

UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

IN RE:

COMMUNITY HOME FINANCIAL
SERVICES, INC.,

CASE NO. 12-01703-NPO

DEBTOR.

CHAPTER 11

TRUSTEE'S FOURTH STATEMENT OF INVESTIGATION AND REPORT

Kristina M. Johnson, Chapter 11 Trustee ("**Trustee**") of the Estate of Community Home Financial Services, Inc. ("**Debtor**"), files her Fourth Statement of Investigation and Report ("**Fourth Statement**") pursuant to 11 U.S.C. § 1106 (4) – (5) in the above-referenced Chapter 11 proceeding. In support thereof, the Trustee states as follows:

1. Since the Trustee's First Statement of Investigation and Report ("**First Statement**") [Dkt. #918] on December 17, 2014, Second Statement of Investigation and Report ("**Second Statement**") [Dkt. #1017] on March 28, 2015, and Third Statement of Investigation and Report ("**Third Statement**") [Dkt. #1188] on October 8, 2015¹, the Trustee monitored the criminal proceedings against William David Dickson ("**Butch Dickson**") and participated in the restitution process as a victim on behalf of the CHFS Estate. The following significant matters occurred related to the criminal proceedings previously referenced in the Trustee's Reports:

a) Colby Dickson was dismissed without prejudice from the Criminal Indictment previously referenced in the Trustee's Reports as indicated in Exhibit "1" attached hereto. It is the Trustee's understanding that this was part of the Plea Agreement previously referenced in the Trustee's Reports;

¹ The Trustee incorporates by reference her First, Second and Third Statements (collectively, the "Trustee's Reports").

b) Certain property became the subject of criminal forfeiture as more specifically identified in the criminal forfeiture filings in Butch Dickson's criminal case attached hereto as composite Exhibit "2" and includes a condominium in Costa Rica and \$587,749.95 seized by the Costa Rican government from accounts in Costa Rica in the fall of 2014. In May of 2015, the Trustee inspected the condo in Costa Rica and met with witnesses as to the seized funds as well as U.S. Embassy officials in Costa Rica about the seized funds. To date the Trustee has not received as the victim representative of the CHFS Estate any of the property forfeited under the Second Amended Final Order of Forfeiture attached as part of Exhibit "2";

c) Butch Dickson and the United States agreed to a criminal judgment under certain of the counts asserted in the criminal indictment, as amended, and negotiated a criminal restitution amount of \$5,442,004.58 to be awarded to the Trustee as representative for the CHFS Estate (or her successors or assigns) as more specifically identified in the criminal judgment filings in Butch Dickson's criminal case attached hereto as composite Exhibit "3". The Trustee participated extensively in discussions with the United States prosecutors assigned to the Butch Dickson criminal proceedings as well as Butch Dickson in person and through counsel for over a year as the representative for the victim CHFS Estate but was not otherwise a party to those proceedings. The Trustee, therefore, does not admit for purposes of her civil proceedings pending against Butch Dickson or others to the limitation of damage the CHFS Estate has suffered as a result of Butch Dickson's conduct; and

d) The Trustee has appeared through power of attorney with her Costa Rican counsel in the criminal proceedings in Costa Rica against Butch Dickson but has nothing to report on those proceedings at this time.

2. The Trustee filed state and federal tax returns for 2015 and will file 2016 returns when completed.

3. The Trustee is finalizing the process to implement her decisions on corporate withdrawals from certain states where CHFS operated.

4. The Trustee initiated and resolved preference actions for the Estate as indicated on the chart attached hereto as Exhibit "4."

5. The Trustee took the examinations under oath of Butch Dickson to try to locate documents, records, and other assets of CHFS and determine additional information relating to the Estate. One examination was prior to the entry of the criminal judgment against Butch Dickson and therefore did not reveal much information due to the invocation of the Fifth Amendment privilege. The second examination under oath was more helpful but revealed that information and assets remain undiscovered due in part to the failure of Butch Dickson either to (1) remember significant information needed by the Trustee or (2) cooperate with the Trustee. This continued lack of information and records means that the Trustee still only has limited access to the CHFS computerized records on the cloud based servers located in Panama and still has no additional hard copy records than she had as of her Third Report.²

6. The Trustee investigated and determined that property foreclosed upon by CHFS ("**REO Property**") should be abandoned after efforts to market same were unsuccessful and/or the REO Property was determined by the Trustee to be of limited value and benefit to the Estate.

7. The Trustee has directly released in excess of 80 liens on property that CHFS borrowers had satisfied on loans not boarded with the court appointed loan servicing company

² Butch Dickson testified at the second examination that the servers have special access encryption codes but testified that he could not remember those codes and/or was not sure where they are. The Trustee does not have these special codes and therefore continues to only have limited access to CHFS records. He also testified that he could not recall the location of the original loan documents on CHFS borrower files that he took to Latin America.

and has released through the court appointed loan servicing company nearly 60 additional liens via necessary assignment/cancellation recordings for the same reason.

8. The Trustee has continued to monitor and respond to bankruptcy filings of CHFS borrowers, filing proofs of claim, responding to objections to claims, objecting to Chapter 13 plans and other related matters in these cases. To date, the Trustee has had to monitor and/or respond to filings in 355 CHFS borrower bankruptcy cases.

9. The Trustee has continued to respond to multiple motions to lift the automatic stay and foreclosure and/or tax sale notices on CHFS borrowers' property subject to liens of CHFS.

10. The Trustee is currently investigating the CHFS relationship with the mortgage electronic servicing system ("MERS") and whether that relationship should be terminated.

11. The Trustee has engaged in multiple efforts through mediation and/or informal attempts to settle the issues with Edwards Family Partnership, LP and Beher Holdings Trust ("EFP/BHT") since the fall of 2014, the majority of which efforts occurred from the fall of 2015 until November 2016. All efforts to date have failed. Numerous adversary proceedings exist between the Trustee and EFP/BHT. Some of those adversary proceedings have been effectively stayed pending rulings on motions to dismiss in two of these adversary proceedings. These motions to dismiss were the subject of hearings and briefs and are awaiting decision by the Court.

12. The Trustee is currently pursuing her efforts to bring this Chapter 11 case to a close either through a chapter 11 plan or by consensual resolution. The Trustee's First Amended Plan as immaterially modified [**Dkt. Nos. 1081, 1606, and 1607**] was set for confirmation hearing to be held on February 7, 2017 but was reset for a status conference after the CHFS case

was reassigned to a new judge on February 1, 2017. The Trustee has filed her certification of the ballots cast in response to the plan.

WHEREFORE, the Trustee files her Fourth Statement in the above-referenced Chapter 11 proceeding.

DATED: February 15, 2017.

Respectfully submitted,

KRISTINA M. JOHNSON, TRUSTEE OF THE
ESTATE OF COMMUNITY HOME
FINANCIAL SERVICES, INC.

/s/Kristina M. Johnson

KRISTINA M. JOHNSON, CHAPTER 11
TRUSTEE OF THE ESTATE OF COMMUNITY
HOME FINANCIAL SERVICES, INC.
Jones Walker LLP
190 East Capitol Street, Suite 800 (39201)
Post Office Box 427
Jackson, Mississippi 39205-0427
Telephone: (601) 949-4785
Facsimile: (601) 949-4804
kjohnson@joneswalker.com

CERTIFICATE OF SERVICE

I hereby certify that on February 15, 2017, I electronically filed the foregoing with the Clerk of the Court using the ECF system which sent notification of such filing to the parties set forth in the Electronic Mail Notice List as of the date hereof, including the following:

Ronald H. McAlpin, Esq.
ronald.mcalpin@usdoj.gov

Luther M. Dove, Esq.
lukedove@dovechill.com

Jim F. Spencer, Jr., Esq.
jspencer@watkinseager.com

Stephanie M. Rippee, Esq.
srippee@watkinseager.com

DATED: February 15, 2017.

/s/Kristina M. Johnson

EXHIBIT “1”

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 3:14cr78TSL-FKB-2

WILLIAM DAVID DICKSON
a/k/a Butch Dickson; and
COLBY DICKSON

MOTION AND ORDER TO DISMISS

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, and by leave of Court endorsed herein, the United States Attorney for the Southern District of Mississippi hereby dismisses COLBY DICKSON from the Criminal Indictment, filed February 18, 2015, without prejudice, in the above styled and numbered case.

Respectfully submitted,

GREGORY K. DAVIS
United States Attorney

By: /s/J. Scott Gilbert
J. Scott Gilbert
Assistant U.S. Attorney
MS Bar No. 102123

Leave of Court is granted for the filing of the foregoing dismissal of the indictment filed February 18, 2015.

ORDERED this 15th day of December, 2015.

/s/Tom S. Lee
TOM S. LEE
United States District Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 3:14cr78TSL-FKB-2

WILLIAM DAVID DICKSON
a/k/a Butch Dickson; and
COLBY DICKSON

MOTION AND ORDER TO DISMISS

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, and by leave of Court endorsed herein, the United States Attorney for the Southern District of Mississippi hereby dismisses COLBY DICKSON from the Criminal Indictment, filed February 18, 2015, without prejudice, in the above styled and numbered case.

Respectfully submitted,

GREGORY K. DAVIS
United States Attorney

By: s/J. Scott Gilbert
J. Scott Gilbert
Assistant U.S. Attorney
MS Bar No. 102123

Leave of Court is granted for the filing of the foregoing dismissal of the indictment filed February 18, 2015.

ORDERED this 15th day of December, 2015.

/s/Tom S. Lee
TOM S. LEE
United States District Judge

EXHIBIT “2”

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 3:14cr78 TSL-FKB

WILLIAM DAVID DICKSON,
a/k/a Butch Dickson

AGREED PRELIMINARY ORDER OF FORFEITURE

PURSUANT to a separate Plea Agreement and Plea Supplement between **WILLIAM DAVID DICKSON**, by and with the consent of his attorney, and the **UNITED STATES OF AMERICA** (hereinafter "the Government"), **WILLIAM DAVID DICKSON** agrees that the following findings are correct, and further agrees with the adjudications made herein. Accordingly, the Court finds as follows:

1. The defendant is fully aware of the consequences of having agreed to forfeit to the Government his interests in and to the hereinafter described property, having been apprised of such by his attorney and by this Court; and he has freely and voluntarily, with knowledge of the consequences, entered into a Plea Agreement and Plea Supplement with the Government to forfeit such property.
2. The defendant agrees that a **\$9,095,000.00 money judgment, to be reduced by the net proceeds obtained by the United States as a result of the liquidation of the Costa Rican condo, the value of all loans purchased in Costa Roca and/or Panama with the corpus of the \$9,095,000 referenced above that are turned over to the custody and control to the Bankruptcy Trustee, and the total amount of money repatriated to the custody of the Bankruptcy Trustee as of the date of the defendant's sentencing, constitutes or was derived from proceeds that the defendant obtained, directly or**

indirectly, as a result of the offense charged in Counts 5 and 20 of the Indictment. Such property is, therefore, subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461.

