

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA

PLAINTIFF

v.

Civil Action No: 1:09cv359HSO-JMR

\$83,350.00 IN UNITED STATES CURRENCY

**DEFENDANT
PROPERTY**

**FINAL JUDGMENT, DEFAULT JUDGMENT OF FORFEITURE AND ORDER
STRIKING CLAIM OF JASON ALFRED GREEN**

This matter is before the Court on Motion for Default Judgment [20-1] filed by the United States of America and, finding that the relief sought by such motion has merit and should be granted, the court further finds and adjudicates as follows:

1. The Original Claim of Claimant, Jason Alfred Green failed to identify the specific interest and nature of his respective right, title or interest in the defendant currency as required by Rule G(5) of the Supplemental Rules for Certain Admiralty and Maritime Claims, and Claimant failed to comply with Rule G(5) by not filing an Answer 20 days after filing the Claim. Therefore, Green lacks the statutory standing to participate in this action. As such, Green has failed to state a claim upon which relief can be granted, and that the time for filing an Answer has expired.

2. The United States filed the Verified Complaint in this matter on or about June 12, 2009, and, pursuant to the warrant for arrest issued by this Court, the U.S. Marshal arrested the defendant property.

3. Subsequently, the Government served a notice of this action and the arrest of defendant property by certified mail-return receipt requested upon Green and his attorney, Lott J. Brooks, III, on June 29, 2009. On August 3, 2009, proof of internet publication of the notice of forfeiture was duly completed in accordance with law and the order of this Court.

4. The notice of complaint for forfeiture informed all persons or entities, known and unknown, that the defendant property had been arrested, that this forfeiture action was pending, and the timeline for filing claims and answers. Further, for guidance in the preparation of claims and answers, the notice referred all persons or entities to Rule G(5) of the Supplemental Rules of Certain Admiralty and Maritime Claims, Title 28, United States Code, and warned that if this rule was not strictly followed, any claim and answer could be stricken and a default judgment of forfeiture rendered.

5. The Government took all reasonable measures to ensure that Green and any other persons or entities received notice in a timely fashion. To this date, however, Green has failed to file a sufficient claim and failed to file any answer to the complaint. Nor has any other person or entity filed a claim, answer or any other pleading or otherwise appeared herein, individually or through a representative. Therefore, any such potential claimants are in total default, and Entry of Default by the Clerk is proper. The Government is entitled to default judgment of forfeiture, all without the necessity of further notice to Green or any other person or entity.

IT IS, THEREFORE, ORDERED AND ADJUDGED AS FOLLOWS:

- a. The claim of Jason Alfred Green is stricken from the record; and
- b. Upon Entry of Default by the Clerk, the United States is hereby given a default judgment of forfeiture against the defendant property described as:

PERSONAL PROPERTY

\$83,350.00 In United States Currency and against the interests therein of Jason Alfred Green and any and all persons or entities having or claiming an interest in defendant property.

- c. The United States of America is hereby given a judgment of forfeiture on the pleadings against the defendant property described above and against the interests therein of Jason Alfred

Green, and a default judgment against any and all persons or entities having or claiming an interest in defendant property.

d. Title to defendant property is hereby vested in the United States of America and any administrative claims or interests therein of any persons or entities, including Jason Alfred Green, are hereby canceled.

e. Defendant property is referred to the custody of the United States Marshal for disposition in accordance with law and regulations.

SO ORDERED AND ADJUDGED, this the 28th day of April, 2010.

s/ Halil Suleyman Ozerden

HALIL SULEYMAN OZERDEN
UNITED STATES DISTRICT JUDGE