

# **A P P E N D I X**

**APPENDIX**

Decision of the Court of Appeals for the Eleventh Circuit,  
*United States v. Kareem Reaves*, No. 23-13581  
(11th Cir. Nov. 7, 2024) ..... A-1

Judgment in a Criminal Case,  
*United States v. Kareem Reaves*, No. 22-CR-20129-RNS  
(S.D. Fla. Oct. 17, 2023)..... A-2

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[DO NOT PUBLISH]

In the  
United States Court of Appeals  
For the Eleventh Circuit

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No. 23-13582

Non-Argument Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

*versus*

KAREEM REAVES,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Southern District of Florida  
D.C. Docket No. 1:22-cr-20129-RNS-1

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Before NEWSOM, GRANT, and ANDERSON, Circuit Judges.

PER CURIAM:

Kareem Reaves appeals his conviction for possession of a firearm and ammunition as a convicted felon under 18 U.S.C. § 922(g)(1), arguing (i) that the statute is unconstitutional as applied to him under *New York State Rifle & Pistol Association, Inc. v. Bruen*, 597 U.S. 1 (2022), and *United States v. Rahimi*, 144 S. Ct. 1889 (2024), and (ii) that the statute is unconstitutional facially and as applied to him under the Commerce Clause. The government, in turn, moves for summary affirmance, arguing that each of Reaves’s arguments is foreclosed by binding precedent.

Summary disposition is appropriate either where time is of the essence, such as “situations where important public policy issues are involved or those where rights delayed are rights denied,” or where “the position of one of the parties is clearly right as a matter of law so that there can be no substantial question as to the outcome of the case, or where . . . the appeal is frivolous.” *Groendyke Transp., Inc. v. Davis*, 406 F.2d 1158, 1162 (5th Cir. 1969).

We are bound to adhere to our prior panel precedent unless that precedent has been abrogated by this Court sitting *en banc* or by the Supreme Court. *United States v. White*, 837 F.3d 1225, 1228 (11th Cir. 2016). “To constitute an overruling for the purposes of this prior panel precedent rule, the Supreme Court decision must be clearly on point.” *United States v. Kaley*, 579 F.3d 1246, 1255 (11th Cir. 2009) (quotation marks omitted). To abrogate precedent, the

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Supreme Court must also “demolish and eviscerate each of its fundamental props.” *United States v. Dubois*, 94 F.4th 1284, 1293 (11th Cir. 2024) (quotation marks omitted).

The Second Amendment protects the right to keep and bear arms. U.S. Const. amend. II. The federal felon-in-possession statute prohibits anyone who has been convicted of a crime punishable by more than one year of imprisonment from keeping a firearm or ammunition. 18 U.S.C. § 922(g)(1). To obtain a conviction under § 922(g)(1), the government must prove “both that the defendant knew he possessed a firearm and that he knew he belonged to the relevant category of persons barred from possessing a firearm.” *Rehaif v. United States*, 588 U.S. 225, 237 (2019).

In *District of Columbia v. Heller*, the Supreme Court considered a “law-abiding” citizen’s challenge to the District of Columbia’s total ban on handgun possession, including possession in the home. 554 U.S. 570, 574-76, 628 (2008). The Court held that the Second Amendment right to bear arms “belongs to all Americans,” but is “not unlimited.” *Id.* at 581, 626. The Court noted that, while it “[did] not undertake an exhaustive historical analysis . . . of the full scope of the Second Amendment, nothing in [its] opinion should [have been] taken to cast doubt on longstanding prohibitions on the possession of firearms by felons.” *Id.* at 626.

Following *Heller*, the circuit courts adopted a two-step framework for Second Amendment challenges with which they first considered whether a law regulated activity within the scope of the Amendment based on its original historical meaning and

second applied the means-end scrutiny test to determine the law's validity. See *Bruen*, 597 U.S. at 18-19. In *United States v. Rozier*, decided between *Heller* and *Bruen*, we held that § 922(g)(1) was constitutional, “even if a felon possesses a firearm purely for self-defense.” 598 F.3d 768, 770 (11th Cir. 2010). In reaching that conclusion, we noted that the Supreme Court’s statement in *Heller* that “nothing in [its] opinion should be taken to cast doubt on longstanding prohibitions on the possession of firearms by felons” was not dicta and stated that § 922(g)(1) was “a presumptively lawful longstanding prohibition.” *Id.* at 771 & n.6 (quotation marks omitted).