3. The defendant has been apprised that Rule 32.2 of the Federal Rules of Criminal Procedure, and Section 982, Title 18, United States Code, require the Court to order the forfeiture of the **\$9,095,000.00 money judgment, to be reduced by the net proceeds obtained by the United States as a result of the liquidation of the Costa Rican condo, the value of all loans purchased in Costa Roca and/or Panama with the corpus of the \$9,095,000 referenced above that are turned over to the custody and control to the Bankruptcy Trustee, and the total amount of money repatriated to the custody of the Bankruptcy Trustee as of the date of the defendant's sentencing at, and as a part of, the sentencing proceeding.** The defendant does hereby waive such requirement and the requirement that the forfeiture be made a part of the sentence as ordered by the Court in the document entitled, "Judgment in a Criminal Case." The defendant and his attorney further agree that the Court should enter this order immediately, and agree that the forfeiture ordered hereunder will be a part of the sentence of the Court regardless whether ordered at that proceeding and/or whether attached as a part of the said Judgment in a Criminal Case.

IT IS, THEREFORE, ORDERED AND ADJUDGED AS FOLLOWS:

- a. That the defendant shall forfeit to the United States,
a \$9,095,000.00 money judgment, to be reduced by the net proceeds obtained by the United States as a result of the liquidation of the Costa Rican condo, the value of all loans purchased in Costa Roca and/or Panama with the

corpus of the \$9,095,000 referenced above that are turned over to the custody and control to the Bankruptcy Trustee, and the total amount of money repatriated to the custody of the Bankruptcy Trustee as of the date of the defendant's sentencing.

- b. The Court has determined, based on the defendant's Plea Agreement and Plea Supplement, that the following property is subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, that the defendant had an interest in such property and that the Government has established the requisite nexus between such property and such offense:

a \$9,095,000.00 money judgment, to be reduced by the net proceeds obtained by the United States as a result of the liquidation of the Costa Rican condo, the value of all loans purchased in Costa Roca and/or Panama with the corpus of the \$9,095,000 referenced above that are turned over to the custody and control to the Bankruptcy Trustee, and the total amount of money repatriated to the custody of the Bankruptcy Trustee as of the date of the defendant's sentencing.

- c. The United States may conduct any discovery it considers necessary to identify, locate, or dispose of the property subject to forfeiture or substitute assets for such property.
- d. That any ancillary hearing is hereby dispensed with as the forfeiture provides for a money judgment. Pursuant to Fed. R. Crim. P. 32.2(b)(4), this Agreed Preliminary Order of Forfeiture shall become final as to the defendant at the time of sentencing [or before sentencing if the defendant consents] and shall be made

part of the sentence and included in the document entitled, "Judgment in a Criminal Case", and that this order, or an abstract thereof, shall be enrolled in all appropriate Judgment Rolls.


The Court shall retain jurisdiction to enforce this Order pursuant to Fed. R. Crim. P. 32.2(e), and to amend it as necessary to substitute property to satisfy the money judgment in whole or in part.

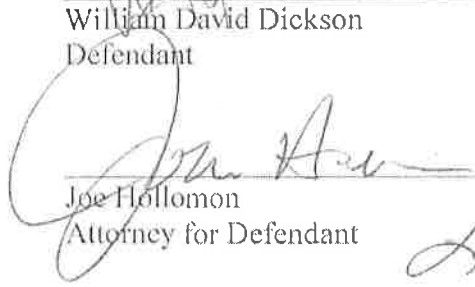
SO ORDERED AND ADJUDGED this, the 10th day of December, 2015.


UNITED STATES DISTRICT JUDGE

AGREED:


J. Scott Gilbert
Assistant United States Attorney


William David Dickson
Defendant


Joe Hollomon
Attorney for Defendant



IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 3:14cr78 TSL-FKB

WILLIAM DAVID DICKSON,
a/k/a Butch Dickson

**UNITED STATES' MOTION TO AMEND PRELIMINARY ORDER
OF FORFEITURE TO INCLUDE CERTAIN SUBSTITUTE PROPERTY OF
DEFENDANT WILLIAM DAVID DICKSON, WITH SUPPORTING SUGGESTIONS**

The United States of America, pursuant to Rule 32.2(e) of the Federal Rules of Criminal Procedure and Title 21, United States Code, Section 853(p), hereby moves to amend the preliminary order of forfeiture [Ct. Doc. #52] previously entered in this case to include certain property of the defendant as substitute property to satisfy the money judgment entered against the defendant.

The District Court entered its preliminary order of forfeiture on December 10, 2015. The defendant was ordered to forfeit the sum of \$9,095,000.00 in the form of a money judgment. The United States may, at any time, move pursuant to Rule 32.2(e) to amend the order of forfeiture to substitute property having a value not to exceed \$9,095,000.00 to satisfy the money judgment in whole or in part, in accordance with 21 U.S.C. § 853(p).

Rule 32.2(e) authorizes the entry of an order for forfeiture of substitute assets as follows:

(e) Subsequently Located Property; Substitute Property.

(1) In General. On the government's motion, the court may at any time enter an order of forfeiture or amend an existing order of forfeiture to include property that:

(A) is subject to forfeiture under an existing order of forfeiture but was located and identified after that order was entered; or

(B) is substitute property that qualifies for forfeiture under an applicable statute.

(2) Procedure. If the government shows that the property is subject to forfeiture under Rule 32.2(e)(1), the court must:

(A) enter an order forfeiting that property, or amend an existing preliminary or final order to include it; and

(B) if a third party files a petition claiming an interest in the property, conduct an ancillary proceeding under Rule 32.29(c).

(3) Jury Trial Limited. There is no right to a jury trial under Rule 32.2(e).

The applicable statute in these proceedings, 21 U.S.C. § 853(p), provides as follows:

(p) Forfeiture of substitute property

(1) In general.

Paragraph (2) of this subsection shall apply, if any property described in subsection (a), as a result of any act or omission of the defendant—

(A) cannot be located upon the exercise of due diligence;

(B) has been transferred or sold to, or deposited with, a third party;

(C) has been placed beyond the jurisdiction of the court;

(D) has been substantially diminished in value; or

(E) has been commingled with other property which cannot be divided without difficulty.

(2) Substitute property

In any case described in any of subparagraphs (A) through (E) of paragraph (1), the court shall order the forfeiture of any other property of the defendant, up to the value of any property described in subparagraphs (A) through (E) of paragraph (1), as applicable.

(3) Return of property to jurisdiction

In the case of property described in paragraph (1)(C), the court may, in addition to any other action authorized by this subsection, order the defendant to return the property to the jurisdiction of the court so that the property may be seized and forfeited.

Upon investigation, the United States has determined that the defendant has an interest in other property, not included in the preliminary order of forfeiture, which should be substituted to partially satisfy the money judgment balance.

Rule 32.2(e)(1)(B) provides that the court may enter an order of forfeiture or amend an existing order of forfeiture *at any time* to order the forfeiture of substitute assets. Thus the order may be entered after a preliminary order of forfeiture is entered but before it is final as to the defendant; after the order is final as to the defendant and while it is on appeal; and after an appeal is final. *See United States v. Hurley*, 63 F.3d 1 (1st Cir. 1995) (court retains authority to order forfeiture of substitute assets after appeal is filed); *United States v. Voigt*, 89 F.3d 1050 (3d Cir. 1996) (following *Hurley*; court may amend order of forfeiture at any time to include substitute assets); *United States v. Norton*, 2002 WL 31039138 (W.D. Va. 2002) (same; following *Hurley*); *United States v. Saccoccia*, 62 F. Supp.2d 539 (D.R.I. 1999) (if district court retains jurisdiction to order forfeiture of substitute assets even though an appeal is filed, *see Hurley*, it follows that defendant's section 2255 petition does not interfere with district court's jurisdiction to amend order to include substitute assets); *United States v. Messino*, 907 F. Supp. 1231 (N.D. Ill. 1995) (the district court retains jurisdiction over forfeiture matters while an appeal is pending; court may order forfeiture of substitute assets and enter final order of forfeiture where no third party files a claim).

The court may also order the forfeiture of substitute assets to satisfy a money judgment where the money judgment represents the value of the proceeds of the offense, or property involved in the commission of the offense, that cannot be forfeited directly for one of the reasons set forth in Section 853(p). *See United States v. Candelaria-Silva*, 166 F.3d 19 (1st Cir. 1999) (once the Government has obtained a money judgment, it may forfeit defendant's real property

in partial satisfaction of that judgment); *United States v. Baker*, 227 F.3d 955 (7th Cir. 2000) (same); *United States v. Numisgroup Intl. Corp*, 169 F. Supp.2d 133 (E.D.N.Y. 2001) (Rule 32.2(e) authorizes forfeiture of substitute assets to satisfy a money judgment, including a judgment based on the value of the missing proceeds and the value of the missing facilitating property); *United States v. Harrison*, 2001 WL 803695 (N.D. Ill. 2001) (entry of money judgment as part of preliminary order of forfeiture gives Government opportunity later to satisfy the judgment by seeking forfeiture of substitute assets; Rule 32.2(e)); *United States v. Davis*, 177 F. Supp.2d 470 (E.D. Va. 2001) (if property cannot be forfeited as directly traceable to the offense, it can be forfeited as a substitute asset and used to satisfy the money judgment); *United States v. Davis*, 2001 WL 47003 (S.D.N.Y. 2001) (property seized at time of arrest need not be returned at end of criminal case if it can be forfeited as substitute assets in satisfaction of money judgment); *United States v. Messino*, 917 F. Supp. 1307, 1308 (N.D. Ill. 1996) (court ordered forfeiture of motorcycle as substitute asset in partial satisfaction of money judgment).

The forfeiture of substitute assets is solely a matter for the court, not the jury. Rule 32.2(e)(3). See *United States v. Candelaria-Silva*, 166 F.3d 19 (1st Cir. 1999) (forfeiture of substitute assets is solely a matter for the court; the defendant's only right is to have the jury determine the amount of the money judgment, which puts an upper limit on the amount that may be forfeited as a substitute asset); *United States v. Thompson*, 837 F. Supp. 585, 586 (S.D.N.Y. 1993) (court, not jury, orders forfeiture of substitute assets); *United States v. Hurley*, 63 F.3d 1, 23 (1st Cir. 1995) ("the statute says that an order substituting assets is to be made by 'the court'"). However, once the court enters the order forfeiting substitute assets, third parties have a right to contest the forfeiture by asserting a superior ownership interest in the ancillary proceeding pursuant to 21 U.S.C. § 853(n). Rule 32.2(e)(2). See *United States v. Lester*, 85 F.3d

1409 (9th Cir. 1996); *United States v. Morgan*, 224 F.3d 339 (4th Cir. 2000) (wife challenges forfeiture of joint bank accounts as substitute assets); *United States v. Infelise*, 938 F. Supp. 1352 (N.D. Ill. 1996) (defendant's wife and children contest forfeiture of substitute assets in ancillary proceeding); *United States v. Loren-Maltese*, 2003 WL 291910 (N.D. Ill. 2003) (granting Government's motion to forfeit substitute assets will not harm third parties because they can contest the forfeiture in the ancillary proceeding).

