

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON DIVISION

UNITED STATES OF AMERICA)
)
 v.)
)
 RONNIE GENE WILSON)
 ATLANTIC BULLION & COIN, INC)

CRIMINAL NO. 8:12-320

POST-INDICTMENT RESTRAINING ORDER

The United States has made an application to this Court, pursuant to 21 U.S.C. § 853(e)(1)(A), for a restraining order to preserve the availability of certain property that is subject to forfeiture in the above-styled criminal action. Upon consideration of the government’s application, affidavit, and upon the Information charging the above-named Defendants with felony violations, it appears to the Court that there is reasonable cause to enter a restraining order to preserve property subject to forfeiture to the United States, based upon the following:

1. On April 11, 2012, the United States Attorney charged the following Defendants:

RONNIE GENE WILSON (“Wilson”)
ATLANTIC BULLION & COIN, INC. (“AB&C”)

with knowingly devising a scheme and artifice to defraud and to obtain monies by means of false and fraudulent pretenses, representations, and promises, by engaging clients to invest in a “Ponzi” scheme and to use the mail in furtherance of the scheme, all in violation of 18 U.S.C. § 1341. The Information also notified the Defendants that all property constituting or derived from proceeds the Defendants obtained directly or indirectly as the result of the Defendants’ violations and/or used to facilitate such offenses, up to a

minimum aggregate amount of \$59,000,000 in United States currency, is subject to forfeiture upon conviction of the Defendants, pursuant to 18 U.S.C. § 981(a)(1)(C), and 28 U.S.C. § 2461(c).

2. The Information also stated the government would seek criminal forfeiture of equivalent substitute assets pursuant to 21 U.S.C. § 853(p) in the event the property subject to forfeiture cannot be located because of any act or omission of the Defendants.

3. The Information filed on the Defendants for felony violations of 18 U.S.C. § 1341 seeks forfeiture of properties pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), which establishes sufficient probable cause for the issuance of this restraining order to preserve property subject to forfeiture to the United States.

4. In the event the Defendants are convicted of charges alleged in the said Information, the \$59,000,000 personal money judgment and the below listed property would be subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C), and 28 U.S.C. § 2461(c).¹

881 Old Plantation Road
Fountain Inn, South Carolina, 29644
Laurens County, South Carolina
Titled in the Name of: Howell Wallace Lindsay Director of Kingdom
Estate Trust
TMS# 213-00-00-006

All that piece, parcel, or lot of land, situate, lying and being in Laurens County, State of South Carolina, being known and designated as on the Enoree River containing 117 acres, more or less being formerly bounded by lands of LW. Gray, Carrie Coker, C.B. Redd, Jane Miller, and Enoree River, and now bounded on the North by the Enoree River, the center of which is Spartanburg County, on the East by

¹The government names numerous other assets in the Information, but only seeks a restraining order on the property named in paragraph 4.

lands now or formerly of Dorothy Lee Clayton and Rhonda Clayton, on the South by lands now or formerly of Clyde Redd, on the West by lands now or formerly of David G. Coker, and on the Northwest by lands now or formerly of Crescent Land and Timber Company.

Also, a right-of-way or easements of ingress and egress 20 feet in width beginning at the southwestern most corner of the tract conveyed herewith and extending across other property of grantors in a direct line to an existing gravel road which leads to a public roadway this easement also includes the right of use the existing dirt roadway above mentioned which leads to a public roadway

Less and except portions conveyed in Deed Book 210 Page 551, Book 214-Page 236, Book 214 Page 370 and in Book 211 Page 829.

This being a portion the same property conveyed to grantors by Deed of James Redd, recorded 08-16-71 in Book197, Page 239 in the RMC Office for Laurens County. See also Deed Book516 Page 84 and Book 635 Page 291 for half interests to and from said grantors.

5. The need to preserve the availability of the property subject to forfeiture through the entry of the order requested herein outweighs the hardship on any party against whom the order is to be entered.

6. Any third party claims to the subject property may be properly brought and resolved in ancillary proceedings conducted by this Court following the execution of a Preliminary Order of Forfeiture in accordance with the provisions of federal forfeiture law.

THEREFORE, IT IS HEREBY ORDERED AND DECREED:

That, effective immediately, RONNIE GENE WILSON and ATLANTIC BULLION & COIN, INC., their agents, servants, employees, attorneys, family members and those persons in active concert or participation with them, and those persons, financial institutions, or other entities who have any interest or control over the subject property listed in Paragraph 4, above, are hereby

RESTRAINED, ENJOINED, AND PROHIBITED, without prior approval of this Court and upon notice to the United States and an opportunity for the United States to be heard, from attempting or completing any action that would affect the availability, marketability or value of said property, including but not limited to spending, selling, transferring, assigning, pledging, distributing, encumbering, wasting, secreting, depreciating, damaging, or in any way diminishing the value of, all or any part of their interest, direct and indirect, in the following property:

IT IS FURTHER ORDERED that the property owner(s) are required to maintain the present condition of any real property subject to this Order, including timely payment of all mortgage payments, and insurance, utilities, taxes, and assessments until further order of this Court. The government is hereby authorized to enter said real properties to inspect and videotape conditions in order to verify that said properties are being maintained throughout the pendency of these proceedings. And that all real property in which the Defendants may have an interest be restrained or otherwise encumbered, including the real properties and improvements located at 881 Old Plantation Road, Fountain Inn, SC. According to public records, the Defendants may have an ownership interest in the real properties at this location, and this property should therefore be properly preserved for forfeiture in order to avoid liquidation or transfer of title.

IT IS FURTHER ORDERED, pursuant to the provisions of 21 U.S.C. §853(e)(4), that within ten(10) days of receipt of this Order, that the Defendants shall repatriate any and all properties subject to the restraining order that are located outside of the United States over which they have any direct or indirect interest or control, including but not limited to, all such assets that are directly owned by the Defendants, as well as all such assets that

indirectly owned by or credited to their benefit through their agents, nominees or business entities controlled by them. The government requests that said properties be deposited pending trial in the registry of this Court, or with the appropriate law enforcement custodian, in an interest-bearing account, if appropriate, in accordance with Title 21, United States Code, Section 853(e)(4).

IT IS FURTHER ORDERED that any financial institution, individual or other entity having a security interest in any real or personal property subject to the restraining order be required to respond promptly to requests by the government for information on the status of the debt which is secured by property of the Defendants.

IT IS FURTHER ORDERED that the United States or any Subject of this Order may seek modifications of this Order if it is deemed necessary by them to preserve their interest in the subject property.

IT IS FURTHER ORDERED that any Subject of this Order shall be permitted to execute a satisfactory performance bond pursuant to 21 U.S.C. §853(e)(1) as an alternative to the restraint of the subject property. After notice to the United States and an opportunity to be heard, the Court shall determine whether any proposed bond is satisfactory performance bond.

IT IS FURTHER ORDERED that the U.S. Marshal or his designee or other authorized officer of the United States shall promptly serve a copy of this Restraining Order upon each of the Defendants and all other appropriate individuals and/or financial institutions having an interest in the properties identified herein, and shall make a return thereon reflecting the date and time of service.

The United States shall take whatever reasonable measures are deemed necessary to execute this Restraining Order.

THIS RESTRAINING ORDER shall remain in full force and effect until further order of this Court.

DONE this the 23rd day of July, 2012.



J. MICHELLE CHILDS
UNITED STATES DISTRICT JUDGE