

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA : CRIMINAL NO. 22-cr-198 (JEB)
v. :
 :
RODNEY KENNETH MILSTREED, :
 :
 :
Defendant. :

CONSENT ORDER OF FORFEITURE

WHEREAS, a written plea agreement was filed with this Court and signed by the defendant, Rodney Kenneth Milstreed, and his counsel, David Benowitz, Esquire, and Rammy Barbari, Esquire, in which the defendant agreed to plead guilty to an Information charging, Count One, Assaulting, Resisting, and Impeding Certain Officers Using a Dangerous Weapon in violation of Title 18, United States Code, Sections 111(a)(1) and 111(b), Count Two, Assault by Striking, Beating, and Wounding, in violation of Title 18, United States Code, Section 113(a)(4), and Count Three, Receipt and Possession of an Unregistered Firearm, in violation of Title 26, United States Code, Sections 5861(d), and the defendant has pled guilty to those offenses;

WHEREAS, the Information alleged the forfeiture of property, pursuant to 18 U.S.C. § 924(d), 26 U.S.C. § 5872 and 28 U.S.C. § 2461(c);

WHEREAS, the Information also alleged the forfeiture of the following specific property:

- a. Item # 2 - Unopened Ammo Box Labeled Wolf Military Classic
- b. Item # 3 - Upper Receiver for AR Style Weapon; No Bolt Carrier Group
- c. Item # 4 - Upper Receiver for AR Style Weapon with Bolt Carrier Group
- d. Item # 4a - AR Style Weapon Scope Attached to Item # 4
- e. Item # 4b - Suppressor Attached to Item #4

- f. Item # 5 - Upper Receiver for AR Style Weapon; No Bolt Carrier Group
- g. Item # 5a - Optic Mounted to Item # 5
- h. Item # 5b - Suppressor Attached to Item # 5
- i. Item # 6 - AR Style Weapon Scope, Black In Color ; Bearing 4-16x50aoeg
- j. Item # 7 - Aluminum Type, Improvised Suppressor (Black in Color) With Inscription 'D2037963705'
- k. Item # 8 - AR Style Weapon; No Bolt Carrier Group
- l. Item # 8a - AR Style Weapon Scope 'Micro3x' Attached To Item #8
- m. Item # 8b - AR Style Weapon Scope 'Strikeforce' Attached To Item #8
- n. Item # 9 - Lower Receiver, Black in Color, for AR Style Weapon
- o. Item # 10 - Lower Receiver for AR Style Weapon, Black in Color, with Coating, Silver in Color
- p. Item # 11 - Buffer Spring, Black in Color
- q. Item # 12 - Upper Receiver for AR Style Weapon, No Bolt Carrier Group
- r. Item # 13 - Unopened Box Labeled "Federal Ammunition .223 X 1000"
- s. Item # 14 - Remington Box Containing an Empty Magazine, 4 Shell Casings, 2 Live Rounds
- t. Item # 15 - Opened Ammo Box Labeled "UMC Bulk Pack" Containing Approximately (471) .223 Rounds
- u. Item # 16 - Box Containing (19) X 223. Rounds (20 Boxes), X 1 Winchester 556 (20 Rd Box)
- v. Item # 17 - Metal Ammo Box Partially Opened Containing Boxes of "Wolf Military Classic .223 Rounds.

- w. Item # 19 - Buffer Spring, Black in Color
- x. Item # 21 - 11 Magazines Total: 9 X 5.56, 2 X 7.62, 7 X 30 Round Capacity, (1) Empty, (1) With (2) Rounds, (3) With 30 Rounds, (2) With 31 Rounds, 2 40 Round Capacity, (1) With 10 Rounds, (1) With 11 Rounds, Additional 3 Loose Rounds

WHEREAS, in his plea agreement, the defendant agreed to the forfeiture of the above property;

WHEREAS, pursuant to Rule 32.2(b)(1) of the Federal Rules of Criminal Procedure, this Court determines, based upon the evidence and information before it, including the defendant's plea agreement, that: (1) any firearms and ammunition involved in or used in the knowing commission of the offenses to which the defendant has pled is subject to forfeiture; and (2) the specific property listed above is subject to forfeiture; all pursuant to 18 U.S.C. § 924(d), 26 U.S.C. § 5872 and 28 U.S.C. § 2461(c);