Once the Government moves for an order forfeiting substitute assets, the court may enter an order restraining such assets pending its action on the motion or pending the resolution of any third party claims. *See United States v. Numisgroup Intl. Corp.*, 169 F. Supp.2d 133 (E.D.N.Y. 2001) (substitute assets may be restrained post-conviction).

Accordingly, the United States requests, pursuant to 21 U.S.C. § 853(g), that it be empowered to seize the substitute property and to take any other steps deemed warranted to preserve its availability for forfeiture pending the completion of the Section 853(n) ancillary proceedings. After the defendant's interest in the substitute property described below is ordered forfeited, the United States will seize the property (if not already in custody) and initiate proceedings necessary to protect any third party interests in the substitute property, pursuant to Fed. R. Crim. P. 32.2(e) and 21 U.S.C. § 853(n).

PERSONAL PROPERTY

\$587,749.95 seized from William D. Dickson by the Costa Rican government and currently held in the Costa Rican Institute for Drugs, account number 1090630

REAL PROPERTY

Residential condominium located at Marina Los Suenos, Unit 7F, Herradura 61101, Costa Rica.

Wherefore, the United States respectfully requests that the defendant's interest in the above described property be immediately forfeited to the United States in partial satisfaction of the outstanding judgment of forfeiture against the defendant, William David Dickson, and that the United States be allowed to immediately begin the ancillary proceedings required to finalize the forfeiture of the substitute property.

RESPECTFULLY SUBMITTED, this, the 6th day of January, 2016.

UNITED STATES OF AMERICA

GREGORY K. DAVIS

United States Attorney for the
Southern District of Mississippi

By: /s/ J. Scott Gilbert
J. SCOTT GILBERT
Assistant United States Attorney
501 E. Court Street, Suite 4.430
Jackson, Mississippi 39201
Mississippi Bar No. 102123
(601) 965-4480 Voice
(601) 965-4409 Fax
Email: Scott.Gilbert@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on this date, I electronically filed the foregoing with the Clerk of the Court using the ECF system which sent notification of such filing to the appropriate counsel in this case.

This, the 6th day of January, 2016.

UNITED STATES OF AMERICA

GREGORY K. DAVIS

United States Attorney for the
Southern District of Mississippi

By: /s/ J. Scott Gilbert
J. SCOTT GILBERT
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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 3:14cr78 TSL-FKB

WILLIAM DAVID DICKSON,
a/k/a Butch Dickson

**AMENDED ORDER OF FORFEITURE AS TO CERTAIN
SUBSTITUTE PROPERTY OF DEFENDANT WILLIAM DAVID DICKSON**

The United States of America, pursuant to Rule 32.2(e) of the Federal Rules of Criminal Procedure, and Title 21, United States Code, Section 853(p), has moved to amend the preliminary order of forfeiture previously issued in this case to include certain property of defendant William David Dickson as substitute property. In consideration of the motion and the entire record in this matter, the Court finds as follows.

On September 10, 2015, the defendant pled guilty to Counts 5 and 20 of the Indictment, charging him with violations of 18 U.S.C. §§ 152(5) and 2 and 18 U.S.C. §§ 1341 and 2. On December 10, 2015, the Court entered a preliminary order of forfeiture forfeiting to the United States the sum of \$9,095,000.00 money judgment, to be reduced by the net proceeds obtained by the United States as a result of the liquidation of the Costa Rican condo, the value of all loans purchased in Costa Rica and/or Panama with the corpus of the \$9,095,000 referenced above that are turned over to the custody and control to the Bankruptcy Trustee, and the total amount of money repatriated to the custody of the Bankruptcy Trustee as of the date of the defendant's sentencing, which represents the value of the proceeds of the offenses for which the defendant pled guilty.

The court finds that, because of the acts or omissions of the defendant, the proceeds of the offenses are no longer available for forfeiture for one or more of the reasons set forth in 21 U.S.C. § 853(p). As a result, pursuant to Fed. R. Crim. P. 32.2(e) and 21 U.S.C. § 853(p), the United States is entitled to an order forfeiting other property of the defendant as a substitute for the unavailable sum of \$9,095,000.00 ordered forfeited.

ACCORDINGLY, IT IS HEREBY ORDERED that all right, title and interest of defendant, William David Dickson, in the following property is immediately forfeited to the United States of America:

PERSONAL PROPERTY

\$587,749.95 seized from William D. Dickson by the Costa Rican government and currently held in the Costa Rican Institute for Drugs, account number 1090630

REAL PROPERTY

Residential condominium located at Marina Los Suenos, Unit 7F, Herradura 61101, Costa Rica.

IT IS FURTHER ORDERED that the United States Marshal shall forthwith seize and retain the property ordered forfeited hereunder and shall take any other steps deemed warranted to preserve its availability for forfeiture pending the conclusion of any third party proceedings which may be conducted in this matter pursuant to Fed. R. Crim. P. 32.2 and 21 U.S.C. § 853(n).

The United States shall initiate proceedings necessary to protect any third party interests in the substitute property, pursuant to and in accordance with Fed. R. Crim. P. 32.2(e) and 21 U.S.C. § 853(n), prior to requesting entry of a final order of forfeiture with respect thereto.

IT IS FURTHER ORDERED that upon adjudication of all third-party interests, this Court will enter a final order of forfeiture pursuant to 21 U.S.C. § 853(n) in which all interests will be addressed. If no claims are filed within 30 days of the final publication or receipt of actual

notice, whichever is earlier, then, pursuant to 21 U.S.C. § 853(n)(7), the United States will move for a final order of forfeiture, and the United States Marshals Service, or any duly authorized law enforcement official, shall dispose of the property forfeited hereunder according to law.

SO ORDERED AND ADJUDGED this the 7th day of January, 2016.

/s/Tom S. Lee

TOM S. LEE

SENIOR UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 3:14cr78 TSL-FKB

WILLIAM DAVID DICKSON,
a/k/a Butch Dickson

MOTION TO CORRECT SCRIVENER'S ERROR

The United States, by and through its United States Attorney, respectfully moves this Court to correct the scrivener's error that appears in the Amended Order of Forfeiture as to Certain Substitute Property of Defendant William David Dickson [Ct. Doc. No. 60].

As grounds for the foregoing, the United States of America would show that the "\$587,749.95 seized from William D. Dickson by the Costa Rican government and currently held in the Costa Rican Institute for Drugs, account number 1090630" is actually currently being held in the Costa Rican Institute for Drugs, account number 1090690.

The Plaintiff is seeking to correct the above referenced document to reflect the correct account number as 1090690.

THEREFORE, the United States of America respectfully requests that its Motion to Correct Scrivener's Error be granted.

RESPECTFULLY SUBMITTED, this the 12th day of January, 2015.

UNITED STATES OF AMERICA

GREGORY K. DAVIS

United States Attorney for the
Southern District of Mississippi

By: /s/ J. Scott Gilbert
J. SCOTT GILBERT
Assistant United States Attorney

CERTIFICATE OF SERVICE

I hereby certify that on this date, I electronically filed the foregoing with the Clerk of the Court using the ECF system which sent notification of such filing to the appropriate counsel in this case.

This the 12th day of January, 2015.

UNITED STATES OF AMERICA

GREGORY K. DAVIS

United States Attorney for the
Southern District of Mississippi

By: /s / J. Scott Gilbert
J. SCOTT GILBERT
Assistant United States Attorney
Mississippi Bar No. 102123
501 East Court Street, Suite 4.430
Jackson, Mississippi 39201
Phone: (601) 965-4480
Fax: (601) 965-4409
Email: Scott.Gilbert@usdoj.gov

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 3:14cr78 TSL-FKB

WILLIAM DAVID DICKSON,
a/k/a Butch Dickson

**CORRECTED AMENDED ORDER OF FORFEITURE AS TO CERTAIN
SUBSTITUTE PROPERTY OF DEFENDANT WILLIAM DAVID DICKSON**

The United States of America, pursuant to Rule 32.2(e) of the Federal Rules of Criminal Procedure, and Title 21, United States Code, Section 853(p), has moved to amend the preliminary order of forfeiture previously issued in this case to include certain property of defendant William David Dickson as substitute property. In consideration of the motion and the entire record in this matter, the Court finds as follows.

On September 10, 2015, the defendant pled guilty to Counts 5 and 20 of the Indictment, charging him with violations of 18 U.S.C. §§ 152(5) and 2 and 18 U.S.C. §§ 1341 and 2. On December 10, 2015, the Court entered a preliminary order of forfeiture forfeiting to the United States the sum of \$9,095,000.00 money judgment, to be reduced by the net proceeds obtained by the United States as a result of the liquidation of the Costa Rican condo, the value of all loans purchased in Costa Roca and/or Panama with the corpus of the \$9,095,000 referenced above that are turned over to the custody and control to the Bankruptcy Trustee, and the total amount of money repatriated to the custody of the Bankruptcy Trustee as of the date of the defendant's sentencing, which represents the value of the proceeds of the offenses for which the defendant pled guilty.

The court finds that, because of the acts or omissions of the defendant, the proceeds of the offenses are no longer available for forfeiture for one or more of the reasons set forth in 21 U.S.C. § 853(p). As a result, pursuant to Fed. R. Crim. P. 32.2(e) and 21 U.S.C. § 853(p), the United States is entitled to an order forfeiting other property of the defendant as a substitute for the unavailable sum of \$9,095,000.00 ordered forfeited.

ACCORDINGLY, IT IS HEREBY ORDERED that all right, title and interest of defendant, William David Dickson, in the following property is immediately forfeited to the United States of America:

PERSONAL PROPERTY

\$587,749.95 seized from William D. Dickson by the Costa Rican government and currently held in the Costa Rican Institute for Drugs, account number 1090690

REAL PROPERTY

Residential condominium located at Marina Los Suenos, Unit 7F, Herradura 61101, Costa Rica.

IT IS FURTHER ORDERED that the United States Marshal shall forthwith seize and retain the property ordered forfeited hereunder and shall take any other steps deemed warranted to preserve its availability for forfeiture pending the conclusion of any third party proceedings which may be conducted in this matter pursuant to Fed. R. Crim. P. 32.2 and 21 U.S.C. § 853(n).

