IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA NORTHERN DIVISION

UNITED STATES OF AMERICA,	
Plaintiff,)
v.) CIVIL ACTION NO. 2:09cv887-MEF
SEVENTEEN THOUSAND)
FOUR HUNDRED SIXTY-SIX)
(\$17,466.00) DOLLARS IN) (WO- Do Not Publish)
UNITED STATES CURRENCY,)
)
Defendant.)

DECREE OF FORFEITURE

Before the Court is the United States of America's ("United States") Motion for Decree of Forfeiture (Doc. # 34).

On September 16, 2009, the United States filed a civil forfeiture *in rem*, pursuant to 21 U.S.C. § 881(a)(6), alleging that the Defendant currency constitutes money furnished, or intended to be furnished, in exchange for controlled substances; represents proceeds of trafficking in controlled substances; or was used, or intended to be used, to facilitate violations of 21 U.S.C. §§ 801 *et seq.* (Doc. #1).

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

Pursuant to a Warrant for Arrest *In Rem* issued by this Court on September 25, 2009, all persons with an interest in the Defendant currency were required to file their claims with the Clerk of the Court within thirty (30) days of the execution of the Warrant for Arrest, publication of the Notice of Arrest, or actual notice of this action, whichever occurred first (Doc. #3);

The United States Marshals Service for this District served the Defendant currency on September 30, 2009 (Doc. #4);

On September 30, 2009, Federico Vieyra-Garcia was personally served by a United States Marshal with copies of the Verified Complaint for Forfeiture *In Rem*, Notice of Arrest and Seizure, and Warrant for Arrest *In Rem* (Doc. #5);

On September 30, 2009, Sheila Delgado-Solis a/k/a Sheila Garcia was personally served by a United States Marshal with copies of the Verified Complaint for Forfeiture *In Rem*, Notice of Arrest and Seizure, and Warrant for Arrest *In Rem* (Doc. #6);

On September 30, 2009, Attorney Ben Pool was personally served by a United States Marshal with copies of the Verified Complaint for Forfeiture *In Rem*, Notice of Arrest and Seizure, and Warrant for Arrest *In Rem* (Doc. #7);

On October 23, 2009, Sheila Garcia ("Claimant Garcia") filed her claim (Doc. #8);

On November 9, 2009, Claimant Garcia filed her answer (Doc. #9);

Notice of this civil forfeiture action was posted on an official government internet site (www.forfeiture.gov) for a period of 30 consecutive days, beginning on October 15, 2009, and ending November 13, 2009 (Doc. #11);

On November 17, 2009, the United States filed an application to clerk for entry of default against Federico Vieyra-Garcia (Doc. #12);

On November 18, 2009, Entry of Default was entered against Federico Vieyra-Garcia (Doc. #13);

On June 10, 2010, Claimant Garcia filed a motion for summary judgment (Doc. #17);

On June 15, 2010, the United States filed a motion for summary judgment with supporting brief and memorandum of law (Doc. #21 and Doc. #22);

On June 23, 2010, Claimant Garcia filed a brief, and an amendment, in opposition to the United States' motion for summary judgment (Doc. #26 and Doc. #27);

On June 30, 2010, the United States filed its response to Claimant Garcia's motion for summary judgment (Doc. #29);

On July 8, 2010, the United States filed its reply to Claimant Garcia's response to motion for summary judgment (Doc. #32);

On November 29, 2010, this Honorable Court entered a Memorandum Opinion and Order granting summary judgment in favor of the United States and against Claimant Garcia; and,

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

Now, therefore, on motion of the United States for a Decree of Forfeiture and for good cause otherwise shown, it is hereby **ORDERED**, **ADJUDGED** and **DECREED** as follows:

1. The Motion for Decree of Forfeiture (Doc. # 34) is GRANTED;

2. The Defendant currency in the amount of Seventeen Thousand Four Hundred Sixty-Six (\$17,466.00) Dollars is forfeited to the United States, to be disposed of according to law, and no right, title of interest in the currency shall exist in any other party; and,

3. A separate final judgment will be entered consistent with this Decree.

DONE this the 2^{nd} day of December, 2010.

/s/ Mark E. Fuller CHIEF UNITED STATES DISTRICT JUDGE