

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND

UNITED STATES OF AMERICA            )  
  )  
                  vs.                    )  
  ) Cr. No. 04-069T  
  )  
RENATO M. GARCIA, a/k/a            )  
Renato Da Costa Ponta-Garca        )

FINAL ORDER OF FORFEITURE

WHEREAS, on April 19, 2005, this Court entered a Preliminary Order of Forfeiture with respect to the defendant's interest in the following property:

1. all of the stock, assets, and inventory of the business known as RENSKIP MOTOR SALES, INC., 85 Main Street, Westerly, Rhode Island, including, the following:

- (a) fixtures;
- (b) computer hardware and software;
- (c) office equipment, including, but not limited to, copying machines, calculators, telephones, and fax machines;
- (d) audio and video equipment, including, but not limited to, televisions and surveillance cameras affixed to the premises;
- (e) the motor vehicles seized from Renskip Motor Sales, Inc. on May 25, 2004;
- (f) one 1997 Mercedes Benz S600, VIN: WDBGA76G2VA358130 seized on July 16, 2004 from Richard Vendola in Westerly Rhode Island pursuant to the execution of a federal seizure warrant;
- (g) one 2001 Ford F350 Turbo Diesel, VIN: 1FTSX31FX1EA46268 seized on July 22, 2004 from Bob Valenti Auto Mall in Mystic Connecticut, pursuant to the execution of a federal seizure warrant;

- (h) automotive parts and equipment including but not limited to 9 Hummer tires;
- (i) cash, currency, coins, and checks including but not limited to \$128,800 in United States currency seized on May 25, 2004, from 32 East Haddam Colchester Turnpike, Moodus, Connecticut;
- (j) bank accounts including but not limited to account number 1412-776-8 (\$285,278.91) in the name of Renskip Motor Sales located at Citizens Bank, One Citizens Plaza, Providence, Rhode Island; and

Said assets not to include furniture, shelves, tools, a Bose radio, ladders, vacuum cleaners, or any cameras that are not affixed to the premises.

2. one parcel of real property with buildings, appurtenances, and improvements located at 85 Main Street, in the Town of Westerly, Rhode Island further described as follows:

A certain tract or parcel of land located on the westerly side of Main Street in the Town of Westerly, County of Washington, and State of Rhode Island, together with the building and improvements thereon, bounded and described as follows:

Beginning at a chisel cut in the sidewalk at the northeasterly corner of the herein described tract, said point of beginning being more precisely located in the westerly street line of Main Street, so-called, at the southeasterly corner of land formerly of Atlantic Refining Company and now or formerly of Shell Oil Company;

Thence running south 75°-25'-00" west, bounded northerly in part by said Shell Oil Company land and in part by land formerly of David Elfenbein et als and now or formerly of The Utter Company, a distance of 150.00 feet to an iron pipe set at the northwesterly corner of the herein described tract;

Thence turning an interior angle of 90°-15'-00" and running south 14°-20'-00" east, bounded westerly by

said The Utter Company land, a distance of 130.41 feet to the northwesterly corner of the land which was conveyed to Joseph C. Longolucco and Jo-Ann M. Longolucco by Deed dated May 30, 1991, and recorded in Book 370 at Page 669 of the Westerly Land Evidence Records;

Thence turning an interior angle of  $92^{\circ}-52'-20''$  and running easterly, bounded southerly by said Longolucco land, a distance of 44.24 feet to a point;

Thence turning an interior angle of  $197^{\circ}-49'-29''$  and continuing easterly a distance of 104.65 feet to a drill hole;

Thence continuing in the same course a distance of 0.98 feet to the westerly line of Main Street, so-called;

Thence turning an interior angle of  $72^{\circ}-34'-14''$  to the chord of an arc having an interior angle of  $9^{\circ}-45'-5''$  and a radius of 414.62 feet, and running an arc distance of 70.56 feet along the westerly line of Main Street to a point;

Thence turning an interior angle of  $178^{\circ}-25'-56''$  to the chord of said arc and continuing northerly along the westerly line of Main Street, a distance of 100.30 feet to the point and place of beginning, this last course forming an interior angle of  $88^{\circ}-03'-01''$  with the first described course.

Said parcel of land contains an area of 21,570.61 square feet by estimation and is a portion of the premises conveyed to Joseph C. Longolucco et als by Deed of Guy Michael Maiorano dated May 15, 1987 and recorded in Book 307 at Page 651 of the Westerly Land Evidence Records.

Being the same land and premises conveyed to Renato M. Garcia by Joseph C. Longolucco, Joanne M. Longolucco a/k/a Jo-Ann M. Longolucco, Stephen C. Longolucco, and Susan C. Longolucco by deed dated February 26, 2001, and recorded in the land evidence records of the Town of Westerly at Book 875, Page 006;

AND WHEREAS, notice of this forfeiture action was published in the Providence Journal on May 3, 10, and 17, 2005, advising all third parties of their right to petition the court within thirty (30) days of the final publication date for a hearing to adjudicate the validity of their alleged legal interest in the forfeited property;

AND WHEREAS, direct written notice has been provided to all persons or entities known to have alleged an interest in the property;

AND WHEREAS, on or about July 25, 2005, the United States Marshal received checks in the amounts of \$14,500 and \$12,450 from Valenti Toyota as payment of amounts owed to Renskip Motor Sales, Inc. for transactions occurring prior to seizure.

