

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. 21-CR-284 (JDB)
v.	:	
	:	
JAMES KYLE BELL,	:	
	:	
Defendant.	:	

PRELIMINARY ORDER OF FORFEITURE

WHEREAS, a written plea agreement was filed with this Court and signed by the defendant, James Kyle Bell, and his counsel, Brandi Harden, Esquire, in which the defendant agreed to plead guilty to an Information charging, Count One, Wire Fraud, in violation of Title 18, United States Code, Section 1343, and the defendant has pled guilty to that offense;

WHEREAS, the Information alleged the forfeiture of property, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c);

WHEREAS, the Information also alleged the forfeiture of the following specific property (the “KNOWN PROCEEDS”):

- a. \$4,900 deposited by BELL into an account at Bank of America on or about December 22, 2020, and returned to BELL by Bank of America in a check which is currently held in trust by counsel for the defendant;
- b. \$2,494.32 in funds seized from an account in the name of “Keep America Great Committee LLC” with Bank of America (account ending 8457)
- c. \$2,934.43 in funds seized from an account in the name of “James Kyle Bell Amy Arlit” with Bank of America (account ending 5884)

- d. \$187,480.58 in funds seized from an account in the name of “James Kyle Bell” with Bank of America (account ending 2519)
- e. \$257,516.63 in funds seized from an account in the name of “Keep America Great Committee LLC” (account ending 8444)
- f. \$68,702.10 in funds seized from an account in the name of “Red Five LLC” (account ending 1400).

WHEREAS, the Information further alleged that the United States will seek a forfeiture money judgment against the defendant and in favor of the United States;

WHEREAS, in his plea agreement, the defendant agreed to the forfeiture of the above property and the entry of a forfeiture money judgment in the amount of \$862,560.19 at sentencing;

WHEREAS, pursuant to Rule 32.2(b)(1) of the Federal Rules of Criminal Procedure, this Court determines, based upon the evidence and information before it, including the defendant’s plea agreement, that: any property, real or personal, which constitutes or is derived from proceeds traceable to the violation alleged in Count One to which the defendant is pleading guilty is subject to forfeiture; and (2) the KNOWN PROCEEDS are subject to forfeiture and the Government has established the requisite nexus between the property and the offenses, all pursuant to Title 18, United States Code, Section 1343;

WHEREAS, pursuant to Rule 32.2(b)(2) of the Federal Rules of Criminal Procedure, this Court determines, based upon the evidence and information before it, including the defendant’s plea agreement, that entry of a forfeiture money judgment against the defendant and in favor of the United States in the amount of \$862,560.19 is appropriate, insofar as this property is subject to forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Sections 2461(c);

WHEREAS, Title 21, United States Code, Section 853(p) authorizes the forfeiture of

substitute property;

WHEREAS, the defendant has admitted that other proceeds he personally obtained have been dissipated by him and cannot be located upon the exercise of due diligence; have been transferred or sold to, or deposited with, a third party; and/or have been placed beyond the jurisdiction of the Court;

WHEREAS, upon entry of a forfeiture order, Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure authorizes the Attorney General or a designee to conduct any discovery the Court considers proper in identifying, locating, or disposing of property subject to forfeiture;

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

1. That the following property is declared forfeited to the United States, pursuant to Title 18, United States Code, Section 1343: any property, real or personal, which constitutes or is derived from proceeds traceable to the violation alleged in Count One, to which the defendant has pleaded guilty. The following specific property is declared forfeited to the United States:

- a. \$4,900 deposited by BELL into an account at Bank of America on or about December 22, 2020, and returned to BELL by Bank of America in a check which is currently held in trust by counsel for the defendant;
- b. \$2,494.32 in funds seized from an account in the name of “Keep America Great Committee LLC” with Bank of America (account ending 8457)
- c. \$2,934.43 in funds seized from an account in the name of “James Kyle Bell Amy Arlit” with Bank of America (account ending 5884)
- d. \$187,480.58 in funds seized from an account in the name of “James Kyle Bell” with Bank of America (account ending 2519)
- e. \$257,516.63 in funds seized from an account in the name of “Keep America Great Committee LLC” (account ending 8444)

f. \$68,702.10 in funds seized from an account in the name of “Red Five LLC” (account ending 1400).

2. A forfeiture money judgment in the amount of \$862,560.19 is entered against the defendant and in favor of the United States.

3. The Court finds that the remaining proceeds that the defendant personally obtained as a result of the offense to which he has pleaded guilty have been dissipated by him and cannot be located upon the exercise of due diligence; have been transferred or sold to, or deposited with, a third party; and/or have been placed beyond the jurisdiction of the Court.

4. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Rule 32.2(e) of the Federal Rules of Criminal Procedure.

5. That pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, and the defendant’s consent, this Order of Forfeiture shall become final as to the defendant at the time of sentencing, and shall be made part of the sentence and included in the judgment.

6. The Attorney General or a designee, pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, is authorized to conduct any discovery to identify, locate, or dispose of property subject to this Order.

7. The Clerk of the Court shall forward a certified copy of this Order to USADC.AFMLS2@usdoj.gov.

SO ORDERED.

/s/
JOHN D. BATES
United States District Judge

Dated: May 17, 2021