ADDENDUM A

United States Court of Appeals
For the First Circuit

No. 18-1821

UNITED STATES,

Appellee,

v.

ANGEL PAZ-ALVAREZ, a/k/a Gordo, a/k/a Negro,

Defendant - Appellant.

Before

Torruella, Lynch and Kayatta,
Circuit Judges.

JUDGMENT

Entered: September 4, 2019

Pro se appellant Angel Paz-Alvarez appeals from the denial of a motion to strike a preliminary order of forfeiture. The forfeiture order entered in June 2013, but Paz-Alvarez waited until July 2018 to file the motion to strike. There are multiple issues with the timing and manner of the challenge, any one of which, standing alone, would warrant affirmance. See United States v. Davenport, 668 F.3d 1316, 1320 (11th Cir. 2012) ("A codefendant in a criminal case is properly viewed as a third party with regard to another defendant's forfeiture of property."); United States v. Catala, 870 F.3d 6, 9 (1st Cir. 2017) ("[21 U.S.C. § 853(n)] sets forth the procedures through which a third party can challenge a preliminary order of forfeiture."); 21 U.S.C. § 853(n)(2) (establishing a 30-day window during which any third party who wishes to assert an interest in criminally forfeited property may file a petition for a hearing).

In any event, even if those issues might be set to the side, after careful review of the record and the filings of the parties, we conclude that the district court did not err in denying the motion. See United States v. George, 886 F.3d 31, 39 (1st Cir. 2018) ("Where ... a claim of error directed at a forfeiture order has been duly preserved, we review challenges to the ordering court's legal conclusions de novo and challenges to its factual findings for clear error.").

Affirmed. See 1st Cir. R. 27.0(c).

ADDENDUM B

United States Court of Appeals
For the First Circuit

No. 18-1821

UNITED STATES,

Appellee,

v.

ANGEL PAZ-ALVAREZ, a/k/a Gordo, a/k/a Negro,

Defendant - Appellant.

Before

Howard, Chief Judge,
Torruella, Lynch, Thompson,
Kayatta and Barron, Circuit Judges.

ORDER OF COURT

Entered: October 16, 2019

The petition for rehearing having been denied by the panel of judges who decided the case, and the petition for rehearing en banc having been submitted to the active judges of this court and a majority of the judges not having voted that the case be heard en banc, it is ordered that the petition for rehearing and the petition for rehearing en banc be **DENIED**.

By the Court:

Maria R. Hamilton, Clerk

cc:
Angel Paz-Alvarez
Myriam Yvette Fernandez-Gonzalez
Mariana E. Bauza Almonte
Francisco A. Besosa-Martinez