

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

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

CASE NO. 2:12-cv-1108-MEF
(WO – Do Not Publish)

2003 LEXUS SC430 CONVERTIBLE)

VIN: JTHFN48Y630037361,)

WITH ALL APPURTENANCES AND)

ATTACHMENTS THEREON,)

Defendant.)

DECREE OF FORFEITURE

Before the Court is the United States of America’s (“United States”) Motion for Decree of Forfeiture. (Doc. #12.)

On December 21, 2012, the United States filed a complaint alleging that the 2003 Lexus SC430 convertible, VIN: JTHFN48Y630037361, with all appurtenances and attachments thereon (“Defendant vehicle”) was subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C), which provides for the seizure and forfeiture of the gross proceeds traceable to a violation of 18 U.S.C. § 1956(a)(1)(B)(i), and pursuant to 21 U.S.C. § 881(a)(6), which provides for the seizure and forfeiture of all moneys, negotiable instruments, securities, or other things of value furnished or intended to be furnished by any person in exchange for a controlled substance or listed chemical in violation of 21 U.S.C. § 846, all proceeds traceable to such an exchange, and all moneys, negotiable instruments, and securities used or intended to be used to facilitate any violation of 21 U.S.C. § 846. (Doc. #1.)

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

Pursuant to a Warrant of Arrest *In Rem* issued by this Court on January 2, 2013 (Doc. #3), the United States Marshals Service served the Defendant vehicle on January 7, 2013 (Doc. #4);

On January 7, 2013, Attorney Richard Keith, Felicia Brown and Willie Davis were personally served by a Deputy United States Marshal with copies of the Verified Complaint for Forfeiture *In Rem*, the Notice of Complaint for Forfeiture Against Personal Property, and the Warrant of Arrest *In Rem* (Docs. #5, 6, 8);

On January 8, 2013, Laquana Vonsha Nelson a/k/a Laquana Davis was personally served by a Deputy United States Marshal with copies of the Verified Complaint for Forfeiture *In Rem*, the Notice of Complaint for Forfeiture against Personal Property, and the Warrant of Arrest *In Rem* (Doc. #7);

In addition to the above notice to potential claimants, notice of civil forfeiture was posted on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days, beginning on January 4, 2013, and ending February 2, 2013, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions (Doc. #9);

On February 20, 2013, default was entered against Felicia Brown, Willie Davis, Laquana Vonsha Nelson a/k/a Laquana Davis and all other persons and entities having an

interest in the Defendant vehicle for failure to file claims or answers or otherwise defendant as provided for in the matter set forth in 18 U.S.C. § 983(a)(4)(A) and Supplemental Rule G(5) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions (Doc. #11);

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:

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 vehicle shall exist in any other party:

2003 Lexus SC430 Convertible VIN: JTHFN48Y630037361, with all appurtenances and attachments thereon.

Each party will bear its own costs.

DONE this the 21st day of February, 2013.

/s/ Mark E. Fuller
UNITED STATES DISTRICT JUDGE