

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

**UNITED STATES OF AMERICA**

**vs**

**Case Number. 8:08-cr-172-T-35EAJ  
USM Number: 54001-018**

**RICHARD SINCLAIR POPE**

**Mark P. Rankin, Retained**

**JUDGMENT IN A CRIMINAL CASE**

The defendant pleaded guilty to Count One of the Superseding Indictment. Accordingly, the court has adjudicated that the defendant is guilty of the following offense:

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 U.S.C. § 1349	Conspiracy to commit mail fraud and wire fraud.	March 13, 2008	One

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

Counts 2,3,12,15, 16 and 18-36 of the superseding indictment are dismissed pursuant to the plea agreement and on motion of the United States.

**IT IS ORDERED** that the defendant shall 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 shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Date of Imposition of Sentence:

July 23, 2013



**MARY S. SCRIVEN  
UNITED STATES DISTRICT JUDGE**

July 30, 2013

RICHARD SINCLAIR POPE  
8:08-cr-172-T-35EAJ

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of **FIFTY-SEVEN (57) Months as to Count One of the Superseding Indictment. Defendant to receive credit for time served while in Federal custody.**

The Court recommends to the Bureau of Prisons that the defendant serve his term of imprisonment at FCI Miami.

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

**RETURN**

I have executed this judgment as follows:

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

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

\_\_\_\_\_  
UNITED STATES MARSHAL

By: \_\_\_\_\_  
Deputy U.S. Marshal

RICHARD SINCLAIR POPE  
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### SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of **THIRTY-SIX (36) Months as to Count One of the Superseding Indictment.**

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from custody of the Bureau of Prisons. The defendant shall not commit another federal, state or local crime. The defendant shall not illegally possess a controlled substance.

*For offenses committed on or after September 13, 1994:*

The mandatory drug testing requirements of the Violent Crime Control Act are waived. However, the Court orders the defendant to submit to random drug testing not to exceed 104 tests per year.

The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervision that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervision in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below).

The defendant shall also comply with the additional conditions on the attached page.

### STANDARD CONDITIONS OF SUPERVISION

1. the defendant shall not leave the judicial district without the permission of the court or probation officer;
2. the defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer;
3. the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
4. the defendant shall support his or her dependents and meet other family responsibilities;
5. the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
6. the defendant shall notify the probation officer **at least ten (10) days prior** to any change in residence or employment;
7. the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
8. the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
9. the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
10. the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
11. the defendant shall notify the probation officer within **seventy-two (72) hours** of being arrested or questioned by a law enforcement officer;
12. the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
13. as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

**RICHARD SINCLAIR POPE**  
**8:08-cr-172-T-35EAJ**

**ADDITIONAL CONDITIONS OF SUPERVISED RELEASE**

1. Should the defendant be deported, he shall not be allowed to re-enter the United States without the express permission of the appropriate governmental authority.
2. The defendant shall be prohibited from incurring new credit charges, opening additional lines of credit, acquisitions or obligating himself for any major purchases, or attempting to do so, without the express prior approval of the probation officer.
3. The defendant shall provide the probation officer access to any requested financial information.
4. The defendant shall cooperate in the collection of DNA, as directed by the Probation Officer.

**CRIMINAL MONETARY PENALTIES**

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth in the Schedule of Payments.

**Total Assessment**  
**\$100.00**

**Total Fine**  
**waived**

**Total Restitution**  
**n/a**

**SCHEDULE OF PAYMENTS**

Special assessment shall be paid in full and is due immediately.

**FORFEITURE**

Defendant shall forfeit to the United States those assets previously identified in the Order of Forfeiture, that are subject to forfeiture.

The defendant shall pay interest on any fine or restitution of more than \$2,500, unless the fine or restitution 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 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

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

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

UNITED STATES OF AMERICA

v.

Case No. 8:08-cr-172-T-35EAJ

RICHARD SINCLAIR POPE

**FORFEITURE MONEY JUDGMENT AND PRELIMINARY  
ORDER OF FORFEITURE FOR SPECIFIC ASSETS**

Before the Court is the United States' Motion for a Forfeiture Money Judgment in the amount of \$42,513,433.60 against defendant Richard Sinclair Pope, and a Preliminary Order of Forfeiture for the following assets, pursuant to 18 U.S.C. § 981(a)(1)(C), 28 U.S.C. § 2461(c), 18 U.S.C. § 982(a)(1), and Rule 32.2(b)(2), Federal Rules of Criminal Procedure:

**a. Real Property**

- 1) 21 acres of real property known as Block 60000, Parcel 7, Chalk Sound, Norway & Five Cays, Providenciales, Turks & Caicos Islands, British West Indies;
- 2) Real property located at Plot 11-B, P.D. No. 5, Title No. 96-482, Las Yaguas Magante, Municipality of Gaspar Hernandez, Espaillat Province, Dominican Republic;
- 3) Real property located at Plot 11-C, P.D. No. 5, Title No. 97-431, Las Yaguas Magante, Municipality of Gaspar Hernandez, Espaillat Province, Dominican Republic;
- 4) Plot 11-D, P.D. No. 5, Title No. 99-132, Las Yaguas Magante, Municipality of Gaspar Hernandez, Espaillat

Province, Dominican Republic;

- 5) Real property located at Plot No. 924, P.D. No. 3, Title No. 80-23, Municipality of Cabrera, Rio San Juan, Sector Mata Puerco, Dominican Republic;
- 6) Real property located at Plot No. 12, P.D. No. 6, Las Terrenas Municipality, Province of Samaná, Dominican Republic;

**b. Bank Accounts**

- 1) Bank of America Account No. 11580125, held in the name of International Escrow Enterprises Inc. (\$87,677.32);
- 2) Bank of America Account No. 11580141, held in the name of International Escrow Enterprises Inc. (\$550,521.26);
- 3) SunTrust Bank Account No. 0908007021976, held in the name of Paul Gunter (\$32,868.86);
- 4) SunTrust Bank Account No. 1000026485648, held in the name of Business Administration & Escrow Services Inc. d/b/a BAES Operating Account (\$99,909.60);
- 5) SunTrust Bank Account No. 1000026485655, held in the name of Business Administration & Escrow Services Inc. d/b/a BAES Escrow 1 (\$8,123.18);
- 6) SunTrust Bank Account No. 1000031661332, held in the name of Business Administration & Escrow Services Inc. d/b/a BAES Mundus 1 (\$100.00);
- 7) SunTrust Bank Account No. 1000031661340, held in the name of Business Administration & Escrow Services Inc. d/b/a BAES Mobilestream 2 (\$22,360.59);
- 8) SunTrust Bank Account No. 1000031661357, held in the name of Business Administration & Escrow Services Inc. d/b/a BAES Mobilestream 3 (\$4,439.16);
- 9) SunTrust Bank Account No. 1000031661365, held in the

- name of Business Administration & Escrow Services Inc. d/b/a BAES Mobilestream 4 (\$100.00);
- 10) SunTrust Bank Account No. 1000031661373, held in the name of Business Administration & Escrow Services Inc. d/b/a BAES Mobilestream 5 (\$78,115.09);
  - 11) SunTrust Bank Account No. 1000057968017, held in the name of Equinox Escrow Inc. Equinox 2 (\$137,848.20);
  - 12) SunTrust Bank Account No. 1000057968082, held in the name of Equinox Escrow Inc. Operating Account (\$42,231.82);
  - 13) SunTrust Bank Account No. 1000057968090, held in the name of Equinox Escrow Inc. Equinox 1 (\$37,833.43);
  - 14) \$8,855.61 seized from Wachovia Bank Account No. 2000027145043, held in the name of International Escrow Enterprises Inc. Administration;
  - 15) \$264,847.49 seized from Wachovia Bank Account No. 2000027145056, held in the name of International Escrow Enterprises Inc. Escrow I;
  - 16) \$86,911.56 seized from Washington Mutual Bank Account No. 0181-0000042243-4, held in the name of Equinox Escrow Inc. "Escrow 3;"
  - 17) \$100.00 seized from Washington Mutual Bank Account No. 0181-0000042244-2, held in the name of Equinox Escrow Inc. "Escrow 2;"
  - 18) \$485,619.69 seized from Washington Mutual Bank Account No. 0181-0000042245-0, held in the name of Equinox Escrow Inc. "Escrow 1;"
  - 19) \$103,725.04 seized from Washington Mutual Bank Account No. 0181-0000042246-8, held in the name of Equinox Escrow Inc. Operating Account;
  - 20) \$73,213.83 seized from Washington Mutual Bank Account No. 0188-0000209955-0, held in the name of Equinox Escrow

Inc. "Escrow 4;"

- 21) \$494,684.13 seized from Washington Mutual Bank Account No. 0188-0000209956-8, held in the name of Equinox Escrow Inc. "Escrow 5;"
- 22) \$100.00 seized from Washington Mutual Bank Account No. 0188-0000209957-6, held in the name of Equinox Escrow Inc. "Escrow 6;"
- 23) \$35,603.46 seized from Washington Mutual Bank Account No. 0309-0000192764-7, held in the name of Hometown Properties of Florida Development, Inc.;
- 24) \$17,824.88 seized from Washington Mutual Bank Account No. 0309-0000192765-5, held in the name of Hometown Properties of Suncoast Inc.;
- 25) \$30,295.58 seized from Washington Mutual Bank Account No. 0313-0000135378-6, held in the name of Paul R. Gunter;
- 26) \$100.00 seized from Washington Mutual Bank Account Number 0188-0000209959-2, held in the name of Turquoise Development Company;
- 27) Contents of Credit Suisse Bank Account No. 0835-961472-6, Switzerland, held in the name of Coralmar Ltd;
- 28) Contents of Banco Cuscatlan de Costa Rica Account Number 36017429, held in the name of Paola A. Barba Barba;
- 29) \$550,000.00 in United States currency on deposit in Banco Cuscatlan De Panama, account number 10010100021 held in the name of M.W.W. International Services Group;
- 30) Approximately \$3,343.89 from Bank of Cyprus Account Number 0155-40-48-491760, held in the name of Yes Investments;
- 31) Approximately \$486.38 from Bank of Cyprus Account Number 0155-40-01-493615, held in the name of Yes Investments;