AND WHEREAS, the claims of Lawrence and Catherine Proux and Universal Underwriters Insurance Company have been settled;

AND WHEREAS, summary judgement has been granted to the United States with respect to the claims of Jennifer Mitchell and Richard Vendola;

AND WHEREAS, the claim of Chad Martel to one 2003 Hummer H2, VIN:5GRGN23U53H132573, has been granted subject to the \$31,990 interest of the United States, and by Order of this Court dated March 2, 2006, Martel was given until March 10, 2006, to reclaim said vehicle by paying \$31,990 to the United States;

AND WHEREAS, the United States Attorney has advised the Court by letter dated March 15, 2006, that said \$31,990 has not been paid by Martel;

AND WHEREAS, the vehicles listed in Exhibit B were sold pursuant to the September 20, 2005 Order of this Court allowing the interlocutory sale of said vehicles;

AND WHEREAS, no other third party has made any claim to or declared any interest in the above-described property;

It is hereby

ORDERED, ADJUDGED and DECREED

That the following property is forfeited to the United States of America, and the United States Marshal is authorized to dispose of said property according to law:

1. all of the stock, assets, and inventory of the business known as RENSKIP MOTOR SALES, INC., 85 Main Street, Westerly, Rhode Island, including, the following:

- (a) fixtures;
- (b) computer hardware and software;
- (c) office equipment, including, but not limited to, copying machines, calculators, telephones, and fax machines;
- (d) audio and video equipment, including, but not limited to, televisions and surveillance cameras affixed to the premises;
- (e) the motor vehicles seized from Renskip Motor Sales, Inc. on May 25, 2004 listed in Exhibit A attached hereto and made a part hereof;

- (f) the \$248,240 proceeds from the sale of motor vehicles seized from Renskip Motor Sales, Inc. on May 25, 2004 listed in Exhibit B attached hereto and made a part hereof;
- (g) one 1997 Mercedes Benz S600, VIN: WDBGA76G2VA358130 seized on July 16, 2004 from Richard Vendola in Westerly Rhode Island pursuant to the execution of a federal seizure warrant;
- (h) one 2001 Ford F350 Turbo Diesel, VIN: 1FTSX31FX1EA46268 seized on July 22, 2004 from Bob Valenti Auto Mall in Mystic Connecticut, pursuant to the execution of a federal seizure warrant;
- (i) automotive parts and equipment including but not limited to 9 Hummer tires;
- (j) cash, currency, coins, and checks including but not limited to \$128,800 in United States currency seized on May 25, 2004, from 32 East Haddam Colchester Turnpike, Moodus, Connecticut;
- (k) bank accounts including but not limited to account number 1412-776-8 (\$285,278.91) in the name of Renskip Motor Sales located at Citizens Bank, One Citizens Plaza, Providence, Rhode Island;
- (l) the proceeds of checks in the amounts of \$14,500 and \$12,450 received by the U.S. Marshal in July 2005 from Valenti Toyota as payment of amounts owed to Renskip Motor Sales, Inc. for transactions occurring prior to seizure; and
- (m) a \$31,990 interest in one 2003 Hummer H2, VIN:5GRGN23U53H132573 (with any amount in excess of \$31,990 realized by the government upon the sale of the vehicle to be paid to Chad Martel).

Said assets are not to include furniture, shelves, tools, a Bose radio, ladders, vacuum cleaners, or any cameras that are not affixed to the premises.

2. one parcel of real property with buildings, appurtenances, and improvements located at 85 Main Street, in the Town of Westerly, Rhode Island further described as follows:

A certain tract or parcel of land located on the westerly side of Main Street in the Town of Westerly, County of Washington, and State of Rhode Island, together with the building and improvements thereon, bounded and described as follows:

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Thence running south  $75^{\circ}-25'-00''$  west, bounded northerly in part by said Shell Oil Company land and in part by land formerly of David Elfenbein et als and now or formerly of The Utter Company, a distance of 150.00 feet to an iron pipe set at the northwesterly corner of the herein described tract;

Thence turning an interior angle of  $90^{\circ}-15'-00''$  and running south  $14^{\circ}-20'-00''$  east, bounded westerly by said The Utter Company land, a distance of 130.41 feet to the northwesterly corner of the land which was conveyed to Joseph C. Longolucco and Jo-Ann M. Longolucco by Deed dated May 30, 1991, and recorded in Book 370 at Page 669 of the Westerly Land Evidence Records;

Thence turning an interior angle of  $92^{\circ}-52'-20''$  and running easterly, bounded southerly by said Longolucco land, a distance of 44.24 feet to a point;

Thence turning an interior angle of  $197^{\circ}-49'-29''$  and continuing easterly a distance of 104.65 feet to a drill hole;

Thence continuing in the same course a distance of 0.98 feet to the westerly line of Main Street, so-called;

Thence turning an interior angle of 72°-34'-14" to the chord of an arc having an interior angle of 9°-45'-5" and a radius of 414.62 feet, and running an arc distance of 70.56 feet along the westerly line of Main Street to a point;

Thence turning an interior angle of 178°-25'-56" to the chord of said arc and continuing northerly along the westerly line of Main Street, a distance of 100.30 feet to the point and place of beginning, this last course forming an interior angle of 88°-03'-01" with the first described course.

