

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**UNITED STATES OF AMERICA,** )  
)  
**Plaintiff,** )  
)  
**v.** )  
)  
**ONE PARCEL OF PROPERTY** )  
**LOCATED AT 3454 ROBESON ROAD,** )  
**SEVIERVILLE, TENNESSEE,** )  
**WITH ALL APPURTENANCES AND** )  
**IMPROVEMENTS THEREON,** )  
**(Large Map Book 3, At Page 55; BK/PG:** )  
**3314/204-205, No. 09018888),** )  
)  
**Defendant.** )

**CIVIL ACTION NO. 1:11cv1063-MHT  
(WO)**

**DECREE OF FORFEITURE**

Before the Court is the United States of America's Motion for Decree of Forfeiture.

On December 14, 2011, the United States filed a complaint for forfeiture, alleging that the Defendant property is subject to forfeiture pursuant to 18 U.S.C. § 985, for violations of 18 U.S.C. §1341 (wire fraud), §1343 (mail fraud), § 1957(a) (engaging in monetary transactions in property derived from specified unlawful activity), and in accordance with 18 U.S.C. § 981(a)(1)(A) and (C). (Doc. #1).

It appearing that process was fully issued in this action and returned according to law:

Pursuant to an Order for Notice *In Rem* (Doc. #3) issued by this Court, the United States Marshals Service served the Defendant property on January 9, 2012 (Doc. #5);

On January 9, 2012, a deputy United States Marshal personally served Attorney William C. White, II with copies of the Verified Complaint for Forfeiture *In Rem*, Order for Notice of

Complaint for Forfeiture Against Real Property, and Order for Notice *In Rem* (Doc. #4);

On February 2, 2013, a deputy United States Marshal personally served Edward L. Forehand and Ann B. Forehand with copies of the Verified Complaint for Forfeiture *In Rem*, Order for Notice of Complaint Against Real Property, and Order for Notice *In Rem* (Docs. #13 & 14);

Notice of Civil Forfeiture was posted on an official government internet site ([www.forfeiture.gov](http://www.forfeiture.gov)) for at least 30 consecutive days, beginning on January 6, 2012, and ending February 4, 2012, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime and Asset Forfeiture Claims (Doc. #16);

On February 22, 2012, Ann B. Forehand filed an Answer to the Verified Complaint for Forfeiture *In Rem* (Doc. #19), as amended on March 8, 2012 (Doc. #24);

On March 2, 2012, Ann B. Forehand filed a Claim to the defendant property (Doc. #22);

On March 8, 2012, the parties filed a Joint Motion to Stay (Doc. #25); this Court granted the Joint Motion on March 13, 2012 (Doc. #27);

On October 23, 2013, Claimant Ann B. Forehand filed a Motion to Withdraw Claim (Doc. #30);

On October 24, 2013, the parties filed a Joint Motion to Lift Stay (Doc. 31);

On October 25, 2013, this Court granted Claimant's Motion to Withdraw Claim and the Joint Motion to Lift Stay (Doc. #33);

No other claim or answer has been filed on behalf of any other party.

Now, therefore, it is hereby **ORDERED, ADJUDGED** and **DECREED** that the motion of the United States for a Decree of Forfeiture (doc. no. 35) is granted as follows:

The following property is hereby forfeited to the United States, to be disposed of according to law, and no right, title or interest in the Defendant property shall exist in any other party:

**3454 Robeson Road, Sevierville, Tennessee** (Sevier County, Large Map Book 3, at page 55; BK/PG: 3313/204-205, No. 09018888), more particularly described as follows:

Situate, Lying and Being in the Sixth (6<sup>th</sup>) Civil District of Sevier County, Tennessee, and being LOT 50 OF COVE MEADOWS as the same is shown by plat of record in Large Map Book 3, at page 55, in the Register's Office of Sevier County, Tennessee, to which plat specific reference is here made for a more particular description.

But this conveyance is made subject to the restrictions, easements and building setbacks of record in Book 1164, page 620, as amended in Book 1745, at page 177; Map Book 32, page 375; Large Map Book 3, page 9 Large Map Book 3, page 55; Book 1325, page 598 and Book 1338, page 426, all in said Register's Office.

Being the same property conveyed to Paul J. Smith and wife, Judy K. Smith, by General Warranty Deed of Robert S. Talbott and wife, Jennifer W. Talbott, dated November 15, 2005, of record in Book 2399, at page 55, in the said Register's Office.

Each party will bear its own costs.

The clerk of the court is **DIRECTED** to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

This case is closed.

DONE this the 4th day of November , 2013.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE