

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA,

Plaintiff

v.

MIGUEL A. MERCED-TORRES,

Defendant.

CRIMINAL NO. 14-293 (JAG)

FINAL ORDER OF FORFEITURE

WHEREAS, on October 10, 2014, the Court entered a Preliminary Order of Forfeiture, amended on November 25, 2014, against the defendant Miguel A. Merced-Torres forfeiting to the United States all his rights, title, and interest in the following properties:

a). All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, located at Turabo Ward, Caguas Puerto Rico, more particularly described as:

URBAN: Lot located at Turabo Ward, municipality of Caguas, Puerto Rico, in front of Central Road, front of 6.00 meters wide, back of 20.00 meters, totaling 120.00 square meters. Bounding by the NORTH, with Ventura Torres, now Torres Ventura's succession, on the SOUTH, with Isolina Davila, now Street Cristóbal Colón, on the EAST, with Central Road, now Gautier Benitez Street, and on the WEST, with Juanita Forastieri Longo, now Longo Forastieri's succession. It contains a house.

Property No. 4333, recorded at page 197rs of volume 246 of Caguas. Registry of Property, First Section of Caguas, Puerto Rico.

Registered owners: Miguel Antonio Merced-Torres also known as Miguel A. Merced-Torres and his wife Yaidy Norah Cruz-Cotto also known as Yaidy N. Cruz Cotto and as Yaidy N. Cruz.

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b). All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, located at Cañabón Ward, Caguas, Puerto Rico, more particularly described as:

URBAN: Horizontal Property : Residential apartment identified as No. 101 in Building " S " (S -101), located on the first floor of Building " S " of Islabella Condominium , located at Cañabón Ward, municipality of Caguas, Puerto Rico, which has a capacity of 1,528.96 square feet of surface, equivalent of 142.05 square meters. Bounding on the NORTH, with general common element (green area), on a distance of 36 ' 8 " ; on the SOUTH, with apartment Building 102 " S " and the staircase and hallway access to Building on a distance of 36 ' 8 " ; on the EAST, with limited common element, (green area), on a distance of 47 ' 3 " ; and on the WEST, with general common element (green area) and access to the building area , on a distance of 47 ' 3 " . The main entrance and exit door of this apartment is facing the west boundary and provides access to limited common elements of the property, namely, hall, stairs and turn through the streets of the Condominium interior access which provides public streets of the Grand Boulevard of Los Prados. This apartment consists of a single level and is divided into the following elements: living/dining room, kitchen, three bedrooms, closets, two bathrooms and a terrace/balcony and a patio in the front of the apartment. It has a uniquely limited common element, permanent and inseparable, two parking spaces that accommodates two motor vehicles. These parking spaces are identified with the numbers 202 and 168. This apartment also carries a limited common element, which is a green area, with a superficial surface of 64.9682 square meters, equivalent to 699.29 square feet uniquely assigned, permanent and inseparable, which is located attached to the background of the apartment. This apartment has a participation in the general common elements of the Condominium of 0.6207 % .

Property No. 58290, recorded at page 115 of volume 1700 of Caguas. Registry of Property, First Section of Caguas, Puerto Rico.

Registered owners: Miguel Antonio Merced-Torres and his wife Yaidy Norah Cruz-Cotto.

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c). All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, located at Tomás de Castro Ward, Caguas, Puerto Rico, more particularly described as:

URBAN: Lot located at Tomas de Castro Ward of Caguas, marked with the No. One (1) of main property which it is segregated marked with No. V-109 of Urbanization Jose Mercado, with an area of 783.88 square meters, bounding by the NORTH, with lot letter "B", dedicated to public use, by the SOUTH, with lot No. 152, by the EAST, with lot V-108 and lot of land letter "A", which is described in the plan as "remnant" and on the WEST, with lot No. 2.

Property No. 37144, recorded at page 120 of volume 1747 of Caguas. Registry of Property, First Section of Caguas, Puerto Rico.

Registered owners: Miguel Antonio Merced-Torres and his wife Yaidy Norah Cruz-Cotto.

d). Residential structure consisting of two stories painted tan and white, fenced in by a cyclone fence, located on Solar A, Calle Rufo Ramirez, Carr. Ramal 8841 Km. 2.2, Barrio Celada, Gurabo, Puerto Rico, CRIM Parcel No. 173-000-006-33.

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AND WHEREAS, the United States made a sufficient showing of the forfeitability of the properties;

AND WHEREAS, by virtue of the plea agreement, the United States is now entitled to possession of the property, free and clear, pursuant to Title 18, United States Code, Sections 981(a)(1)(C), 982(a)(1); Title 28, United States Code, Section 2461(c) and Rule 32.2 of the Federal Rules of Criminal Procedure;

AND WHEREAS, in accordance with Title 21, United States Code, Section 853(n), the United States properly posted notice of the forfeiture of the properties and the requirements for filing a claim for the properties on October 20, 2014, on an official government internet site (www.forfeiture.gov), as required by law. Notice of Publication was filed on November 24, 2014. Pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure and Title 21, United States Code, Section 853(n), any person asserting a legal interest in the properties subject to forfeiture could, within thirty (30) days of the final publication of notice, or of receipt of actual

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notice, whichever was earlier, petition the Court for a hearing to adjudicate the validity of his alleged interest in the properties;

AND WHEREAS, any claims as to the properties submitted at this time would be time barred;

NOW THEREFORE, IT IS **ORDERED, ADJUDGED AND DECREED** that defendant Miguel A. Merced-Torres shall forfeit to the United States the properties, free and clear, pursuant to, and in violation of Title 18, United States Code, Sections 981(a)(1)(C), 982(a)(1); Title 28, United States Code, Section 2461(c) and Rule 32.2 of the Federal Rules of Criminal Procedure and no rights, title, or interest to the properties shall exist in any other party; and

IT IS FURTHER ORDERED that the United States District Court shall retain jurisdiction in the case for the purpose of enforcing this Order; and

IT IS FURTHER ORDERED that, pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Final Order of Forfeiture is final as to defendant Miguel A. Merced-Torres; and

IT IS FURTHER ORDERED that the above-described properties shall be forfeited and disposed of according to law by the Federal Bureau of Investigation (“FBI”) or the United States Marshals Service (“USMS”).

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The Clerk is directed to send copies of this Final Order of Forfeiture to Myriam Y. Fernández-González, Assistant U.S. Attorney of record, Deputy Chief, Narcotics Unit, Torre Chardón, Suite 1201, 350 Carlos Chardón Street, Hato Rey, Puerto Rico 00918, FBI and the USMS.

IT IS SO ORDERED.

San Juan, Puerto Rico, 14th of July, 2015.

s/ Jay A. Garcia-Gregory

JAY A. GARCIA-GREGORY
UNITED STATES DISTRICT JUDGE