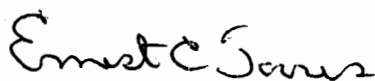
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BY ORDER:



ENTER:



ERNEST C. TORRES  
CHIEF JUDGE  
UNITED STATES DISTRICT COURT

3/24/06



EXHIBIT A

	<u>VEHICLE ID NUMBER</u>	<u>DESCRIPTION OF VEHICLE</u>
1.	5GRGN23U93H132849	2003 Hummer 4W HU2
2.	5LMPU28AXXLJ40876	1999 Lincoln Navigator
3.	JTJHF10U010177771	2001 Lexus RX 300 VSC
4.	WPOCA2994VS341786	1997 Porsche 911 Carrera
5.	1HGCF86661A041669	2001 Honda Accord
6.	5TBBT481X3S387753	2003 Toyota Tundra
7.	1B7HF13Y8XJ570972	1999 Dodge Ram 1500 PK
8.	1GCEK19R9WE159232	1998 Chevrolet 1500 Pickup
9.	JHMCB7681MC073393	1991 Honda -
10.	JT3HN86R4Y0270468	2000 Toyota 4-Runner
11.	1GTEK19T7YE129242	2000 GMC Sierra
12.	JNRDR09Y01W211715	2001 Infinity QX4
13.	4T1BG22K21U806569	2001 Toyota Camry LE
14.	1HGCG16591A000979	2001 Honda Accord Sedan

EXHIBIT B

<u>VEHICLE ID NUMBER</u>	<u>DESCRIPTION OF VEHICLE</u>	<u>SALE PROCEEDS</u>
1. WPOCA2996TS341631	1996 Porsche 942 Convert.	\$33,300
2. WPOEB0910KS170538	1989 Porsche 911 Cabriolet	\$24,300
3. WPODA2992TS385209	1996 Porsche 911 X-Targo	\$25,300
4. WPOCA2994VS341786	1997 Porsche 911 Carrera	\$31,500
5. J8DC4B144Y7012488	2000 GMC 14' Box Truck	\$12,900
6. 3VWVB81H3WM235983	1998 Volkswagon Jetta	\$ 3,700
7. WDBAB33C4FA271960	1985 Mercedes 300D	\$ 2,800
8. 2HGEJ6520VH575168	1997 Honda Civic	\$ 3,700
9. 4A3AL54F8VE169245	1997 Mitsubishi GSX	\$ 6,700
10. 1G4BR8370NW406432	1992 Buick Roadmaster	\$ 3,800
11. 2HGEJ6615YH552706	2000 Honda Civic	\$ 7,200
12. WDBJH82F1XX023879	1999 Mercedes Benz	\$11,700
13. 3VWSB81H1VM054723	1997 Volkswagon Jetta GLS	\$ 2,800
14. 4T1BF12B0VU158829	1997 Toyota Avalon XL	\$ 5,900
15. 4T1BF18B0WU230203	1998 Toyota Avalon XL	\$ 4,900
16. 4B3AG42G6E155175	2003 Dodge Stratus	\$ 7,500
17. 1N6DD21S3XC333364	1999 Nissan Frontier Pickup	\$ 3,800
18. 1FMFU18L9VLA76921	1997 Ford Expedition SUV	\$ 5,200
19. JT3HJ85J7T0128471	1996 Toyota Land Cruiser	\$ 8,500
20. WPOEB091XFS170228	1985 Porsche 911 Carrera	\$16,300
21. 1HGCD5651SA087682	1995 Honda Accord	\$ 2,300
22. WDBEB31E9SC072715	1995 Mercedes Benz E300	\$ 8,000

<u>VEHICLE ID NUMBER</u>	<u>DESCRIPTION OF VEHICLE</u>	<u>SALE PROCEEDS</u>
23. 2HGEJ657XVH524031	1997 Honda Civic	\$ 2,000
24. 4T1VK13E9NU001379	1992 Toyota Camry XLE	\$ 1,200
25. JT23022K7W0177326	1998 Toyota Camry LE	\$ 5,000
26. 1FTZR15E91TA36132	2001 Ford Ranger 4X4 XLT	\$ 7,940
<b>TOTAL VEHICLE SALE PROCEEDS</b>		<b>\$248,240</b>