In *Bruen*, the Supreme Court explained that the then-pre-dominant means-end scrutiny test that was being applied by the circuit courts was inconsistent with *Heller*’s historical approach. 597 U.S. at 23-24. Instead, the Supreme Court explained that after determining whether an individual’s conduct is covered by the Second Amendment’s plain text, lower courts should consider whether the regulation in question “is consistent with the Nation’s historical tradition of firearm regulation.” *Id.* at 24. The *Bruen* opinion repeatedly discussed the Second Amendment as protecting the rights of “law-abiding” citizens. See *id.* at 9, 26, 38 n.9, 70-71.

In *Dubois*, decided after *Bruen*, we held that § 922(g)(1) was still constitutional because *Bruen* was “in keeping with *Heller*,” which “did not cast doubt on felon-in-possession prohibitions” and therefore could not have abrogated *Rozier* under the prior-panel-precedent rule. 94 F.4th at 1293 (alterations adopted) (quotation

marks omitted). In reaching that conclusion, we stated that *Bruen* approved step one of the two-step framework and that it “require[d] clearer instruction” from the Supreme Court before it would reconsider the constitutionality of § 922(g)(1). *Id.* at 1292-93.

In *Rahimi*, the Supreme Court held that § 922(g)(8), a different subsection of the statute which prohibits firearm possession by individuals subject to domestic violence restraining order, was constitutional because the law comported with the principles underlying the Second Amendment. 144 S. Ct. at 1898-902. In reaching that conclusion, the Court explained that “some courts [had] misunderstood” its clarifications to the second step of the framework and that *Bruen* does not require a regulation to have a “historical twin.” *Id.* at 1897-98 (quotation marks omitted). The Court also again noted that prohibitions on felons’ possession of firearms are “presumptively lawful.” *Id.* at 1902 (quoting *Heller*, 554 U.S. at 626-27).

The Commerce Clause gives Congress the power to “regulate commerce with foreign nations, and among the several states, and with the Indian tribes.” U.S. Const. art. I, § 8, cl. 3. Section 922(g)(1) makes it unlawful for any person who has been convicted of a felony to “possess in or affecting commerce, any firearm or ammunition.” 18 U.S.C. § 922(g)(1). The government proves a “minimal nexus” between the firearm possession and commerce if it shows that a firearm or ammunition was manufactured outside



the state in which an offense occurred. *United States v. Wright*, 607 F.3d 708, 715-16 (11th Cir. 2010).

In *United States v. McAllister*, we held that § 922(g)(1) was constitutional under *Scarborough v. United States*, 431 U.S. 563 (1977), in which the Supreme Court laid out the minimal nexus test for Commerce Clause challenges, and *United States v. Lopez*, 514 U.S. 549 (1995), in which the Supreme Court ruled that a different subsection of § 922 was unconstitutional because it regulated an activity that did not substantially affect interstate commerce. 77 F.3d 387, 389-90, 390 n.4 (11th Cir. 1996). In resolving McAllister's facial challenge, we explained that § 922(g)(1)'s jurisdictional element limited its scope to activities that affect commerce. *Id.* at 390. In resolving his as-applied challenge, we explained that *Lopez* did not alter the minimal nexus test and that the statute was constitutionally applied to him because his firearm had travelled in interstate commerce. *Id.*

*McAllister* is still binding precedent. See *United States v. Dupree*, 258 F.3d 1258, 1259-60 (11th Cir. 2001) (holding that *United States v. Morrison*, 529 U.S. 598 (2000), in which the Supreme Court struck down another statute because it did not contain a jurisdictional element, did not abrogate *McAllister*); *United States v. Scott*, 263 F.3d 1270, 1272-73 (11th Cir. 2001) (same); *United States v. Longoria*, 874 F.3d 1278, 1283 (11th Cir. 2017) (upholding § 922(g)(1) in resolving a similar challenge in 2017, citing *McAllister*), *abrogated on other grounds by Erlinger v. United States*, 144 S. Ct. 1840 (2024); *United*

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*States v. Stancil*, 4 F.4th 1193, 1200 (11th Cir. 2021) (upholding § 922(g)(1) in resolving a similar challenge in 2021, citing *Dupree*).