- 32) Approximately \$5,564.00 from Bank of Cyprus Account Number 0155-42-06-126504, held in the name of Yes Investments;
- 33) Bank of Cyprus Account Number 0155-40-48-491760, held in the name of Yes Investments;
- 34) Bank of Cyprus Account Number 0155-40-01-493615, held in the name of Yes Investments;
- 35) Bank of Cyprus Account Number 0155-42-06-126504, held in the name of Yes Investments;
- 36) Bank of Cyprus Account Number 0155-40-49-176048, held in the name of Yes Investments Ltd;
- 37) Bank of Cyprus Account Number 0155-40-06-486228, held in the name of Yes Investments;
- 38) Bank of Cyprus Account Number 0155-40-06-529237, held in the name of Poseidon Investments;
- 39) Approximately \$4.00 from Bank of Cyprus Account Number 0155-40-06-486228, held in the name of Yes Investments.

**c. Aircraft**

One 1968 Beech King Aircraft, Model B-90, fixed wing multi-engine turbo-prop; FAA Tail No. N9426; Serial Number LJ421;

**d. Vehicles**

1973 Ferrari 365GTB/4 Daytona Spider Coupe  
Vehicle Identification No. 365GTB4/A16761  
Registered Owner: Simon Andrew Odoni or  
Nicholas John Parrington;

**e. Vessels**

One 1990 55-foot Ocean Sports Fisherman

Hull Identification No. XYU16555G990,  
named "No Slack;"

f. **Currency**

- 1) Funds in the amount of \$39,965.00 in U.S. currency seized from Island Capital Management, LLC (dba: Island Stock Transfer); and
- 2) Funds in the amount of \$39,962.37 in U.S. currency seized from Island Capital Management, LLC (dba: Island Stock Transfer).

Being fully advised in the premises, the Court finds as follows:

1. The amount of proceeds obtained as a result of the mail and wire fraud conspiracy, in violation of 18 U.S.C. § 1349, as charged in Count One of the Superseding Indictment, is \$42,513,433.60. Thus, the United States is entitled to a Forfeiture Money Judgment in that amount, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. 2461(c).

2. The United States has established the requisite nexus between the assets sought for forfeiture and the mail and wire fraud conspiracy, in violation of 18 U.S.C. § 1349, charged in Count One of the Superseding Indictment, for which the defendant has been convicted. Thus, the United States is entitled to forfeiture of the described assets, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c). Accordingly, it is hereby

ORDERED and ADJUDGED that for good cause shown, the United States' motion is GRANTED.

It is FURTHER ORDERED that defendant Richard Sinclair Pope is jointly and severally liable for a forfeiture money judgment in the amount of \$42,513,433.60, pursuant to 18 U.S.C. § 981(a)(1)(C), 28 U.S.C. § 2461(c), and Rule 32.2(b)(2), Federal Rules of Criminal Procedure. Under 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c), the United States is entitled to forfeit any assets belonging to the defendant up to and including the amount of \$42,513,433.60 to satisfy this money judgment.

It is FURTHER ORDERED that, pursuant to the provisions of 18 U.S.C. § 981(a)(1)(C), 28 U.S.C. § 2461(c), and Rule 32.2(b)(2), all right, title, and interest of defendant Richard Sinclair Pope in the assets described above are FORFEITED to the United States for disposition according to law, subject to the provisions of 21 U.S.C. § 853, as incorporated under 28 U.S.C. § 2461(c). The net proceeds from the disposition of the forfeited assets will be credited toward the \$42,513,433.60 forfeiture money judgment.

The Court retains jurisdiction to enter any further order necessary for the forfeiture and disposition of these assets and any other assets belonging to the defendant that the United States is entitled to seek as a substitute asset to satisfy the \$42,513,433.60 money judgment, and to address any third party claim that may be asserted in these proceedings.

**ORDERED** in Tampa, Florida, on July 12<sup>th</sup>, 2013.



MARY S. SCRIVEN  
UNITED STATES DISTRICT JUDGE

Copies to: All Parties of Record