

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**CASE NO. 20-CR-20187-RNS**

**UNITED STATES OF AMERICA**

**v.**

**ROBERTO HEINERT,**

**Defendant.**

**PRELIMINARY ORDER OF FORFEITURE**

THIS MATTER is before the Court upon motion of the United States of America (the “United States”) for entry of a Preliminary Order of Forfeiture (“Motion”) against Defendant Roberto Heinert (the “Defendant”). The Court has considered the Motion, is otherwise advised in the premises, and finds as follows:

On August 27, 2020, the United States filed an Information charging the Defendant with one count of conspiracy to commit money laundering in violation of 18 U.S.C. § 1956(h). Information, ECF No. 31. The Information also contained forfeiture allegations, which alleged that upon conviction of a violation of 18 U.S.C. § 1956, the Defendant shall forfeit to the United States all property, real or personal, involved in such offense, or any property traceable to such property, pursuant to 18 U.S.C. § 982(a)(1). *See id.* at 2.

On October 2, 2020, the Court accepted the Defendant’s guilty plea to the sole count of the Information. *See* Minute Entry for Change of Plea, ECF No. 42; Plea Agreement, ECF No. 40, at ¶ 1. As part of the guilty plea, the Defendant agreed to a forfeiture money judgment in the amount of \$3,157,000. Specifically, among other provisions in the Plea Agreement, the Defendant agreed to the following:

12. The defendant agrees, in an individual and any other capacity, to forfeit to the United States, voluntarily and immediately, all rights, title, and interest to any property, real or personal, involved in the violation of Title 18, United States Code, Section 1956(h) or any property traceable to such property. In addition, the defendant agrees to forfeiture of substitute property pursuant to 21 U.S.C. § 853(p). The property subject to forfeiture includes, but is not limited to a forfeiture money judgment in the sum of \$3,157,000 in United States currency, which sum represents the value of the property subject for forfeiture.

Plea Agreement, ¶ 12.

In support of the guilty plea, the Defendant executed a Factual Proffer in Support of Guilty Plea (the “Factual Proffer”), and the Court found that there was a factual basis to support the Defendant’s conviction. *See* Factual Proffer, ECF No. 41. The Factual Proffer also provided a basis for the forfeiture of property. *See id.*

As set forth in the Factual Proffer, between 2013 and 2017, the Defendant conspired with others “to corruptly promise to pay, to authorize payment of, and to pay, at least approximately \$3,157,000 in bribes to Ecuadorian government officials in order to influence those officials in their official capacity and to secure an improper advantage in order to assist the [D]efendant and other in obtaining and retaining business” related to Seguros Sucre, S.A. (“Seguros Sucre”). *See* Factual Proffer, at 2. Seguros Sucre “was the state-owned and state-controlled insurance company in Ecuador.” *Id.* at 1. Further, from 2013 and continuing until at least 2017, the Defendant “knowingly and willfully conspired with others, including, but not limited to, Jose Vicente Gomez Aviles ..., Felipe Moncaleano Botero ..., and Juan Ribas Domenech ..., to conceal and disguise the nature, location, source, ownership, and control of the proceeds of the illegal bribery scheme and the corruptly obtain contracts...” with Seguros Sucre. *Id.* at 2.

Based on the record in this case, the total value of the property involved in the offense of conviction is \$3,157,000, which sum may be sought as a forfeiture money judgment pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

Accordingly, based on the foregoing, the evidence in the record, and for good cause shown, the Motion is **GRANTED**, and it is hereby **ORDERED** that:

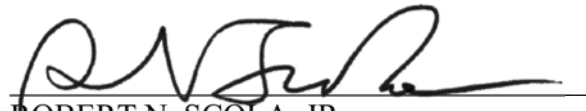
1. Pursuant to 18 U.S.C. § 982(a)(1) and Rule 32.2 of the Federal Rules of Criminal Procedure, a forfeiture money judgment in the amount of \$3,157,000 is hereby entered against the Defendant, who is jointly responsible for such sum with the defendants in *United States of America v. Jose Vicente Gomez Aviles*, Case No. CR-20-20169 (S.D. Fla.), *United States of America v. Juan Ribas Domenech*, Case No. CR-20-20179 (S.D. Fla.) and *United States of America v. Felipe Moncaleano Botero*, Case No. CR-20-20175 (S.D. Fla.).

2. The United States is authorized to conduct any discovery that might be necessary to identify, locate, or dispose of forfeited property, and to resolve any third-party petition, pursuant to Rule 32.2(b)(3), (c)(1)(B) of the Federal Rules of Criminal Procedure and 21 U.S.C. § 853(m).

3. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Order is final as to the Defendant.

4. The Court shall retain jurisdiction in this matter for the purpose of enforcing this Order, and pursuant to Rule 32.2(e)(1) of the Federal Rules of Criminal Procedure, shall amend this Order, or enter other orders as necessary, to forfeit additional specific property when identified.

**DONE AND ORDERED** in Miami, Florida, on October 29, 2020.

  
ROBERT N. SCOLA, JR.  
UNITED STATES DISTRICT JUDGE