

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

UNITED STATES OF AMERICA,

Plaintiff,

v.

Civil No. 1:20-cv-1343

\$4,543.79 IN FUNDS SEIZED FROM BANK  
ACCOUNT #153568031006 IN THE NAME  
OF CARLETON P. NELSON AND AMY S.  
NELSON AT U.S. BANK,

\$8,388.54 IN FUNDS SEIZED FROM BANK  
ACCOUNT #1635892407 IN THE NAME  
OF AMY STERNER NELSON AT WELLS  
FARGO,

\$13,559.97 IN FUNDS SEIZED FROM  
BANK ACCOUNT #1361410762 IN THE  
NAME OF E2M PROPERTIES LLC AT  
CAPITAL ONE BANK,

\$25,343.01 IN FUNDS SEIZED FROM  
BANK ACCOUNT #145947373 IN THE  
NAME OF CARLETON NELSON AT  
CITIBANK,

\$98,358.92 IN FUNDS SEIZED FROM  
BANK ACCOUNT #149656681 IN THE  
NAME OF CARLETON NELSON AT  
CITIBANK,

\$491,780.50 IN FUNDS SEIZED FROM  
ACCOUNT ENDING IN 5810, HELD ON  
BEHALF OF AMY STERNER NELSON  
AND CARLETON P. NELSON, AT  
SIGNATURE BANK,

\$10,567.43 IN FUNDS SEIZED FROM  
BANK ACCOUNT # 104781237441 IN THE  
NAME OF DEVON M. KIRSCHNER AND  
CASEY H. KIRSCHNER AT U.S. BANK,

\$1,217.05 IN FUNDS SEIZED FROM BANK ACCOUNT #320013539278 IN THE NAME OF AMY S. NELSON AND CARLETON PHILLIP NELSON AT AMERICAN EXPRESS NATIONAL BANK,

and

\$4,284.47 IN FUNDS SEIZED FROM BANK ACCOUNT #1518835838 IN THE NAME OF AMY S. NELSON AND CARLETON PHILLIP NELSON AT AMERICAN EXPRESS NATIONAL BANK,

Defendants In Rem.

**STIPULATION FOR SETTLEMENT AND JOINT MOTION FOR ENTRY OF A  
CONSENT ORDER OF FORFEITURE**

WHEREAS, on May 21, 2020, the property listed in the case caption above (“subject property”) was seized by the Federal Bureau of Investigation pursuant to federal seizure warrants;

AND WHEREAS, on July 20, 2020, the Federal Bureau of Investigation sent notice of an administrative forfeiture proceeding with respect to the subject property to all known potential claimants who may have had an interest in the subject property, including claimants Carleton and Amy Nelson;

AND WHEREAS, on August 22, 2020, claimants Carleton and Amy Nelson filed a claim with the Federal Bureau of Investigation in the administrative forfeiture proceeding;

AND WHEREAS, on November 9, 2020, the United States filed the instant action, a civil complaint for forfeiture in rem, against the subject property;

AND WHEREAS, on December 18, 2020, after having received notice of the civil forfeiture proceeding, claimants Carleton and Amy Nelson filed a claim asserting ownership of the subject property with the exception of the \$13,559.97 seized from Capital One Bank account

#1361410762 in the name of E2M Properties LLC and the \$10,567.43 seized from U.S. Bank account # 104781237441 in the name of Devon M. Kirschner and Casey H. Kirschner;

AND WHEREAS, the parties now desire to settle this action without further litigation or expense;

NOW THEREFORE, the United States and the claimant, through their respective counsel, hereby agree and stipulate to settle this action as follows:

1. Claimants Carleton and Amy Nelson (“Claimants”) agree to the forfeiture of \$108,916.28 of the Defendant Property claimed by Claimants to the United States pursuant to 18 U.S.C. § 981(a)(1)(C). The United States agrees to return to the Claimants the remaining \$525,000 of the Defendant Property claimed by Claimants.

2. This settlement does not constitute an admission by Claimants that they engaged in any unlawful activity.

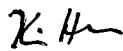
3. The parties each agree to bear their own costs, to include attorney’s fees.

4. The Claimants warrant that they have the legal authority to comply with the terms of this settlement and agrees to execute any and all documents necessary and to take all steps necessary to effectuate the intent of this settlement.

5. The Claimants hereby release, forever discharge, and hold harmless the United States of America and their agencies, officers, attorneys, agents, servants, employees, successors and assigns from any and all claims, demands, damages, causes of action or suits, of whatever kind and description, and wheresoever situated, which it and its assigns, or any third party ever had, now have, or may have in the future in connection with the investigation into, encumbering of, seizure of, and forfeiture of the subject property.


6. The parties hereby move the Court for the entry of the attached consent order of forfeiture.

JESSICA D. ABER  
UNITED STATES ATTORNEY

By: 

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CARLETON AND AMY NELSON  
CLAIMANTS

  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 10<sup>th</sup> day of February 2022, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of the filing (NEF) to all counsel of record. I have also mailed a true copy of this motion to the following:

Casey Kirschner  
635 Alvarado Lane North  
Plymouth, MN 55447

By:   
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