Here, the government's positions are clearly right as a matter of law. See *Groendyke Transp., Inc.*, 406 F.2d at 1162. First, our precedent, to which we are bound to adhere, clearly establishes that § 922(g)(1) is constitutional under *Bruen*. See *White*, 837 F.3d at 1228; *Dubois*, 94 F.4th at 1292-93. The statute was constitutional as applied to Reaves because he stipulated to the facts that he possessed a firearm and that he knew he was a convicted felon at the time of his arrest. *Rehaif*, 588 U.S. at 237. As a result, his historical argument fails as a matter of law. *Groendyke Transp., Inc.*, 406 F.2d at 1162. To the extent Reaves argues that *Rahimi* strengthens his argument because it clarified the second step of the *Bruen* framework, *Rozier* and *Dubois* make clear that his argument fails at the first step because his status puts him in a class whose conduct the Second Amendment does not protect. *Rozier*, 598 F.3d at 770-71; *Bruen*, 597 U.S. at 24; *Dubois*, 94 F.4th at 1292-93; *Rahimi*, 144 S. Ct. at 1897-98. Notably, *Rahimi* concerned a different subsection of § 922 and again noted that felon-in-possession prohibitions are presumptively lawful, so its holding was not clearly on point and therefore could not have destroyed the "fundamental props" of our prior precedent. *Rahimi*, 144 S. Ct. at 1898-902; *Kaley*, 579 F.3d at 1255; *Dubois*, 94 F.4th at 1293.

Second, as Reaves concedes in his response, our precedent, to which we are again bound to adhere, also clearly establishes that § 922(g)(1) is constitutional under the Commerce Clause, both

facially because of its jurisdictional element and as applied to Reaves because he stipulated to the fact that his firearm and ammunition were manufactured out of state. *White*, 837 F.3d at 1228; *McAllister*, 77 F.3d at 390; *Wright*, 607 F.3d at 715-16. As a result, his Commerce Clause argument fails as a matter of law.

Accordingly, because the government's position is clearly correct as a matter of law, we GRANT the government's motion for summary affirmance. *See Groendyke Transp., Inc.*, 406 F.2d at 1162.

**AFFIRMED.**

**UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING  
56 Forsyth Street, N.W.  
Atlanta, Georgia 30303

David J. Smith  
Clerk of Court

For rules and forms visit  
[www.call.uscourts.gov](http://www.call.uscourts.gov)

November 07, 2024

MEMORANDUM TO COUNSEL OR PARTIES

Appeal Number: 23-13582-HH  
Case Style: USA v. Kareem Reaves  
District Court Docket No: 1:22-cr-20129-RNS-1

Opinion Issued

Enclosed is a copy of the Court's decision issued today in this case. Judgment has been entered today pursuant to FRAP 36. The Court's mandate will issue at a later date pursuant to FRAP 41(b).

Petitions for Rehearing

The time for filing a petition for panel rehearing is governed by 11th Cir. R. 40-3, and the time for filing a petition for rehearing en banc is governed by 11th Cir. R. 35-2. Except as otherwise provided by FRAP 25(a) for inmate filings, a petition for rehearing is timely only if received in the clerk's office within the time specified in the rules. **A petition for rehearing must include a Certificate of Interested Persons and a copy of the opinion sought to be reheard.** See 11th Cir. R. 35-5(k) and 40-1.

Costs

No costs are taxed.

Bill of Costs

If costs are taxed, please use the most recent version of the Bill of Costs form available on the Court's website at [www.call.uscourts.gov](http://www.call.uscourts.gov). For more information regarding costs, see FRAP 39 and 11th Cir. R. 39-1.

Attorney's Fees

The time to file and required documentation for an application for attorney's fees and any objection to the application are governed by 11th Cir. R. 39-2 and 39-3.

Appointed Counsel

Counsel appointed under the Criminal Justice Act (CJA) must submit a voucher claiming compensation via the eVoucher system no later than 45 days after issuance of the mandate or the filing of a petition for writ of certiorari. Please contact the CJA Team at (404) 335-6167 or

cja\_evoucher@call.uscourts.gov for questions regarding CJA vouchers or the eVoucher system.

Clerk's Office Phone Numbers

|                      |              |                              |              |
|----------------------|--------------|------------------------------|--------------|
| General Information: | 404-335-6100 | Attorney Admissions:         | 404-335-6122 |
| Case Administration: | 404-335-6135 | Capital Cases:               | 404-335-6200 |
| CM/ECF Help Desk:    | 404-335-6125 | Cases Set for Oral Argument: | 404-335-6141 |

OPIN-1 Ntc of Issuance of Opinion

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

UNITED STATES OF AMERICA

v.