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

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

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

1. That the following property is declared forfeited to the United States, pursuant to Title 18, United States Code, Section 924(d), Title 26, United States Code, Section 5872 and Title 28, United States Code, Section 2461(c): Any firearms and ammunition involved in or used in the knowing commission of the offenses to which the defendant pled guilty. The following specific property is declared forfeited to the United States:

- a. Item # 2 - Unopened Ammo Box Labeled Wolf Military Classic
- b. Item # 3 - Upper Receiver for AR Style Weapon; No Bolt Carrier Group
- c. Item # 4 - Upper Receiver for AR Style Weapon with Bolt Carrier Group
- d. Item # 4a - AR Style Weapon Scope Attached to Item # 4
- e. Item # 4b - Suppressor Attached to Item #4
- f. Item # 5 - Upper Receiver for AR Style Weapon; No Bolt Carrier Group
- g. Item # 5a - Optic Mounted to Item # 5
- h. Item # 5b - Suppressor Attached to Item # 5
- i. Item # 6 - AR Style Weapon Scope, Black In Color ; Bearing 4-16x50aoeg
- j. Item # 7 - Aluminum Type, Improvised Suppressor (Black in Color) With Inscription 'D2037963705'
- k. Item # 8 - AR Style Weapon; No Bolt Carrier Group
- l. Item # 8a - AR Style Weapon Scope 'Micro3x' Attached To Item #8
- m. Item # 8b - AR Style Weapon Scope 'Strikeforce' Attached To Item #8
- n. Item # 9 - Lower Receiver, Black in Color, for AR Style Weapon
- o. Item # 10 - Lower Receiver for AR Style Weapon, Black in Color, with Coating, Silver in Color

- p. Item # 11 - Buffer Spring, Black in Color
- q. Item # 12 - Upper Receiver for AR Style Weapon, No Bolt Carrier Group
- r. Item # 13 - Unopened Box Labeled "Federal Ammunition .223 X 1000"
- s. Item # 14 - Remington Box Containing an Empty Magazine, 4 Shell Casings, 2 Live Rounds
- t. Item # 15 - Opened Ammo Box Labeled "UMC Bulk Pack" Containing Approximately (471) .223 Rounds
- u. Item # 16 - Box Containing (19) X 223. Rounds (20 Boxes), X 1 Winchester 556 (20 Rd Box)
- v. Item # 17 - Metal Ammo Box Partially Opened Containing Boxes of "Wolf Military Classic .223 Rounds.
- w. Item # 19 - Buffer Spring, Black in Color
- x. Item # 21 - 11 Magazines Total: 9 X 5.56, 2 X 7.62, 7 X 30 Round Capacity, (1) Empty, (1) With (2) Rounds, (3) With 30 Rounds, (2) With 31 Rounds, 2 40 Round Capacity, (1) With 10 Rounds, (1) With 11 Rounds, Additional 3 Loose Rounds

2. That the following property is declared forfeited to the United States, pursuant to Title 26, United States Code, Section 5872 and Title 28, United States Code, Section 2461(c): Any firearms involved in the commission of the offense listed in Count Three to which the defendant pled guilty. The following specific property is declared forfeited to the United States: the privately made .300 Blackout caliber rifle with a barrel of less than 16 inches in length with an upper receiver manufactured by Aero Precision and a lower receiver with a manufacturer that cannot be determined, located on May 24, 2022, on a workbench in the defendant's residence.

3. The Court shall retain jurisdiction to enforce this Order, and to amend it as

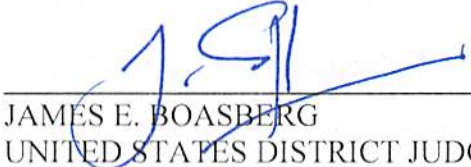
necessary, pursuant to Rule 32.2(e) of the Federal Rules of Criminal Procedure.

4. That pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, and the defendant's consent, this Order of Forfeiture is now final as to the defendant, and shall be made part of the sentence and included in the judgment.

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

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

Dated this 11th day of Apr., 2023.




JAMES E. BOASBERG
UNITED STATES DISTRICT JUDGE


WE ASK FOR THIS:

MATTHEW M. GRAVES
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By:


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