The United States shall initiate proceedings necessary to protect any third party interests in the substitute property, pursuant to and in accordance with Fed. R. Crim. P. 32.2(e) and 21 U.S.C. § 853(n), prior to requesting entry of a final order of forfeiture with respect thereto.

IT IS FURTHER ORDERED that upon adjudication of all third-party interests, this Court will enter a final order of forfeiture pursuant to 21 U.S.C. § 853(n) in which all interests will be addressed. If no claims are filed within 30 days of the final publication or receipt of

actual notice, whichever is earlier, then, pursuant to 21 U.S.C. § 853(n)(7), the United States will move for a final order of forfeiture, and the United States Marshals Service, or any duly authorized law enforcement official, shall dispose of the property forfeited hereunder according to law.

SO ORDERED AND ADJUDGED this the 14th day of January, 2016.

/s/Tom S. Lee

TOM S. LEE

SENIOR UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 3:14cr78 TSL-FKB

WILLIAM DAVID DICKSON,
a/k/a Butch Dickson

NOTICE OF FORFEITURE

NOTICE IS HEREBY GIVEN that on January 14, 2016, in the above-captioned case, the United States District Court for the Southern District of Mississippi entered a Corrected Amended Order of Forfeiture as to Certain Substitute Property of Defendant William Dickson forfeiting **\$587,749.95 seized from William D. Dickson by the Costa Rican government which is currently held in the Costa Rican Institute for Drugs, account number 1090690 and a residential condominium located at Marina Los Suenos, Unit 7F, Herradura 61101, Costa Rica** to the United States of America.

YOU ARE HEREBY NOTIFIED that the United States intends to dispose of this property as provided by law.

Any person claiming a legal right, title, or interest in any of the property described above must petition the United States District Court for the Southern District of Mississippi, 501 East Court Street, Suite 2.500, Jackson, Mississippi 39201 for a hearing to adjudicate the validity of the alleged legal interest in this property. The petition must be filed within thirty (30) days of the receipt of this notice or thirty (30) days of the last publication of this notice, whichever is earlier. If a hearing is requested, it shall be held before the Court alone, without a jury.

The petition must be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title, or interest in each of the forfeited properties

and the time and circumstances of the petitioner's acquisition of the right, title or interest in each property and any additional facts supporting the petitioner's claim and the relief sought.

A copy of the petition should be served on Assistant United States Attorney J. Scott Gilbert, 501 East Court Street, Suite 4.430, Jackson, Mississippi 39201.

Pursuant to 21 U.S.C. § 853(n)(2), NEITHER DEFENDANT WILLIAM DICKSON NOR HIS AGENT ARE ENTITLED TO FILE A PETITION. Any hearing on your petition shall, to the extent practicable and consistent with the interests of justice, be held within thirty (30) days of the filing of your petition. The Court may consolidate your hearing on the petition with any other hearings requested on any other petitions filed by any other person other than the defendant named above.

YOU HAVE THE RIGHT at the hearing to testify and present evidence and witnesses on your own behalf and cross-examine witnesses who appear at the hearing. The United States may present evidence and witnesses in rebuttal and in defense of its claim to the property and cross-examine witnesses who appear at the hearing. In addition to testimony and evidence presented at the hearing, the Court shall consider the relevant portions of the record of the criminal case which resulted in the Corrected Amended Order of Forfeiture as to Certain Substitute Property of Defendant William Dickson.

If, after the hearing, the Court determines that the petitioner has established by a preponderance of the evidence that: (a) the petitioner has a legal right, title or interest in the property, and such right, title or interest renders the Corrected Amended Order of Forfeiture as to Certain Substitute Property of Defendant William Dickson invalid in whole or in part because the right, title, or interest was vested in the petitioner rather than the defendant or was superior to any right, title, or interest of the defendant at the time of the commission of the acts which gave

rise to the forfeiture of the property; or (b) the petitioner is a bona fide purchaser for value of the right, title, or interest in the property and was at the time of purchase reasonably without cause to believe that the property was subject to forfeiture; the Court shall amend the Corrected Amended Order of Forfeiture as to Certain Substitute Property of Defendant William Dickson in accordance with its determination.

IF YOU FAIL TO FILE A PETITION TO ASSERT YOUR RIGHT, TITLE, OR INTEREST IN THE ABOVE-DESCRIBED PROPERTY WITHIN THIRTY (30) DAYS OF THIS NOTICE, YOUR RIGHT, TITLE, AND INTEREST IN THIS PROPERTY SHALL BE LOST AND THE PROPERTY FORFEITED TO THE UNITED STATES OF AMERICA.

FILED this, the 28th day of January, 2016.

UNITED STATES OF AMERICA

GREGORY K. DAVIS

United States Attorney for the
Southern District of Mississippi

By: /s/ J. Scott Gilbert
J. SCOTT GILBERT
Assistant United States Attorney
Mississippi Bar No. 102123
501 East Court Street, Suite 4.430
Jackson, Mississippi 39201
Phone: (601) 965-4480
Fax: (601) 965-4409
Email: Scott.Gilbert@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on this date, I electronically filed the foregoing with the Clerk of the Court using the ECF system which sent notification of such filing to the appropriate counsel in this case.

RESPECTFULLY SUBMITTED this, the 28th day of January, 2016.

UNITED STATES OF AMERICA

GREGORY K. DAVIS

United States Attorney for the
Southern District of Mississippi

By: /s/ J. Scott Gilbert

J. SCOTT GILBERT
Assistant United States Attorney
Mississippi Bar No. 102123
501 East Court Street, Suite 4.430
Jackson, Mississippi 39201
Phone: (601) 965-4480
Fax: (601) 965-4409
Email: Scott.Gilbert@usdoj.gov

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

UNITED STATES OF AMERICA

vs.

CRIMINAL ACTION NO. 3:14-cr-78 TSL-FKB

WILLIAM DAVID DICKSON,
a/k/a Butch Dickson

**MOTION OF THE UNITED STATES FOR A FINAL ORDER
OF FORFEITURE, WITH SUPPORTING SUGGESTIONS**

The United States, by and through its United States Attorney, files this Motion for a Final Order of Forfeiture in the above-entitled cause. In support thereof, the United States shows the following:

SUPPORTING SUGGESTIONS

1. As a result of the guilty pleas to Counts 5 and 20 of the Indictment, for which the Government sought forfeiture pursuant to 18 U.S.C. §§ 981(a)(1)(C) and 982(a)(2), and 28 U.S.C. § 2461, the defendant, WILLIAM DAVID DICKSON, shall forfeit to the United States a money judgment in the amount of \$9,095,000.00. As the proceeds of the offenses are no longer available for forfeiture for one or more of the reasons set forth in 21 U.S.C. § 853(p), the Court granted the United States' motion for an order forfeiting other property of the defendant as a substitute for a portion of the unavailable sum of the \$9,095,000.00 money judgment.
2. The Court has determined, based on WILLIAM DAVID DICKSON's plea that the \$587,749.95 seized from William D. Dickson by the Costa Rican government and currently held in the Costa Rican Institute for Drugs,

account number 1090690 (“\$587,749.95”) and the residential condominium located at Marina Los Suenos, Unit 7F, Herradura 61101, Costa Rica (“the Condominium”) is subject to forfeiture pursuant to 18 U.S.C. §§ 981(a)(1)(C) and 982(a)(2), 28 U.S.C. § 2461, and 21 U.S.C. § 853(p), that the defendant had an interest in such property and that the Government has established the requisite nexus between such property and the offense of conviction. Therefore the Court found that the **\$587,749.95** and **the Condominium** should be forfeited to the United States of America.

3. On January 14, 2016, this Court entered a Corrected Amended Order of Forfeiture [Ct. Doc. No. 62] regarding the aforementioned property, amending its preliminary order of forfeiture previously issued in this case to include certain property of defendant William David Dickson as substitute property, as discussed above.
4. Notice of Criminal Forfeiture was posted on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days, beginning on January 16, 2016, as required by Rule G(4)(a)(iv)(C) for the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions. The Advertisement Certification Report is attached hereto as Exhibit A. The Government sent direct notice to Cristen Nelson and Colby Dickson, as evidenced by the mailing confirmations and postal service return attached hereto as Exhibit B. To the best of the Government’s knowledge, there are no other potential claimants. Any person asserting a legal interest in the property subject to forfeiture may petition the Court within thirty (30) days from either receipt of notice or the last day of

publication for a hearing to adjudicate the validity of his or her alleged interest in the property.

5. No timely petitions were filed within that thirty-day period. Therefore, any third-party interests are barred by failure of those parties to file a timely petition.

Accordingly, the United States of America respectfully requests this Court enter a final order of forfeiture.

RESPECTFULLY SUBMITTED this the 17th day of March, 2016.

GREGORY K. DAVIS
United States Attorney

By: /s/ J. Scott Gilbert
J. SCOTT GILBERT
Assistant United States Attorney
501 East Court Street, Suite 4.430
Jackson, MS 39201
(601) 965-4480 phone
(601) 965-4409 facsimile
MSB: 102123
Scott.Gilbert@usdoj.gov

CERTIFICATE OF SERVICE

I, J. Scott Gilbert, hereby certify that on this date, I electronically filed the foregoing with the Clerk of the Court using the ECF system which sent notification of such filing to the appropriate counsel in this case.

This the 17th day of March, 2016.

GREGORY K. DAVIS
United States Attorney for the
Southern District of Mississippi

By: /s/ J. Scott Gilbert
J. SCOTT GILBERT
Assistant United States Attorney
501 East Court Street, Suite 4.430
Jackson, MS 39201
(601) 965-4480 phone
(601) 965-4409 facsimile
MSB: 102123
Scott.Gilbert@usdoj.gov



Advertisement Certification Report

The Notice of Publication was available on the www.forfeiture.gov web site for at least 18 hours per day between January 16, 2016 and February 14, 2016. Below is a summary report that identifies the uptime for each day within the publication period and reports the results of the web monitoring system's daily check that verifies that the advertisement was available each day.

