

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
Plaintiff,

v.

WAIEL YOUSIF ANTON,  
aka "Will Anton,"  
aka "Wayne,"  
Defendant.

Case No. 19cr4768-GPC  
22cr01142-GPC

ORDER OF CRIMINAL  
FORFEITURE

//0.

WHEREAS, on or about July 15, 2022, Defendant pled guilty before Magistrate Judge Michael S. Berg to the offenses set forth in Count 8 of the Superseding Indictment in case number 19-cr-4768-GPC (ECF 152), charging Defendant with attempted obstruction of justice, in violation of violation of Title 18, United States Code, Section 1512 (b) (3), and Count 6 of the Indictment in case number 22-cr-1142-GPC, charging Defendant with attempted obstruction of justice, in violation of violation of Title 18, United States Code, Section 1512(c)(2), consented to the forfeiture allegations of the Superseding Indictment and Indictment, and agreed pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c), to forfeit all firearm and

ammunition seized in connection with case numbers 19-cr-4768-GPC and 22-cr-1142-GPC, including but not limited to the following:

- a. One (1) Beretta, Pietro S.P.A. APX Pistol CAL:9 handgun with serial number A000555X;
- b. One (1) Century Arms International RAS47 7.62x39mm rifle with serial number RAS47058200;
- c. One (1) Smith & Wesson M&P Shield 9mm handgun with serial number HTM0972;
- d. One (1) Smith & Wesson 637 Airweight .38 caliber revolver with serial number CJA0175; and
- e. One (1) Stag Arms Stag-15 .223 caliber rifle with serial number 55483; and

WHEREAS, in his plea agreement, Defendant explicitly waived the requirement of notice of the forfeiture in his charging instrument, under Rule 32.2 of the Federal Rules of Criminal Procedure; and

WHEREAS, on, August 1, 2022, this Court accepted the guilty pleas of Defendant; and

WHEREAS, by virtue of the facts set forth in the plea agreement and financial addendum, the Court finds that the United States has established the requisite nexus between the forfeited firearm and ammunition and the offense; and,

WHEREAS, by virtue of said guilty plea, the United States is now entitled to possession of the above- referenced firearms and ammunition, pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c) and Rule 32.2(b) of the Federal Rules of Criminal Procedure; and,

WHEREAS, pursuant to Rule 32.2(b), the United States having requested the authority to take custody of the above-referenced firearms and ammunition which are hereby found forfeitable by the Court; and

WHEREAS, the United States, having submitted the Order herein to the Defendant through his attorney of record, to review, and no objections having been received;

1 Accordingly, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

2 1. Based upon the guilty plea of the Defendant to Count 8 of the Superseding  
3 Indictment and Count 6 of the Indictment, the United States is hereby authorized to take  
4 custody and control of the following firearms and ammunition, and all right, title and  
5 interest of Defendant WAIEL YOUSIF ANTON in the firearms and ammunition are  
6 hereby forfeited to the United States pursuant to Title 18, U.S.C. § 924(d), and Title 28,  
7 United States Code, Section 2461(c) for disposition in accordance with the law, subject to  
8 the provisions of 21 U.S.C. § 853(n):

- 9 a. One (1) Beretta, Pietro S.P.A. APX Pistol CAL:9 handgun with serial number  
10 A000555X; and  
11 b. One (1) Century Arms International RAS47 7.62x39mm rifle with serial  
12 number RAS47058200; and  
13 c. One (1) Smith & Wesson M&P Shield 9mm handgun with serial number  
14 HTM0972; and  
15 d. One (1) Smith & Wesson 637 Airweight .38 caliber revolver with serial  
16 number CJA0175; and  
17 e. One (1) Stag Arms Stag-15 .223 caliber rifle with serial number 55483.

18 2. The aforementioned forfeited assets are to be held by the Bureau of Alcohol,  
19 Tobacco, Firearms and Explosives in its secure custody and control.

20 3. Pursuant to Rule 32.2(b) and (c), the United States is hereby authorized to  
21 begin proceedings consistent with any statutory requirements pertaining to ancillary  
22 hearings and rights of third parties. The Court shall conduct ancillary proceedings as the  
23 Court deems appropriate only upon the receipt of timely third-party petitions filed with the  
24 Court and served upon the United States. The Court may determine any petition without  
25 the need for further hearings upon the receipt of the Government's response to any petition.  
26 The Court may enter an amended order without further notice to the parties.

27 4. Pursuant to the Attorney General's authority under Section 853(n)(1) of  
28 Title 21, United States Code, Rule 32.2(b)(6), Fed. R. Crim. P., and Rule G(4) of the

Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, the United States forthwith shall publish for thirty (30) consecutive days on the Government's forfeiture website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, notice of the United States' intent to dispose of the firearm and ammunition in such manner as the Attorney General may direct, and notice that any person, other than the Defendant, having or claiming a legal interest in the above-listed forfeited firearm and ammunition must file a petition with the Court within thirty (30) days of the final publication of notice or of receipt of actual notice, whichever is earlier.

5. This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the firearm and ammunition, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title, or interest in the forfeited firearm and ammunition and any additional facts supporting the petitioner's claim and the relief sought.

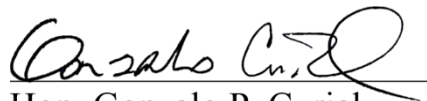
6. The United States shall also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the firearm and ammunition that are the subject of the Preliminary Order of Criminal Forfeiture, as a substitute for published notice as to those persons so notified.

7. Upon adjudication of all third-party interests, this Court will enter an Amended Order of Forfeiture pursuant to Title 21 U.S.C. § 853(n) as to the aforementioned assets, in which all interests will be addressed.

8. Pursuant to Rule 32.2(b)(4), this Order of Forfeiture shall be made final as to the Defendant at the time of sentencing and is part of the sentence and included in the judgement.

**IT IS SO ORDERED.**

Dated: October 7, 2022

  
Hon. Gonzalo P. Curiel  
United States District Judge