

Frank Sebastian Visicaro
8:20-cr-140-MSS-MRM

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

UNITED STATES OF AMERICA

Case Number: 8:20-cr-140-MSS-MRM

v.

USM Number: 73573-018

FRANK SEBASTIAN VISICARO

Dino Michaels, Retained

JUDGMENT IN A CRIMINAL CASE

Defendant pleaded guilty to Count One of the Superseding Indictment. Defendant is adjudicated guilty of these offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 U.S.C. § 1956(h)	Conspiracy to Commit Money Laundering	December 2013	One

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

The underlying Information is dismissed.

IT IS ORDERED that 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, Defendant shall notify the Court and United States Attorney of any material change in Defendant's economic circumstances.

Date of Imposition of Judgment:

March 23, 2023


 MARY S. SCRIVEN
 UNITED STATES DISTRICT JUDGE

April 5, 2023

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IMPRISONMENT

Defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of **TWENTY-FOUR MONTHS**.

The Court makes the following recommendations to the Bureau of Prisons:

- Confinement at FPC Pensacola, Florida, so the defendant can be in close proximity to family to ensure a more successful matriculation through the system
- That the defendant receives a medical evaluation, so he can immediately restart or continue any necessary medication
- Participation in Substance Abuse Treatment

The defendant is to surrender to the designated institution as notified by the US Marshal but not sooner than June 21, 2023.

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 U.S. Marshal

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SUPERVISED RELEASE

Upon release from imprisonment, Defendant will be on supervised release for a term of **THREE YEARS**.

MANDATORY CONDITIONS

1. Defendant shall not commit another federal, state or local crime.
2. Defendant shall not unlawfully possess a controlled substance.
3. Defendant shall refrain from any unlawful use of a controlled substance. Defendant shall 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.
4. Defendant shall cooperate in the collection of DNA as directed by the Probation Officer.
5. Defendant shall make restitution in accordance with 18 U.S.C. §§ 3663 and 3663A or any other statute authorizing a sentence of restitution.

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

Defendant shall also comply with the additional conditions on the attached page.

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STANDARD CONDITIONS OF SUPERVISION

As part of your supervised release, Defendant shall 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. Defendant shall 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. After initially reporting to the Probation Office, Defendant will receive instructions from the court or the Probation Officer about how and when Defendant must report to the Probation Officer, and Defendant must report to the Probation Officer as instructed.
2. After initially reporting to the Probation Office, you will receive instructions from the court or the Probation Officer about how and when Defendant shall report to the Probation Officer, and Defendant shall report to the Probation Officer as instructed.
3. Defendant shall 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. Defendant shall answer truthfully the questions asked by your Probation Officer
5. Defendant shall 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), Defendant shall 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, Defendant shall notify the Probation Officer within 72 hours of becoming aware of a change or expected change.
6. Defendant shall allow the Probation Officer to visit you at any time at your home or elsewhere, and Defendant shall permit the Probation Officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
7. Defendant shall 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 Defendant shall 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), Defendant shall 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, Defendant shall notify the Probation Officer within 72 hours of becoming aware of a change or expected change.
8. Defendant shall not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, Defendant shall 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, Defendant shall notify the Probation Officer within **72 hours**.
10. Defendant shall 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. Defendant shall 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 Defendant shall comply

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with that instruction. The Probation Officer may contact the person and confirm that you have notified the person about the risk.

13. Defendant shall 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. For further information regarding these conditions, see *Overview of Probation and Supervised Release Conditions*, available at: www.uscourts.gov.

Defendant's Signature: _____

Date: _____

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ADDITIONAL CONDITIONS OF SUPERVISED RELEASE

- Defendant will participate in a mental health treatment program (outpatient or inpatient) as directed by probation and contribute to the costs of that service as directed.
- The mandatory drug testing provisions of the Violent Crime Control Act are suspended, but if the defendant were to test positive, probation can request up to 104 tests per year.
- Defendant shall be prohibited from incurring new credit charges, opening additional lines of credit, acquisitions or obligating himself for any major purchases without the approval of probation.
- Defendant shall provide the probation officer access to any requested financial information.