**KAREEM REAVES**

§ **JUDGMENT IN A CRIMINAL CASE**  
 §  
 §  
 § Case Number: **1:22-CR-20129-RNS(1)**  
 § USM Number: **07766-506**  
 §  
 § Counsel for Defendant: **Andrew Scott Jacobs**  
 § Counsel for United States: **Nardia Haye**

**THE DEFENDANT:**

|                                     |   |  |
|-------------------------------------|---|--|
| <input checked="" type="checkbox"/> | pleaded guilty to Count One of the Indictment.  |  |
| <input type="checkbox"/>            | pleaded guilty to count(s) before a U.S. Magistrate Judge, which was accepted by the court. |  |
| <input type="checkbox"/>            | pleaded nolo contendere to count(s) which was accepted by the court                         |  |
| <input type="checkbox"/>            | was found guilty on count(s) after a plea of not guilty                                     |  |

The defendant is adjudicated guilty of these offenses:

| <u>Title &amp; Section / Nature of Offense</u>                                  | <u>Offense Ended</u> | <u>Count</u> |
|---|----------------------|--------------|
| 18 U.S.C. § 922(g)(1) / Possession of firearm and ammunition by convicted felon | 8/30/2021            | 1            |

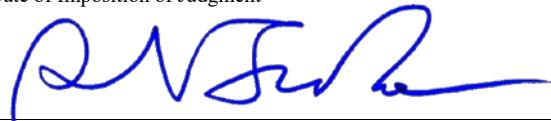
The defendant is sentenced as provided in pages 2 through 7 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- The defendant has been found not guilty on count(s)
- Count(s)  is  are dismissed on the motion of the United States

It is ordered that the defendant must notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States Attorney of material changes in economic circumstances.

**October 17, 2023**

Date of Imposition of Judgment



Signature of Judge

**ROBERT N. SCOLA Jr.**  
**UNITED STATES DISTRICT JUDGE**

Name and Title of Judge

**October 17, 2023**

Date

DEFENDANT: KAREEM REAVES  
CASE NUMBER: 1:22-CR-20129-RNS(1)

### IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of:

**46 months as to count 1.**

The court makes the following recommendations to the Bureau of Prisons:  
This sentence is to run concurrently with the sentence imposed in state court case number: F21-15239, 11<sup>th</sup> Judicial Circuit, Miami-Dade County.  
Participation in the 500-hour RDAP program, if and when eligible.  
Designation to a facility in Florida, to be near family.

The defendant is remanded to the custody of the United States Marshal.

The defendant shall surrender to the United States Marshal for this district:

at  a.m.  p.m. on

as notified by the United States Marshal.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

before 2 p.m. on

as notified by the United States Marshal.

as notified by the Probation or Pretrial Services Office.

### RETURN

I have executed this judgment as follows:

Defendant delivered on \_\_\_\_\_ to

at \_\_\_\_\_, with a certified copy of this judgment.

UNITED STATES MARSHAL

By  
DEPUTY UNITED STATES MARSHAL



DEFENDANT: KAREEM REAVES  
CASE NUMBER: 1:22-CR-20129-RNS(1)

### SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of: **Three (3) years.**

### MANDATORY CONDITIONS

1. You must not commit another federal, state or local crime.
2. You must not unlawfully possess a controlled substance.
3. You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
  - The above drug testing condition is suspended, based on the court's determination that you pose a low risk of future substance abuse. *(check if applicable)*
4.  You must make restitution in accordance with 18 U.S.C. §§ 3663 and 3663A or any other statute authorizing a sentence of restitution. *(check if applicable)*
5.  You must cooperate in the collection of DNA as directed by the probation officer. *(check if applicable)*
6.  You must comply with the requirements of the Sex Offender Registration and Notification Act (34 U.S.C. § 20901, et seq.) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which you reside, work, are a student, or were convicted of a qualifying offense. *(check if applicable)*
7.  You must participate in an approved program for domestic violence. *(check if applicable)*

You must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

DEFENDANT: KAREEM REAVES  
CASE NUMBER: 1:22-CR-20129-RNS(1)

### STANDARD CONDITIONS OF SUPERVISION

As part of your supervised release, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

1. You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.
2. After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
3. You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
4. You must answer truthfully the questions asked by your probation officer.
5. You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
6. You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
7. You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
8. You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.
9. If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.
10. You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
11. You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
12. If the probation officer determines that you pose a risk to another person (including an organization), the probation officer may require you to notify the person about the risk and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified the person about the risk.
13. You must follow the instructions of the probation officer related to the conditions of supervision.

