPTED** as the opinion of the Court.

3. Defendant's Motion to Return/Disposition of Property (Doc. 155) is **DENIED**.

4. Defendant's Renewed Motion for Return of Property (Doc. 162), Defendant's Renewed Motion for Return of Property (Doc. 163) and Defendant's Renewed Motion to Return/Disposition of Property (Doc. 165) are **DEEMED MOOT**.

DONE AND ORDERED in Jacksonville, Florida, this 8th day of August, 2012.


TIMOTHY J. CORRIGAN
United States District Judge

md.
Copies to:
Hon. Thomas E. Morris, U.S. Magistrate Judge
Russell C. Stoddard, AUSA
U.S. Probation
Defendant