

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION**

UNITED STATES OF AMERICA

CRIM. NO. 5:15-cr-00240-01-02

VERSUS

JUDGE S. MAURICE HICKS, JR.

MICHAEL A. LORD

RANDALL B. LORD

MAGISTRATE JUDGE HORNSBY

DEFENDANT'S ARGUMENT ON FORFEITURE

Defendants Michael Lord and Randall Lord appear herein through undersigned counsel and state as follows with respect to the Government's Order of Forfeiture:

1.

As stated in this Honorable Court's memorandum Order of June 6, 2017, the court set times for briefing by the Government and the defense on the issue of forfeiture under 18 USC § 371 and 18 USC § 1960.

2.

The Government's brief was due on June 19, 2017 and the defense brief is due June 26, 2017. The Government did not submit a response by the due date and, as of the filing of the defense brief, has elected not to submit any argument on whether forfeiture is available in this case. Because of the Government's silence, the defendants submit that the Government is unable to find any legal authority which would show that forfeiture is available under the facts of this case.

3.

The defendants agree with the issue raised by the Court as to the availability of criminal forfeiture under 18 USC § 982(a)(1). Randall and Michael Lord agree specifically with the reasoning of the Court in its memorandum order and without repeating the court's reasoning submit that forfeiture is not available under the facts of this case. With respect to Michael Lord's plea under 21 USC § 846 it appears forfeiture is available. However, Michael Lord argues that there is no evidence that he has any property traceable to the drug conspiracy.

WHEREFORE, the defendants pray that the Forfeiture Request be denied as to Randall and Michael Lord on their conviction under 18 USC § 371 of conspiracy to operate unlicensed money service business in violation of 18 USC § 1960. Michael Lord prays that the forfeiture request be denied against him as there is no evidence that Michael Lord has any property or assets traceable to his guilty plea to the drug conspiracy under 21 USC § 846.

This done and signed in Shreveport, Louisiana on this 26th day of June, 2017.

Respectfully submitted,

STROUD, CARMOUCHE & BUCKLE, PLLC

By: s/Paul J. Carmouche

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ATTORNEYS FOR DEFENDANTS,

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the above and foregoing Defendant's Argument on Forfeiture, has this day been sent via electronic mail to counsel of record, this the 26th day of June, 2017.

s/Paul J. Carmouche
Of Counsel