U.S. v. William David Dickson a/k/a Butch Dickson

Court Case No: 3:14CR78 TSL-FKB
For Asset ID(s): See Attached Advertisement Copy

Consecutive Calendar Day Count	Date Advertisement Appeared on the Web Site	Total Hours Web Site was Available during Calendar Day	Verification that Advertisement existed on Web Site
1	01/16/2016	24.0	Verified
2	01/17/2016	24.0	Verified
3	01/18/2016	24.0	Verified
4	01/19/2016	24.0	Verified
5	01/20/2016	24.0	Verified
6	01/21/2016	24.0	Verified
7	01/22/2016	24.0	Verified
8	01/23/2016	24.0	Verified
9	01/24/2016	24.0	Verified
10	01/25/2016	24.0	Verified
11	01/26/2016	24.0	Verified
12	01/27/2016	24.0	Verified
13	01/28/2016	24.0	Verified
14	01/29/2016	24.0	Verified
15	01/30/2016	24.0	Verified
16	01/31/2016	24.0	Verified
17	02/01/2016	24.0	Verified
18	02/02/2016	24.0	Verified
19	02/03/2016	24.0	Verified
20	02/04/2016	24.0	Verified
21	02/05/2016	24.0	Verified
22	02/06/2016	24.0	Verified
23	02/07/2016	24.0	Verified
24	02/08/2016	24.0	Verified
25	02/09/2016	24.0	Verified
26	02/10/2016	24.0	Verified
27	02/11/2016	24.0	Verified
28	02/12/2016	24.0	Verified
29	02/13/2016	24.0	Verified
30	02/14/2016	24.0	Verified

Additional log information is available and kept in the archives for 15 years after the asset has been disposed.



**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI, NORTHERN DIVISION
COURT CASE NUMBER: 3:14CR78 TSL-FKB; NOTICE OF FORFEITURE**

Notice is hereby given that on January 14, 2016, in the case of U.S. v. William David Dickson a/k/a Butch Dickson, Court Case Number 3:14CR78 TSL-FKB, the United States District Court for the Southern District of Mississippi entered an Order condemning and forfeiting the following property to the United States of America:

\$587,749.95 seized from William D. Dickson by the Costa Rican government and currently held in the Costa Rican Institute for Drugs, account number 1090690 Acct# 1090690 (16-FBI-001156)

Residential condominium located at Marina Los Suenos, Unit 7F, Herradura 61101, Costa Rica (16-FBI-001168) Parcel # Unknown

The United States hereby gives notice of its intent to dispose of the forfeited property in such manner as the United States Attorney General may direct. Any person, other than the defendant(s) in this case, claiming interest in the forfeited property must file a Petition within 60 days of the first date of publication (January 16, 2016) of this Notice on this official government internet web site, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure and 21 U.S.C. § 853(n)(1). The petition must be filed with the Clerk of the Court, 501 E. Court St., Suite 2.500, Jackson, MS 39201, and a copy served upon Assistant United States Attorney J. Scott Gilbert, 501 E. Court St., Ste 4.430, Jackson, MS 39201. The petition shall be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title or interest in the forfeited property, the time and circumstances of the petitioner's acquisition of the right, title and interest in the forfeited property and any additional facts supporting the petitioner's claim and the relief sought, pursuant to 21 U.S.C. § 853(n).

Following the Court's disposition of all petitions filed, or if no such petitions are filed, following the expiration of the period specified above for the filing of such petitions, the United States shall have clear title to the property and may warrant good title to any subsequent purchaser or transferee.



U.S. Department of Justice

United States Attorney
Southern District of Mississippi

501 East Court Street, Suite 4.430
Federal Courthouse
Jackson, Mississippi 39201
(601) 965-4480

January 28, 2016

CERTIFIED MAIL 7014 1820 0000 3905 4284

Colby Dickson
367 County Road 1401
Quitman, MS 39335

Re: Notice of Third Party Claimant Procedure for
U.S. v. William Dickson, Criminal No.: 3:14cr78 TSL-FKB

Mr. Dickson:

The United States District Court for the Southern District of Mississippi has ordered that certain property belonging to the defendant in the above-styled criminal case be forfeited to the United States. The enclosed Notice of Forfeiture describes the property subject to forfeiture and the procedure for filing a claim to this property in which you may have a legal right, title or interest.

By receipt of this letter, you are given actual notice of the forfeiture of the property referred to in the Notice of Forfeiture and of your right to assert a claim to it. This Notice is intended only to apprise you of your rights; service of this Notice in no way is intended to imply that the United States believes that you would have a valid claim to the forfeited property.

The procedure for filing a claim is set forth more fully in 21 U.S.C. § 853(n). Under Section 853(n)(2) a person intending to file a claim must do so in the above-styled case within thirty (30) days of the receipt of the Notice of Forfeiture by mail.

Your petition must be filed under the above case name and number in the United States District Court for the Southern District of Mississippi at 501 East Court Street, Suite 2.500, Jackson, Mississippi 39201, with a copy to Assistant U.S. Attorney Scott Gilbert for the Government. Pursuant to 21 U.S.C. § 853(n)(3), the petition must be signed by the petitioner under penalty of perjury and must identify the property in which the petitioner claims a legal right, title or interest; the nature and extent of such right, title or interest in the property; the time and circumstances of the petitioner's acquisition of the right, title and interest in the property; and

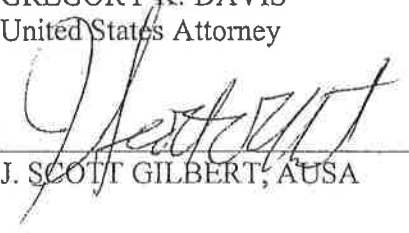


any additional facts and documents supporting the petitioner's claim and the relief sought that you may wish to submit.

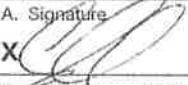
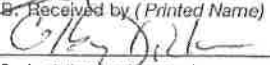
Respectfully,

GREGORY K. DAVIS
United States Attorney

BY:


J. SCOTT GILBERT, AUSA

Enclosure

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		A. Signature X  <div style="float: right;"> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee </div>	
1. Article Addressed to: Colby Dickson 367 County Road 1401 Quitman, MS 39335		B. Received by (Printed Name) 	C. Date of Delivery 2/1/16
		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service label)		7014 1820 0000 3905 4284	

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Postage \$	Postmark Here
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	
Sent To Colby Dickson Street & Apt. No., or PO Box No. 367 County Road 1401 City, State, ZIP+4 Quitman, MS 39335	
PS Form 3800, July 2014 See Reverse for Instructions	

7014 1820 0000 3905 4284

U.S. Department of Justice



United States Attorney
Southern District of Mississippi

501 East Court Street, Suite 4.430
Federal Courthouse
Jackson, Mississippi 39201
(601) 965-4480

January 28, 2016

CERTIFIED MAIL 7014 1820 0000 3905 4291

Cristen Nelson
150 County Road 317
Oxford, MS 38655

Re: Notice of Third Party Claimant Procedure for
U.S. v. William Dickson, Criminal No.: 3:14cr78 TSL-FKB

Mrs. Nelson:

The United States District Court for the Southern District of Mississippi has ordered that certain property belonging to the defendant in the above-styled criminal case be forfeited to the United States. The enclosed Notice of Forfeiture describes the property subject to forfeiture and the procedure for filing a claim to this property in which you may have a legal right, title or interest.

By receipt of this letter, you are given actual notice of the forfeiture of the property referred to in the Notice of Forfeiture and of your right to assert a claim to it. This Notice is intended only to apprise you of your rights; service of this Notice in no way is intended to imply that the United States believes that you would have a valid claim to the forfeited property.

The procedure for filing a claim is set forth more fully in 21 U.S.C. § 853(n). Under Section 853(n)(2) a person intending to file a claim must do so in the above-styled case within thirty (30) days of the receipt of the Notice of Forfeiture by mail.

Your petition must be filed under the above case name and number in the United States District Court for the Southern District of Mississippi at 501 East Court Street, Suite 2.500, Jackson, Mississippi 39201, with a copy to Assistant U.S. Attorney Scott Gilbert for the Government. Pursuant to 21 U.S.C. § 853(n)(3), the petition must be signed by the petitioner under penalty of perjury and must identify the property in which the petitioner claims a legal right, title or interest; the nature and extent of such right, title or interest in the property; the time and circumstances of the petitioner's acquisition of the right, title and interest in the property; and

any additional facts and documents supporting the petitioner's claim and the relief sought that you may wish to submit.

Respectfully,

GREGORY K. DAVIS
United States Attorney

BY:


J. SCOTT GILBERT, AUSA

Enclosure

English

Customer Service

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Customer Service ›
Have questions? We're here to help.



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Tracking Number: 70141820000039054291

Product & Tracking Information

Postal Product:

Features:
Certified Mail™

Text Updates

Email Updates

DATE & TIME

STATUS OF ITEM

LOCATION

January 30, 2016 , 1:59 pm

Notice Left (No Authorized
Recipient Available)

OXFORD, MS 38655

We attempted to deliver your item at 1:59 pm on January 30, 2016 in OXFORD, MS 38655 and a notice was left because an authorized recipient was not available. You may arrange redelivery by using the Schedule a Redelivery feature on this page or calling 800-ASK-USPS, or may pick up the item at the Post Office indicated on the notice. If this item is unclaimed by February 14, 2016 then it will be returned to sender.

January 29, 2016 , 11:16 pm

Departed USPS Facility

MEMPHIS, TN 38101

January 29, 2016 , 11:36 am

Arrived at USPS Facility

MEMPHIS, TN 38101

January 29, 2016 , 5:15 am

Departed USPS Facility

JACKSON, MS 39201

January 28, 2016 , 9:26 pm

Arrived at USPS Facility

JACKSON, MS 39201

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Tracking (or receipt) number

Track It

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Postage

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Certified Fee

Return Receipt Fee
(Endorsement Required)

Restricted Delivery Fee
(Endorsement Required)

Total Postage & Fees

\$

Postmark
Here

Sent To

Street & Apt. No.,
or PO Box No.

City, State, ZIP+4

PS Form 3800, July 2014

See Reverse for Instructions

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

UNITED STATES OF AMERICA

vs.

CRIMINAL ACTION NO. 3:14-cr-78 TSL-FKB

WILLIAM DAVID DICKSON,
a/k/a Butch Dickson

FINAL ORDER OF FORFEITURE

Before this Court is the United States of America's Motion for a Final Order of Forfeiture [Ct. Doc. No. 69]. Having reviewed the Government's Motion, this Court finds that it is well taken and should be GRANTED. In support of its ORDER, the Court finds as follows:

WHEREAS, on January 14, 2016, this Court entered a Corrected Amended Order of Forfeiture, ordering the Defendant, **WILLIAM DAVID DICKSON**, to forfeit the **\$587,749.95 seized from William D. Dickson by the Costa Rican government and currently held in the Costa Rican Institute for Drugs, account number 1090690 ("587,749.95") and the residential condominium located at Marina Los Suenos, Unit 7F, Herradura 61101, Costa Rica ("the Condominium"); and**

WHEREAS, the United States of America caused to be published via the internet at www.forfeiture.gov notice of this forfeiture and of the intent of the United States of America to dispose of the property in accordance with the law and as specified in the Corrected Amended Order of Forfeiture, and further notifying all third parties of their right to petition the Court within thirty (30) days from either receipt of notice or the last day of publication for a hearing to adjudicate the validity of his or her alleged interest in the property; and

WHEREAS, the Government sent direct notice to Cristen Nelson and Colby Dickson, and no other potential claimants are known; and

WHEREAS, no timely claim has been filed; and

WHEREAS, the Court finds that Defendant had an interest in the property that is subject to forfeiture pursuant to 18 U.S.C. §§ 981(a)(1)(C) and 982(a)(2), 28 U.S.C. § 2461, and 21 U.S.C. § 853(p);

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the **\$587,749.95** and **the Condominium** previously referenced are hereby forfeited to the United States of America pursuant to 18 U.S.C. §§ 981(a)(1)(C) and 982(a)(2), 28 U.S.C. § 2461, and 21 U.S.C. § 853(p).

