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Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 06-00434 JMS
)	
Plaintiff,)	FINAL ORDER OF FORFEITURE
)	
vs.)	
)	
CHARLES LEE RANNEY,)	
)	
Defendant.)	
)	
JEFFREY SCHILDMAYER,)	
)	
Petitioner.)	
)	

ATTEST: A True Copy
SUE BEITIA
Clerk, United States District
Court, District of Hawaii
Deputy

FINAL ORDER OF FORFEITURE

On October 3, 2007, this Court entered an Amended Preliminary Order of Forfeiture ordering Defendant Charles Lee Ranney, Jr., to forfeit the following properties:

- (1) A sum of money equal to United States currency, representing the amount of

proceeds obtained as a result of the offense listed in Count 1 of the Second Amended Information;

- (2) The real property located at 708 W. Adams Avenue in Las Vegas, Nevada, titled in the name of Billy Newsone, designated as Assessor Parcel Number 139-27-210-084, and more specifically described as:

All that real property situated in the County of Clark, State of Nevada, bounded and described as follows:

Lot four (4) in Block "31" of H. F. M. & M. Addition to the City of Las Vegas, as shown by Map thereof on file in Book 1 of Plats, page 47, in the Office of the County Recorder, Clark County, Nevada,

together with all improvements, appurtenances, fixtures, attachments and easements;

- (3) The real property located at 2831 Judson Avenue in North Las Vegas, Nevada, titled in the name of Billy Newsone, designated as Assessor Parcel Number 139-24-210-236, and more specifically described as:

All that certain real property situated in the County of Clark, State of Nevada, described as follows:

The North One Hundred Fifteen (115) feet of the East Seventy (70) feet of the West One Hundred Seventy (170) feet in Block Thirty-Seven (37) of Arrowhead Acres Tract, as shown by Map thereof on file in Book 1 of Plats, page 62, in the Office of the County Recorder, Clark County, Nevada,

together with all improvements, appurtenances, fixtures, attachments and easements;

- (4) The real property located at 7500 Harbor Pond Drive in Las Vegas, Nevada, titled in the name of Jeffrey Schildmeyer, designated as Assessor Parcel Number 125-13-719-007, and more specifically described as:

All that certain real property situated in the County of Clark, State of Nevada, described as follows:

Parcel I:

Lot Four Hundred Five (405) in Block Fifteen (15) of Lynbrook - Unit 5A, as shown by map thereof on file in Book 98 of Plats, Page 82, in the Office of the County Recorder, Clark County, Nevada.

Parcel II:

A non-exclusive easement of ingress, egress, and of enjoyment in, to and over the Common Elements as set forth in the Master Declaration of Covenants, Conditions and Restrictions and Grant of Easements for Lynbrook recorded August 6, 1999 in Book 990806 as Document No. 02111, as the same may from time to time be amended and/or supplemented in the Office of the County Recorder of Clark County, Nevada,

together with all improvements, appurtenances, fixtures, attachments and easements (hereinafter referred to as the "Harbor Pond Drive Property");

- (5) The real property located at 2518 Bassler Street in North Las Vegas, Nevada, titled in the names of Charles Ranney and Diana Ramirez, designated as Assessor Parcel Number 139-13-410-107, and more specifically described as:

All that certain real property situated in the County of Clark, State of Nevada, described as follows:

The West Half (W1/2) of the North Half (N1/2) of the North Half (N1/2) of Lot Two (2) in Block Twenty-Nine (29) of Arrowhead Acres Tract, as shown by Map thereof on file in Book 1 of Plats, Page 62, in the Office of the County Recorder, Clark County, Nevada;

Together with an undivided 1/400ths interest in and to the water well situated on the South Half (S1/2) of Lot Four (4) in Block Twenty-two (22) of said Arrowhead Acres Tract; and together with an undivided 1/400ths interest in and to the pipeline from said well to the property above described

together with all improvements, appurtenances, fixtures, attachments and easements; and

- (6) One (1) Taurus .357 magnum revolver, bearing serial number [redacted] seized on September 16, 2005, from Defendant's residence located at 7500 Harbor Pond Drive in Las Vegas, Nevada

(the above-referenced properties are hereinafter collectively referred to as the "Subject Properties").

Notice of the Amended Preliminary Order of Forfeiture was given by publication in the Honolulu Advertiser on October 26, 2006 and on November 2 and 9, 2006, and in the Las Vegas Review-Journal on October 24 and 31, 2006 and on November 7, 2006. On or about October 20, 2006, written notice was sent to Diana Ramirez, Billy Newsome, and Jeffrey Schildmeyer at their respective last known addresses by certified mail. In November 2006, Jeffrey Schildmeyer contacted the United States alleging an interest in the Harbor Pond Drive Property and seeking an amendment of the Amended Preliminary Order of Forfeiture.

On December 3, 2007, the United States and Jeffrey Schildmeyer entered into a Stipulated Settlement Agreement, whereby Jeffrey Schildmeyer paid and forfeited to the United States \$1,000.00 in United States currency in lieu of the

forfeiture of the Harbor Pond Drive Property pursuant to 19 U.S.C. § 1613(c). The Stipulated Settlement Agreement further provided that the _____ could be substituted for the Harbor Pond Drive Property and treated in the same manner as proceeds from the sale of a forfeited item as provided by 19 U.S.C. § 1613(c).

No other timely petitions or claims were filed or received, and the time to file petitions to allege an interest in any of the Subject Properties has expired.

