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Presumably dead Jacksonville businessman arrested after being found in North Carolina

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A Jacksonville furniture store owner who vanished — and was declared dead in Venezuela — two years ago is alive, well and being held on federal charges in North Carolina.

Jose Lantigua — who was more than \$8 million in debt when he disappeared, according to court records — is being held without bail in Buncombe County. He was arrested Saturday.

The Buncombe County website says only that Lantigua is being held on federal charges, without listing what they are. He was arrested with his wife, [Daphne Simpson](#), said the couple's attorney, [Joshua Woolsey](#).

The arrest came as a shock, Woolsey said.

"Neither I nor the firm would have become involved in the matter had there not been substantial evidence of his death," the [Rogers Towers](#) PA attorney said.

Lantigua's disappearance [led to a mass of suits and countersuits](#) stemming from loans he had taken out using life insurance policies as collateral.

The Hartford Insurance company refused to pay out on its \$2.5 million policy, [saying its investigation showed the former owner](#) of Circle K furniture was living in Venezuela.

The denial came when American Enterprise Bank of Florida filed a claim against the policy — shortly after a claim had been filed by Jacksonville-based MRWINK2 LLC.

Lantigua had a \$1.7 million loan from MRWINK2, which is operated by Michael Wienknowski, and a \$2 million loan from American Enterprise.

Although the loan money was portrayed as being used for the ailing Circle K furniture chain, the creditors have said in court filings that the funds were diverted elsewhere.

"The phlegmatic way this guy, on an even emotional keel, deceived people is troublesome," said attorney [Charlie Jimerson](#), who is representing the bank.

One place the money may have been diverted: to the place where Lantigua was arrested.

It is unclear how long Lantigua has been in North Carolina, but in a filing late last year, [Michael Fox Orr](#) — the attorney for MRWINK2 — raised questions about property Lantigua and Simpson had purchased there.

Using the MRWINK2 loan, the filing says, the couple bought property in Sapphire, North Carolina — in the same rough area as where the arrest happened.

With Lantigua found alive, Woolsey said, the firm planned to withdraw as counsel. "The firm had long taken the position that it would not continue with its representation if credible evidence existed that Mr. Lantigua was still alive," he said.

The other outstanding issue: What did Hartford know, and when did it know it?

The insurance company has been [accused of its own improprieties](#) in the case, both before and after Lantigua's



James Crichlow

Jose Lantigua in Circle K Furniture on Jacksonville's Westside.

disappearance.

In a filing, Orr contended that when Hartford allowed the insurance policies to be used as collateral, it "had knowledge of fraud" and that it "failed to comply with its own internal procedures."

As of now, American Enterprise is continuing with its lawsuit against Hartford in which it is asserting the insurance company misled it, Jimerson said.

That could lead to interesting conversations as depositions move forward.

"I'm looking forward," Jimerson said, "to the opportunity to sit across from Mr. Lantigua and ask him just where the hell the money went."

Timothy is the managing editor of the Jacksonville Business Journal.