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all right, title and interest to the property described above is hereby condemned, forfeited and vested in the United States of America, and shall be disposed of according to law; and

IT IS FURTHER ORDERED that the United States District Court shall retain jurisdiction in the case for the purpose of enforcing this Order.

SO ORDERED, ADJUDGED, AND DECREED this 17th day of March, 2016.

/s/Tom S. Lee
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

UNITED STATES OF AMERICA

vs.

CRIMINAL ACTION NO. 3:14-cr-78 TSL-FKB

WILLIAM DAVID DICKSON,
a/k/a Butch Dickson

**MOTION OF THE UNITED STATES FOR AN AMENDED FINAL ORDER
OF FORFEITURE, WITH SUPPORTING SUGGESTIONS**

The United States, by and through its United States Attorney, files this Motion for an Amended Final Order of Forfeiture in the above-entitled cause. In support thereof, the United States shows the following:

SUPPORTING SUGGESTIONS

1. As a result of the guilty pleas to Counts 5 and 20 of the Indictment, for which the Government sought forfeiture pursuant to 18 U.S.C. §§ 981(a)(1)(C) and 982(a)(2), and 28 U.S.C. § 2461, the defendant, WILLIAM DAVID DICKSON, shall forfeit to the United States a money judgment in the amount of **\$9,095,000.00**. As the proceeds of the offenses are no longer available for forfeiture for one or more of the reasons set forth in 21 U.S.C. § 853(p), the Court granted the United States' motion for an order forfeiting other property of the defendant as a substitute for a portion of the unavailable sum of the \$9,095,000.00 money judgment.
2. The Court has determined, based on WILLIAM DAVID DICKSON's plea that the **\$587,749.95 seized from William D. Dickson by the Costa Rican government and currently held in the Costa Rican Institute for Drugs,**

account number 1090690 (“\$587,749.95”) and the residential condominium located at Marina Los Suenos, Unit 7F, Herradura 61101, Costa Rica (“the Condominium”) is subject to forfeiture pursuant to 18 U.S.C. §§ 981(a)(1)(C) and 982(a)(2), 28 U.S.C. § 2461, and 21 U.S.C. § 853(p), that the defendant had an interest in such property and that the Government has established the requisite nexus between such property and the offense of conviction. Therefore the Court found that the **\$587,749.95** and **the Condominium** should be forfeited to the United States of America.

3. On March 17, 2016, this Court entered a Final Order of Forfeiture (Ct. Doc. No. 520). However, the **\$9,095,000.00 money judgment** was inadvertently left out of the proposed order signed by the Court. The United States continues to seek assets owned by the Defendant to satisfy this money judgment. In the interest of justice, the Government asks that the court amend the Final Order of Forfeiture to include the money judgment, less the aforementioned **\$587,749.95** and the money obtained by the sale of **the Condominium**.

Accordingly, the United States of America respectfully requests this Court enter an amended final order of forfeiture.

RESPECTFULLY SUBMITTED this the 24th day of May, 2016.

GREGORY K. DAVIS
United States Attorney

By: /s/ Mary Helen Wall
Mary Helen Wall
Assistant United States Attorney
Mississippi Bar No. 100857
501 E. Court Street, Suite 4.430
Jackson, MS 39201
(601) 965-4480 telephone
(601) 965-4409 facsimile
mary.helen.wall@usdoj.gov

CERTIFICATE OF SERVICE

I, Mary Helen Wall, hereby certify that on this date, I electronically filed the foregoing with the Clerk of the Court using the ECF system which sent notification of such filing to the appropriate counsel in this case.

This the 24th day of May, 2016.

/s/ Mary Helen Wall
Mary Helen Wall
Assistant United States Attorney

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

UNITED STATES OF AMERICA

vs.

CRIMINAL ACTION NO. 3:14-cr-78 TSL-FKB

WILLIAM DAVID DICKSON,
a/k/a Butch Dickson

AMENDED FINAL ORDER OF FORFEITURE

Before this Court is the United States of America's Motion for an Amended Final Order of Forfeiture [Ct. Doc. No. 76]. Having reviewed the Government's Motion, this Court finds that it is well taken and should be GRANTED. In support of its ORDER, the Court finds as follows:

WHEREAS, on December 10, 2015, this Court entered an Agreed Preliminary Order of Forfeiture, ordering the forfeiture of **the \$9,095,000.00 money judgment, to be reduced by the net proceeds obtained by the United States as a result of the liquidation of the residential condominium located at Marina Los Suenos, Unit 7F, Herradura 61101, Costa Rica ("the Condominium"), the value of all loans purchased in Costa Rica and/or Panama with the corpus of the \$9,095,000.00 referenced above that are turned over to the custody and control of the Bankruptcy Trustee, and the total amount of money repatriated to the custody of the Bankruptcy Trustee as of the date of the defendant's sentencing; and**

WHEREAS, on January 14, 2016, this Court entered a Corrected Amended Order of Forfeiture, ordering the Defendant, **WILLIAM DAVID DICKSON**, to forfeit the **\$587,749.95 seized from William D. Dickson by the Costa Rican government and currently held in the Costa Rican Institute for Drugs, account number 1090690**

(“\$587,749.95”) and the Condominium;

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the **\$9,095,000.00 money judgment** is hereby forfeited to the United States of America pursuant to 18 U.S.C. §§ 981(a)(1)(C) and 982(a)(2), 28 U.S.C. § 2461, and 21 U.S.C. § 853(p), **less the liquidation of the Condominium, the \$587,749.95, the value of all loans purchased in Costa Rica and/or Panama with the corpus of the \$9,095,000.00 referenced above that are turned over to the custody and control of the Bankruptcy Trustee, and the total amount of money repatriated to the custody of the Bankruptcy Trustee as of the date of the defendant’s sentencing;**

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all right, title and interest to the property described above is hereby condemned, forfeited and vested in the United States of America, and shall be disposed of according to law; and

IT IS FURTHER ORDERED that the United States District Court shall retain jurisdiction in the case for the purpose of enforcing this Order.

SO ORDERED, ADJUDGED, AND DECREED this 26th day of May, 2016.

/s/Tom S. Lee
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

UNITED STATES OF AMERICA

vs.

CRIMINAL ACTION NO. 3:14-cr-78 TSL-FKB

WILLIAM DAVID DICKSON,
a/k/a Butch Dickson

**MOTION OF THE UNITED STATES FOR
A SECOND AMENDED FINAL ORDER OF FORFEITURE**

The United States, by and through its United States Attorney, files this Motion for a Second Amended Final Order of Forfeiture in the above-entitled cause. In support thereof, the United States declares the following:

1. The United States had intended that its Motion for a Final Order of Forfeiture, With Supporting Suggestions (ECF No. 69), be incorporated by reference in its Motion for An Amended Final Order of Forfeiture, With Supporting Suggestions (ECF No. 76), as well as the Final Order of Forfeiture (ECF No. 70) be incorporated by reference in the Amended Final Order of Forfeiture (ECF No. 77). The United States hereby incorporates by reference ECF Nos. 69 and 76.
2. To avoid any confusion, however, the United States files the instant motion, and respectfully requests the Court consolidate the elements of the Final Order of Forfeiture and the Amended Final Order of Forfeiture into a single Second Amended Final Order of Forfeiture.

Accordingly, the United States of America respectfully requests this Court enter the proposed Second Amended Final Order of Forfeiture.

RESPECTFULLY SUBMITTED this the 31st day of May, 2016.

GREGORY K. DAVIS
United States Attorney

By: /s/ Marc A. Perez
MARC A. PEREZ (WA Bar No. 33907)
Assistant United States Attorney
501 E. Court Street, Suite 4.430
Jackson, Mississippi 39201-0101
Phone: 601-973-2820
Fax: 601-965-4409
E-Mail: Marc.Perez@usdoj.gov

CERTIFICATE OF SERVICE

I, Marc A. Perez, hereby certify that on this date, I electronically filed the foregoing with the Clerk of the Court using the ECF system which sent notification of such filing to the appropriate counsel in this case.

This the 31st day of May, 2016.

/s/ Marc A. Perez
MARC A. PEREZ
Assistant United States Attorney

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

UNITED STATES OF AMERICA

vs.

CRIMINAL ACTION NO. 3:14-cr-78 TSL-FKB

WILLIAM DAVID DICKSON,
a/k/a Butch Dickson

SECOND AMENDED FINAL ORDER OF FORFEITURE

Before this Court is the United States of America's Motion for a Second Amended Final Order of Forfeiture [ECF No. 78]. Having reviewed the Government's Motion, this Court finds the request to consolidate the Final Order of Forfeiture (ECF No. 70) and the Amended Final Order of Forfeiture (ECF No. 77) into a single Second Amended Final Order of Forfeiture is well taken and should be GRANTED. In support of its ORDER, the Court finds as follows:

WHEREAS, on December 10, 2015, this Court entered an Agreed Preliminary Order of Forfeiture, ordering the forfeiture of **the \$9,095,000.00 money judgment, to be reduced by the net proceeds obtained by the United States as a result of the liquidation of the residential condominium located at Marina Los Suenos, Unit 7F, Herradura 61101, Costa Rica ("the Condominium")**, the value of all loans purchased in Costa Rica and/or Panama with the corpus of the \$9,095,000.00 referenced above that are turned over to the custody and control of the Bankruptcy Trustee, and the total amount of money repatriated to the custody of the Bankruptcy Trustee as of the date of the defendant's sentencing; and

WHEREAS, on January 14, 2016, this Court entered a Corrected Amended Order of Forfeiture, ordering the Defendant, **WILLIAM DAVID DICKSON**, to forfeit the

\$587,749.95 seized from William D. Dickson by the Costa Rican government and currently held in the Costa Rican Institute for Drugs, account number 1090690 (“\$587,749.95”) and the Condominium;

WHEREAS, the United States of America caused to be published via the internet at www.forfeiture.gov notice of this forfeiture and of the intent of the United States of America to dispose of the property in accordance with the law and as specified in the Corrected Amended Order of Forfeiture, and further notifying all third parties of their right to petition the Court within thirty (30) days from either receipt of notice or the last day of publication for a hearing to adjudicate the validity of his or her alleged interest in the property; and

WHEREAS, the Government sent direct notice to Cristen Nelson and Colby Dickson, and no other potential claimants are known; and

WHEREAS, no timely claim has been filed; and

WHEREAS, the Court finds that Defendant had an interest in the property that is subject to forfeiture pursuant to 18 U.S.C. §§ 981(a)(1)(C) and 982(a)(2), 28 U.S.C. § 2461, and 21 U.S.C. § 853(p);

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that **the \$587,749.95 and the Condominium** previously referenced are hereby forfeited to the United States of America pursuant to 18 U.S.C. §§ 981(a)(1)(C) and 982(a)(2), 28 U.S.C. § 2461, and 21 U.S.C. § 853(p).