### U.S. Probation Office Use Only

A U.S. probation officer has instructed me on the conditions specified by the court and has provided me with a written copy of this judgment containing these conditions. I understand additional information regarding these conditions is available at [www.flsp.uscourts.gov](http://www.flsp.uscourts.gov).

Defendant's Signature \_\_\_\_\_

Date \_\_\_\_\_

DEFENDANT: KAREEM REAVES  
CASE NUMBER: 1:22-CR-20129-RNS(1)

### **SPECIAL CONDITIONS OF SUPERVISION**

**Permissible Search:** The defendant shall submit to a search of his person or property conducted in a reasonable manner and at a reasonable time by the U.S. Probation Officer.

**Substance Abuse Treatment:** The defendant shall participate in an approved treatment program for drug and/or alcohol abuse and abide by all supplemental conditions of treatment. Participation may include inpatient/outpatient treatment. The defendant will contribute to the costs of services rendered (co-payment) based on ability to pay or availability of third-party payment.

**Unpaid Restitution, Fines, or Special Assessments:** If the defendant has any unpaid amount of restitution, fines, or special assessments, the defendant shall notify the probation officer of any material change in the defendant's economic circumstances that might affect the defendant's ability to pay.

DEFENDANT: KAREEM REAVES  
CASE NUMBER: 1:22-CR-20129-RNS(1)

**CRIMINAL MONETARY PENALTIES**

The defendant must pay the total criminal monetary penalties under the schedule of payments page.

|               | <u>Assessment</u> | <u>Restitution</u> | <u>Fine</u> | <u>AVAA Assessment*</u> | <u>JVTA Assessment**</u> |
|---------------|-------------------|--------------------|-------------|-------------------------|--------------------------|
| <b>TOTALS</b> | \$100.00          | \$ .00             | \$ .00      |                         |                          |

- The determination of restitution is deferred until *An Amended Judgment in a Criminal Case (AO245C)* will be entered after such determination.
- The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

- Restitution amount ordered pursuant to plea agreement \$
- The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on the schedule of payments page may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).
- The court determined that the defendant does not have the ability to pay interest and it is ordered that:
  - the interest requirement is waived for the  fine  restitution
  - the interest requirement for the  fine  restitution is modified as follows:

Restitution with Imprisonment - It is further ordered that the defendant shall pay restitution in the amount of **\$ .00**. During the period of incarceration, payment shall be made as follows: (1) if the defendant earns wages in a Federal Prison Industries (UNICOR) job, then the defendant must pay 50% of wages earned toward the financial obligations imposed by this Judgment in a Criminal Case; (2) if the defendant does not work in a UNICOR job, then the defendant must pay a minimum of \$25.00 per quarter toward the financial obligations imposed in this order. Upon release of incarceration, the defendant shall pay restitution at the rate of 10% of monthly gross earnings, until such time as the court may alter that payment schedule in the interests of justice. The U.S. Bureau of Prisons, U.S. Probation Office and U.S. Attorney’s Office shall monitor the payment of restitution and report to the court any material change in the defendant’s ability to pay. These payments do not preclude the government from using other assets or income of the defendant to satisfy the restitution obligations.

\* Amy, Vicky, and Andy Child Pornography Victim Assistance Act of 2018, 18 U.S.C. §2259.

\*\* Justice for Victims of Trafficking Act of 2015, 18 U.S.C. §3014.

\*\*\* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT: KAREEM REAVES  
CASE NUMBER: 1:22-CR-20129-RNS(1)

### SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties is due as follows:

- A  Lump sum payment of \$100.00 due immediately.

**It is ordered that the Defendant shall pay to the United States a special assessment of \$100.00 for Count 1, which shall be due immediately. Said special assessment shall be paid to the Clerk, U.S. District Court. Payment is to be addressed to:**

**U.S. CLERK'S OFFICE  
ATTN: FINANCIAL SECTION  
400 NORTH MIAMI AVENUE, ROOM 8N09  
MIAMI, FLORIDA 33128-7716**

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

- Joint and Several  
See above for Defendant and Co-Defendant Names and Case Numbers (*including defendant number*), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

- The defendant shall forfeit the defendant's interest in the following property to the United States:  
**FORFEITURE of the defendant's right, title and interest in certain property is hereby ordered. The United States shall submit a proposed Order of Forfeiture within three days of this proceeding.**

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) AVAA assessment, (5) fine principal, (6) fine interest, (7) community restitution, (8) JVT A assessment, (9) penalties, and (10) costs, including cost of prosecution and court costs.