Sentencing for Defendant Charles Lee Ranney, Jr., has been postponed for an indefinite period. Pursuant to Fed. R. Crim. P. 32.2(b)(3), Defendant Charles Lee Ranney, Jr., hereby expressly consents to the immediate entry of this Final Order of Forfeiture prior to sentencing. Defendant Charles Lee Ranney, Jr., understands and agrees that, upon the entry of this Final Order of Forfeiture, the Subject Properties shall be immediately forfeited to the United States and disposed of in accordance with law and this Final Order of Forfeiture.

NOW THEREFORE, IT IS HEREBY ORDERED ADJUDGED AND DECREED THAT:

1. The Amended Preliminary Order of Forfeiture entered in this action on October 3, 2006, is amended as follows:

(a) The Stipulated Settlement Agreement between the United States and Jeffrey Schildmeyer is incorporated herein by

reference. In accordance with the Stipulated Settlement Agreement, the _____ paid to the United States by Jeffrey Schildmeyer shall be substituted for, and forfeited in lieu of, the Harbor Pond Drive Property; and

(b) All right, title and interest in the following properties are hereby condemned, forfeited and vested in the United States of America and shall be disposed of in accordance with law:

- (1) A sum of money equal to _____ n United States currency, representing the amount of proceeds obtained as a result of the offense listed in Count 1 of the Second Amended Information;
- (2) The real property located at 708 W. Adams Avenue in Las Vegas, Nevada, titled in the name of Billy Newsone, designated as Assessor Parcel Number 139-27-210-084, and more specifically described as:

All that real property situated in the County of Clark, State of Nevada, bounded and described as follows:

Lot four (4) in Block "31" of H. F. M. & M. Addition to the City of Las Vegas, as shown by Map thereof on file in Book 1 of Plats, page 47, in the Office of the County Recorder, Clark County, Nevada,

together with all improvements, appurtenances, fixtures, attachments and easements;

- (3) The real property located at 2831 Judson Avenue in North Las Vegas, Nevada, titled in the name of Billy Newsone, designated as Assessor Parcel Number 139-24-210-236, and more specifically described as:

All that certain real property situated in the County of Clark, State of Nevada, described as follows:

The North One Hundred Fifteen (115) feet of the East Seventy (70) feet of the West One Hundred Seventy (170) feet in Block Thirty-Seven (37) of Arrowhead Acres Tract, as shown by Map thereof on file in Book 1 of Plats, page 62, in the Office of the County Recorder, Clark County, Nevada,

together with all improvements, appurtenances, fixtures, attachments and easements;

- (4) The \$1,000.00 in United States currency paid to the United States by Jeffrey Schildmeyer in lieu of the Harbor Pond Drive Property and in accordance with terms of the Stipulated Settlement Agreement;
- (5) The real property located at 2518 Bassler Street in North Las Vegas, Nevada, titled in the names of Charles Ranney and Diana Ramirez, designated as Assessor Parcel Number 139-13-410-107, and more specifically described as:

All that certain real property situated in the County of Clark, State of Nevada, described as follows:

The West Half (W1/2) of the North Half (N1/2) of the North Half (N1/2) of Lot Two (2) in Block Twenty-Nine (29) of Arrowhead Acres Tract, as shown by Map thereof on file in Book 1 of Plats, Page 62, in the Office of the County Recorder, Clark County, Nevada;

Together with an undivided 1/400ths interest in and to the water well situated on the South Half (S1/2) of Lot Four (4) in Block Twenty-two (22) of said Arrowhead Acres Tract; and together with an undivided 1/400ths interest in and to the pipeline from said well to the property above described

together with all improvements, appurtenances, fixtures, attachments and easements; and

- (6) One (1) Taurus .357 magnum revolver, bearing serial number [redacted] seized on September 16, 2005, from Defendant's residence located at 7500 Harbor Pond Drive in Las Vegas, Nevada

(the above-referenced properties are hereinafter collectively referred to as the "Forfeited Properties").

2. Except as provided in Paragraph 1, above, the United States has clear title to all of the Forfeited Properties as set forth in the Amended Preliminary Order of Forfeiture dated October 3, 2007.

3. The United States Marshals Service is hereby authorized to dispose of all of the Forfeited Properties in accordance with law and this Final Order of Forfeiture.

4. Any and all forfeited funds, including but not limited to currency, currency equivalents and certificates of deposit, and the proceeds from the sale of any Forfeited Properties, after the payment of costs and expenses incurred in connection with the forfeiture, sale and disposition of the Forfeited Properties, shall be deposited forthwith by the United States Marshals Service into the Department of Justice Assets Forfeiture Fund in accordance with law.

5. The Court shall retain jurisdiction in the case for the purpose of enforcing the terms of the Stipulated

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Settlement Agreement dated December 3, 2007, and this Final Order of Forfeiture.

DATED: January 29, 2008, at Honolulu, Hawaii.

PRESENTED BY:

/s/ Charles Ranney
CHARLES LEE RANNEY, JR.
Defendant

/s/ Mark A. Inciong
MARK A. INCIONG
Assistant U.S. Attorney

/s/ Robert Langford
ROBERT LANGFORD, ESQ.
Attorney for Defendant
CHARLES LEE RANNEY, JR.

/s/ William H. Gamage
WILLIAM H. GAMAGE, ESQ.
Attorney for Petitioner
JEFFREY SCHILDMAYER

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, February 1, 2008.



/s/ J. Michael Seabright
J. Michael Seabright
United States District Judge

USA v. Ranney
Cr. No. 06-00434 JMS
"Final Order of Forfeiture"