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the **\$9,095,000.00 money judgment** is hereby forfeited to the United States of America pursuant to 18 U.S.C. §§ 981(a)(1)(C) and 982(a)(2), 28 U.S.C. § 2461, and 21 U.S.C. § 853(p), **less the liquidation of the Condominium, the \$587,749.95, the value of all**

loans purchased in Costa Rica and/or Panama with the corpus of the \$9,095,000.00 referenced above that are turned over to the custody and control of the Bankruptcy Trustee, and the total amount of money repatriated to the custody of the Bankruptcy Trustee as of the date of the defendant's sentencing;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all right, title and interest to the property described above is hereby condemned, forfeited and vested in the United States of America, and shall be disposed of according to law; and

IT IS FURTHER ORDERED that the United States District Court shall retain jurisdiction in the case for the purpose of enforcing this Order.

SO ORDERED, ADJUDGED, AND DECREED this 31st day of May, 2016.

/s/Tom S. Lee

UNITED STATES DISTRICT JUDGE

EXHIBIT “3”

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 3:14cr78TSL-FKB

WILLIAM DAVID DICKSON
a/k/a Butch Dickson; and
COLBY DICKSON

MOTION AND ORDER TO DISMISS

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, and by leave of Court endorsed herein, the United States Attorney for the Southern District of Mississippi hereby dismisses WILLIAM DAVID DICKSON from counts 1-4; 6-19; and 21-25 of the Criminal Indictment, filed February 18, 2015, without prejudice, in the above styled and numbered case.

Respectfully submitted,

GREGORY K. DAVIS
United States Attorney

By: s/J. Scott Gilbert
J. Scott Gilbert
Assistant U.S. Attorney
MS Bar No. 102123

Leave of Court is granted for the filing of the foregoing dismissal of the indictment filed February 18, 2015.

ORDERED this 15th day of December, 2015.

/s/Tom S. Lee
TOM S. LEE
United States District Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 3:14cr78TSL-FKB

WILLIAM DAVID DICKSON
a/k/a Butch Dickson; and
COLBY DICKSON

MOTION AND ORDER TO DISMISS

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, and by leave of Court endorsed herein, the United States Attorney for the Southern District of Mississippi hereby dismisses WILLIAM DAVID DICKSON from counts 1-4; 6-19; and 21-25 of the Criminal Indictment, filed February 18, 2015, without prejudice, in the above styled and numbered case.

Respectfully submitted,

GREGORY K. DAVIS
United States Attorney

By: /s/J. Scott Gilbert
J. Scott Gilbert
Assistant U.S. Attorney
MS Bar No. 102123

Leave of Court is granted for the filing of the foregoing dismissal of the indictment filed February 18, 2015.

ORDERED this 15th day of December, 2015.

/s/Tom S. Lee
TOM S. LEE
United States District Judge

AO 245B (Rev. 06/05) Judgment in a Criminal Case
Sheet 1

AS/fw

UNITED STATES DISTRICT COURT
Southern District of Mississippi



UNITED STATES OF AMERICA
V.
WILLIAM DAVID DICKSON
A/K/A/ BUTCH DICKSON

JUDGMENT IN A CRIMINAL CASE

Case Number: 3:14cr78TSL-FKB-001

FIRST SUPERSEDING INDICTMENT

USM Number: 02223-104

Joseph M. Hollomon, 107 N. State Street, Jackson, MS 39201

Luke Dove, 1020 Highland Colony Parkway, Suite 412, Ridgeland, MS 39157

Defendant's Attorney:

THE DEFENDANT:

☒ pleaded guilty to count(s) 5s and 20s of the Indictment

☐ pleaded nolo contendere to count(s) _____
which was accepted by the court.

☐ was found guilty on count(s) _____
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

Title & Section	Nature of Offense	Offense Ended	Count
18 U.S.C. § 152(5)	Concealment of Assets/Property During a Bankruptcy Proceeding	12/11/2013	5(s)
18 U.S.C. § 152(1)	Concealment of Any Property Belonging to the Estate of a Debtor Under Title 11	02/06/2014	20(s)

The defendant is sentenced as provided in pages 2 through 6 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) 1s - 4s, 6s - 19s, and 21s - 25s ☐ 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.

December 10, 2015

Date of Imposition of Judgment

Signature of Judge

The Honorable Tom S. Lee

Senior U.S. District Court Judge

Name and Title of Judge

Date

12/15/15

AO 245B (Rev. 06/05) Judgment in Criminal Case
Sheet 2 — Imprisonment

Judgment — Page 2 of 6

DEFENDANT: WILLIAM DAVID DICKSON A/K/A/ BUTCH DICKSON
CASE NUMBER: 3:14cr78TSL-FKB-001

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 months as to both counts, to run concurrently, with credit for time served

☒ The court makes the following recommendations to the Bureau of Prisons:

The Court recommends designation to Maxwell AFB in Montgomery, Alabama.

☒ 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:

- ☐ by ☐ a.m. ☐ 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: WILLIAM DAVID DICKSON A/KA/ BUTCH DICKSON
CASE NUMBER: 3:14cr78TSL-FKB-001

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of :

three (3) years as to both counts, to run concurrently

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The 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 the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)
- ☒ The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, et seq.) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which he or she resides, works, is a student, or was convicted of a qualifying offense. (Check, if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any 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 the 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 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 of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two 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; and
- 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.

AO 245B (Rev. 06/05) Judgment in a Criminal Case
Sheet 3C — Supervised Release

Judgment—Page 4 of 6

DEFENDANT: WILLIAM DAVID DICKSON A/K/A BUTCH DICKSON
CASE NUMBER: 3:14cr78TSL-FKB-001

SPECIAL CONDITIONS OF SUPERVISION

- 1) The defendant shall refrain from opening any new lines of credit without prior approval from the supervising U.S. Probation Officer.
- 2) The defendant shall provide any requested personal or business financial information to the supervising U.S. Probation Officer.

AO 245B (Rev. 06/05) Judgment in a Criminal Case
Sheet 5 — Criminal Monetary PenaltiesJudgment — Page 5 of 6DEFENDANT: WILLIAM DAVID DICKSON A/K/A/ BUTCH DICKSON
CASE NUMBER: 3:14cr78TSL-FKB-001**CRIMINAL MONETARY PENALTIES**

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS	\$200.00 (\$100 per count)		

☒ The determination of restitution is deferred until TBD. An *Amended Judgment in a Criminal Case* 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, 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 before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
----------------------	--------------------	----------------------------	-------------------------------

TOTALS	\$ <u>0.00</u>	\$ <u>0.00</u>
---------------	----------------	----------------

☐ 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 Sheet 6 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:

* 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: WILLIAM DAVID DICKSON
CASE NUMBER: 3:14cr78TSL-FKB-001

A/KA/ BUTCH DICKSON

SCHEDULE OF PAYMENTS

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

- A ☒ Lump sum payment of \$ 200.00 due immediately, balance due
- ☐ not later than _____, or
☐ in accordance ☐ C, ☐ D, ☐ E, or ☐ F below; or
- B ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
- C ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E ☐ Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F ☐ Special instructions regarding the payment of criminal monetary penalties:

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 U.S. District Clerk of Court, 501 E. Court St., Ste. 2.500, Jackson, MS 39201

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

☐ Joint and Several

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

☐ The defendant shall pay the cost of prosecution.

☐ The defendant shall pay the following court cost(s):

☒ The defendant shall forfeit the defendant's interest in the following property to the United States:

Per Agreed Preliminary Order of Forfeiture filed

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

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

UNITED STATES OF AMERICA

VS.

CRIMINAL ACTION 3:14r78 TSL-FKB-1

WILLIAM D. DICKSON

DEFENDANT

EXHIBITS TO RESTITUTION HEARING HELD 9/13/16

G-1

Case 3:14-cr-00078-TSL-FKB Document 82-1 Filed 09/13/16 Page 1 of 3

US v. Dickson
Restitution calculationsLOSSES TO THE ESTATE:

1	Wire Transfers	\$9,095,000.00
2	Funds Diverted to Victory's Wells Fargo Account	\$1,345,462.46
3	CHFS Checks Deposited to OmniBank	\$196,973.24
4	Damages to the Estate From Penalties Associated with Application of Time Deposits Prior to Maturity	N/A
5	Trustee's Fees, Legal Fees and Expenses of Estate Professionals and ClearSpring Loan Service Charges in Excess of CHFS Servicing Charges	N/A
6	Un-collected Diverted loan payments from November 2013 to April 2014 as the result of the diversion of proceeds from electronic deposits	\$1,508,406.66

TOTAL LOSSES TO THE ESTATE:

\$12,145,842.36

G-1

Case 3:14-cr-00078-TSL-FKB Document 82-1 Filed 09/13/16 Page 2 of 3

US v. Dickson
Restitution calculations**CREDITS AGAINST LOSSES:**

1	BancorpSouth Check	\$300,000.00
2	Omnibank Check	\$250,000.00
3	Funds from Panama	\$5,898,278.29
4	Coastal Condos Sale	\$144,191.90
5	Willow Court Sale	\$111,367.59
6	CHFS Expenses November 1, 2013 to December 31, 2013 (\$137,341 per month)	N/A
7	Penalties Associated with Application of Time Deposits Prior to Maturity	N/A

TOTAL CREDITS AGAINST LOSSES:**\$6,703,837.78****TOTAL RESTITUTION (Losses minus Credits)****\$5,442,004.58**

EXHIBIT NO. G-1
CAUSE NO. 3:14-cr-78-1
WITNESS STP

EVID IDEN

SEP 13 2016

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
B. W. Weston REPORTER
CD

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 3:14-CR-00078 TSL FKB

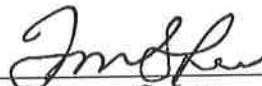
WILLIAM D. DICKSON

AGREED ORDER ON RESTITUTION

THIS CAUSE is before the Court on the issue of restitution, which was deferred following the defendant's plea of guilty and sentencing on two counts of Bankruptcy Fraud in violation of 18 U.S.C. §152. The United States and the defendant have reached an agreement as to the amount of restitution. The Court, having considered the matters presented at a hearing on September 13, 2016, concludes that the restitution agreed to by the defendant and the United States is the correct amount of restitution in this case.