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CRIMINAL MONETARY PENALTIES

Defendant must pay the following total criminal monetary penalties under the schedule of payments set forth in the Schedule of Payments.

<u>Assessment</u>	<u>Restitution</u>	<u>Fine</u>	<u>AVAA Assessment</u> *	<u>JVTA Assessment</u> *
\$100	\$1,088,440	Waived	n/a	n/a

Defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If Defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(I), all nonfederal victims must be paid in full prior to the United States receiving payment.

Name of Payee

Restitution Ordered

Clerk, U.S. District Court
Debt Collection Unit
401 West Central Blvd.
Suite 2100
Orlando, FL 32801

For distribution to the victims
contained in sealed Docket
Number 265-1

TOTAL	\$1,088,440
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The Court finds that the defendant does not have the ability to pay interest, and the Court waives the interest requirement for the restitution.

* Amy, Vicky, and Andy Child Pornography Victim Assistance Act of 2018, Pu. L. No. 115-299.

* Justice for Victims of Trafficking Act of 2015, Pub.L. No. 114-22.

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SCHEDULE OF PAYMENTS

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

While in the Bureau of Prisons custody, the defendant shall either (1) pay at least \$25 quarterly if the defendant has a non-Unicor job or (2) pay at least 50% of his monthly earnings if the defendant has a Unicor job. Upon release from custody, the defendant shall make monthly payments of no less than \$100, and this payment schedule shall continue until such time as the Court is notified that the payment schedule should be modified.

Unless the Court has expressly ordered otherwise in the special instructions above, if this judgment imposes a period of imprisonment, payment of criminal monetary penalties shall be due during the period of 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, unless otherwise directed by the Court, the Probation Officer, or the United States attorney.

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

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, and (9) penalties, and (10) costs, including cost of prosecution and court costs.

Joint and Several

Restitution shall be paid jointly and severally with Rachael Winslow (8:20-cr-140-MSS-MRM).

Total Amount	Joint and Several Amount
\$17,259,000.48	\$1,088,440.00

FORFEITURE

Defendant shall forfeit to the United States those assets previously identified in the Order of Forfeiture, that are subject to forfeiture. The January 3, 2022, Order of Forfeiture is incorporated into this Judgment.

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

UNITED STATES OF AMERICA

v.

Case No. 8:20-cr-140-MSS-CPT

FRANK SEBASTIAN VISICARO

ORDER OF FORFEITURE


The defendant pleaded guilty to count one of the superseding Indictment, conspiracy to commit money laundering, in violation of 18 U.S.C. § 1956(h). The United States has established that the defendant kept as profit \$20,000 of the money involved in the money laundering conspiracy as charged in the offense.

The United States moves under 18 U.S.C. § 982(a)(1) and Rule 32.2(b)(2), Federal Rules of Criminal Procedure, for entry of an order of forfeiture in the amount of \$20,000, which upon entry shall be a final order of forfeiture as to the defendant. The motion is **GRANTED**. The defendant is liable for an order of forfeiture in the amount of \$20,000.

The proceeds of the offense were transferred to third parties, and the United States cannot locate the proceeds upon the exercise of due diligence. Accordingly, under 21 U.S.C. § 853(p), the United States may seek, as a substitute asset in satisfaction of this judgment, forfeiture of any of the defendant's property up to the \$20,000 order of forfeiture. The United States may also conduct discovery (including depositions, interrogatories, requests for production of documents, and the issuance of

subpoenas), pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, to help identify, locate, and forfeit substitute assets. The court retains jurisdiction to enter any order necessary to the forfeiture and disposition of any substitute asset.

DONE and ORDERED in Tampa, Florida, this 3rd day of January, 2022.



MARY S. SCRIVEN
UNITED STATES DISTRICT JUDGE