IT IS THEREFORE ORDERED that the defendant William D. Dickson shall pay restitution in the amount of \$5,442,004.58.

SO ORDERED, this the th19 day of September, 2016.



Honorable Tom S. Lee
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

UNITED STATES OF AMERICA

VS.

CRIMINAL ACTION 3:14r78 TSL-FKB-1

WILLIAM D. DICKSON

DEFENDANT

EXHIBITS TO RESTITUTION HEARING HELD 9/13/16

G-1

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US v. Dickson
Restitution calculationsLOSSES TO THE ESTATE:

1	Wire Transfers	\$9,095,000.00
2	Funds Diverted to Victory's Wells Fargo Account	\$1,345,462.46
3	CHFS Checks Deposited to OmniBank	\$196,973.24
4	Damages to the Estate From Penalties Associated with Application of Time Deposits Prior to Maturity	N/A
5	Trustee's Fees, Legal Fees and Expenses of Estate Professionals and ClearSpring Loan Service Charges in Excess of CHFS Servicing Charges	N/A
6	Un-collected Diverted loan payments from November 2013 to April 2014 as the result of the diversion of proceeds from electronic deposits	\$1,508,406.66
TOTAL LOSSES TO THE ESTATE:		<u><u>\$12,145,842.36</u></u>

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US v. Dickson
Restitution calculations**CREDITS AGAINST LOSSES:**

1	BancorpSouth Check	\$300,000.00
2	OmniBank Check	\$250,000.00
3	Funds from Panama	\$5,898,278.29
4	Coastal Condos Sale	\$144,191.90
5	Willow Court Sale	\$111,367.59
6	CHFS Expenses November 1, 2013 to December 31, 2013 (\$137,341 per month)	N/A
7	Penalties Associated with Application of Time Deposits Prior to Maturity	N/A
TOTAL CREDITS AGAINST LOSSES:		<u>\$6,703,837.78</u>

TOTAL RESTITUTION (Losses minus Credits)**\$5,442,004.58**

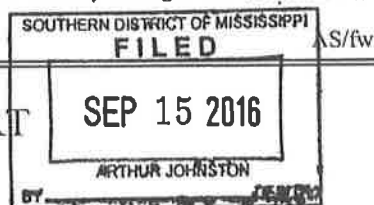
EXHIBIT NO. G-1
CAUSE NO. 3:14-cr-78-1
WITNESS Step

EVID IDEN

SEP 13 2016

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
B. W. Johnston, REPORTER
ce CD

(NOTE: Identify Changes with Asterisks (*))

AO 245B (Rev. 06/05) Judgment in a Criminal Case
Sheet 1

UNITED STATES DISTRICT COURT

Southern District of Mississippi

UNITED STATES OF AMERICA
V.
WILLIAM DAVID DICKSON
A/K/A/ BUTCH DICKSON

AMENDED JUDGMENT IN A CRIMINAL CASE

Case Number: 3:14cr78TSL-FKB-001

FIRST SUPERSEDING INDICTMENT

USM Number: 02223-104

Joseph M. Hollomon, 107 N. State Street, Jackson, MS 39201

Luke Dove, 1020 Highland Colony Parkway, Suite 412, Ridgeland, MS 39157

Defendant's Attorney:

Date of Original Judgment 12/10/2015

☒ Modification of Restitution Order (18 U.S.C. § 3664)**THE DEFENDANT:**☒ pleaded guilty to count(s) 5s and 20s of the Indictment☐ pleaded nolo contendere to count(s) _____
which was accepted by the court.☐ was found guilty on count(s) _____
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

Title & Section	Nature of Offense	Offense Ended	Count
18 U.S.C. § 152(5)	Concealment of Assets/Property During a Bankruptcy Proceeding	12/11/2013	5(s)
18 U.S.C. § 152(1)	Concealment of Any Property Belonging to the Estate of a Debtor Under Title 11	02/06/2014	20(s)

The defendant is sentenced as provided in pages 2 through 6 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) 1s - 4s, 6s - 19s, and 21s - 25s ☐ 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.

September 13, 2016*

Date of Imposition of Judgment

Signature of Judge

The Honorable Tom S. Lee

Senior U.S. District Court Judge

Name and Title of Judge

Date

9/15/16

AO 245B (Rev. 06/05) Judgment in Criminal Case
Sheet 2 — Imprisonment

Judgment — Page 2 of 6

DEFENDANT: WILLIAM DAVID DICKSON AKA/ BUTCH DICKSON
CASE NUMBER: 3:14cr78TSL-FKB-001

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 months as to both counts, to run concurrently, with credit for time served

☒ The court makes the following recommendations to the Bureau of Prisons:

The Court recommends designation to Maxwell AFB in Montgomery, Alabama.

☒ 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:

☐ by ☐ a.m. ☐ 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: WILLIAM DAVID DICKSON A/K/A/ BUTCH DICKSON
CASE NUMBER: 3:14cr78TSL-FKB-001

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of :

three (3) years as to both counts, to run concurrently

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The 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 the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)
- ☒ The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, et seq.) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which he or she resides, works, is a student, or was convicted of a qualifying offense. (Check, if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any 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 the 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 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 of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two 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; and
- 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.

AO 245B (Rev. 06/05) Judgment in a Criminal Case
Sheet 3C — Supervised Release

Judgment—Page 4 of 6

DEFENDANT: WILLIAM DAVID DICKSON A/K/A BUTCH DICKSON
CASE NUMBER: 3:14cr78TSL-FKB-001

SPECIAL CONDITIONS OF SUPERVISION

- 1) The defendant shall refrain from opening any new lines of credit without prior approval from the supervising U.S. Probation Officer.
- 2) The defendant shall provide any requested personal or business financial information to the supervising U.S. Probation Officer.

AO 245B (Rev. 06/05) Judgment in a Criminal Case
Sheet 5 — Criminal Monetary Penalties

Judgment — Page 5 of 6

DEFENDANT: WILLIAM DAVID DICKSON A/K/A/ BUTCH DICKSON
CASE NUMBER: 3:14cr78TSL-FKB-001

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS	\$200.00 (\$100 per count)		* \$5,442,004.58

☐ The determination of restitution is deferred until _____. An Amended Judgment in a Criminal Case 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, 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 before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
Kristina M. Johnson, Esq. Chapter 11 Trustee (or her successors or assigns) U. S. Bankruptcy Court, Case No. 12-01703-EE, Southern District of Mississippi, Jackson Division 190 E. Capitol St., Ste. 800 Jackson, MS 39201 (601) 949-4900		\$5,442,004.58	

TOTALS	\$	<u>0.00</u>	\$	<u>5,442,004.58</u>
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☐ 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 Sheet 6 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:

* 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: WILLIAM DAVID DICKSON
CASE NUMBER: 3:14cr78TSL-FKB-001

A/KA/ BUTCH DICKSON

SCHEDULE OF PAYMENTS

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

- A ☒ Lump sum payment of \$ 200.00 due immediately, balance due
- ☐ not later than _____, or
- ☐ in accordance ☐ C, ☐ D, ☐ E, or ☐ F below; or
- B * ☒ Payment to begin immediately (may be combined with ☐ C, ☒ D, or ☒ F below); or
- C ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☒ Payment in equal monthly (e.g., weekly, monthly, quarterly) installments of \$ 1,000.00 over a period of xxxx (e.g., months or years), to commence 60 day(s) (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E ☐ Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F ☒ Special instructions regarding the payment of criminal monetary penalties:

If the full amount is not paid in full prior to the termination of supervised release, the defendant is ordered to enter into a written agreement with the Financial Litigation Unit of the U.S. Attorney's Office for payment of the remaining balance. Additionally, the value of any future discovered assets may be applied to offset the balance of criminal monetary penalties. The defendant may be included in the Treasury Offset Program allowing qualified federal benefits to be applied to offset the balance of any criminal monetary penalties.

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 U.S. District Clerk of Court, 501 E. Court St., Ste. 2.500, Jackson, MS 39201

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

☐ Joint and Several

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

☐ The defendant shall pay the cost of prosecution.

☐ The defendant shall pay the following court cost(s):

☒ The defendant shall forfeit the defendant's interest in the following property to the United States:

Per Agreed Preliminary Order of Forfeiture filed

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

EXHIBIT “4”

CHFS – STATUS CHART OF TRUSTEE’S PREFERENCE ADVERSARIES (as of 2/15/17)

<u>AP No.</u>	<u>Defendant</u>	<u>Amt. Sued For</u>	<u>Amt. Settled/Other Resolution</u>
#15-69	Lexis, Inc.	\$6,943.35	Default Judgment [AP Dkt. #10] in the amount of \$6,943.35 entered on 2/9/16. Adversary closed on 3/24/16.
#15-70	Vicom/Information Tools, Inc.	\$8,739.76	After complaint filed, determined that defenses existed to preferential transfers between Debtor and Defendant during the preferential period. A Stipulation of Dismissal [AP Dkt. #7] entered on 1/13/16 dismissed the adversary proceeding with prejudice.
#15-71	Hinds County Tax Collector Office	\$21,148.32	Order Withdrawing Docket Entry of Default and Trustee’s Motion for Default Judgment [AP Dkt. #15] entered on 5/12/16 and a Notice of Dismissal [AP Dkt. #16] filed on 5/12/16 dismissed the adversary proceeding without prejudice.
#15-72	Entergy Mississippi, Inc.	\$15,608.00	Per the Order Granting Motion to Approve Compromise and Settlement [Dkt. #1459; AP Dkt. #18] entered on 9/2/16, the adversary proceeding settled for \$8,000.00. Agreed Order Dismissing Adversary Proceeding With Prejudice [Dkt. #19] was entered on 10/11/16.
#15-73	Hinds County First Judicial District Chancery Clerk’s Office	\$23,124.93	Order Withdrawing Docket Entry of Default and Trustee’s Motion for Default Judgment [AP Dkt. #15] entered on 5/12/16 and a Notice of Dismissal [AP Dkt. #16] filed on 5/12/16 dismissed the adversary proceeding without prejudice.

<u>AP No.</u>	<u>Defendant</u>	<u>Amt. Sued For</u>	<u>Amt. Settled/Other Resolution</u>
#16-01	Pitney Bowes, Inc.	\$14,316.62	<p><i>(The settlement motion was mistakenly filed in the adversary proceeding instead of the main case. Court waived notice as permitted by Rule 2002(a)(3) in light of amount and granted the motion.)</i></p> <p>Per Agreed Order Granting Joint Motion to Approve Compromise and Settlement [AP Dkt. #28] entered on 6/23/16, the adversary proceeding settled for \$3,500.00. Agreed Order of Dismissal With Prejudice [AP Dkt. #31] entered on 8/10/16.</p>