

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

UNITED STATES OF AMERICA

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Plaintiff,

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v.

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CIVIL ACTION NO. 07-382-CG-C

**ONE 2000 LAND ROVER DISCOVERY II,
4 WD SPORT UTILITY VEHICLE,
VIN # SALTY1245YA272389**

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Defendant.

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ORDER OF FORFEITURE

This matter is before the Court on plaintiff’s motion for entry of order of forfeiture (Doc.22). For cause shown, the motion is granted.

On May 29, 2007, a verified complaint for forfeiture in rem was filed on behalf of the United States against the defendant, One 2000 Land Rover Discovery II, 4 WD Sport Utility Vehicle, VIN # SALTY1245YA272389, to enforce the provisions of Title 18, United States Code, Section 981(a)(1)(C). Process was fully issued in this action for the forfeiture of the defendant property under the complaint.

Pursuant to the warrant of arrest in rem issued by the Clerk of Court on April 8, 2008, the defendant, One 2000 Land Rover Discovery II, 4 WD Sport Utility Vehicle, VIN # SALTY1245YA272389, was arrested and seized on May 14, 2008.

On April 16, 2008, the plaintiff sent a copy of the Complaint, Warrant For Arrest and Notice of Forfeiture Action to Laphonse T. Young, FCI Marianna, Federal Correc-

tional Institution, P. O. Box 7007, Marianna, Florida, 32447 and Edna Bradford, 2100 Bragg Avenue, Apt. 109, Mobile, Alabama, 36617-3233, of their right to file a claim in this Court within thirty five (35) days of the date that said notice was sent, or by May 21, 2008, and to file a motion or an answer within 20 days thereafter for a hearing to adjudicate the validity of their alleged interest in the property, and of the intent of the United States to dispose of the property in accordance with the law, all in accordance with Supplemental Rules G(4)(b)(C), G (5)(ii)(A) and G(5)(b)

On April 20, 2008, said notice was received by Laphonse T. Young, c/o M. Taylor at Federal Correctional Institution, Marianna, Florida. (Doc. 10). Potential claimants Laphonse T. Young and Edna Bradford, who were sent direct notice had through May 20, 2008 to file a claim and 20 days thereafter, until June 9, 2008, to file an answer. No such claim or other responsive pleadings were filed by Edna Bradford and her time to file same has expired. On July 21, 2008, the Court ordered that the claim filed by Laphonse Young be stricken pursuant to Supplemental Rule G(8) because Young was properly notified and had not complied with Rule G(5) by timely filing an answer or motion in response to the complaint. (Doc. 17).

On July 14, 2008, notice of this seizure and forfeiture action, of the right of all third parties to file a claim with the court and a motion or answer within 20 days thereaf-

ter to adjudicate the validity of their alleged interest in the property, and of the intent of the United States to dispose of the property in accordance with the law, was published in the Press-Register, a newspaper of general circulation in the Southern District of Alabama. (Doc. 20). Further, additional notice was published on the Internet at www.forfeiture.gov from June 4, 2008 through July 3, 2008. (Doc. 20). Any putative claimant who received notice by newspaper publication had to file a claim by August 13, 2008 and a motion under Rule 12 or answer by September 3, 2008. Any putative claimant who received notice from the internet had to file a claim by August 4, 2008 and a motion under Rule 12 or an answer by August 25, 2008.

All identifiable possible claimants were served. All possible claimants have had adequate notice and time in which to file a claim, motion or an answer. No such claims or answers have been filed, and the filing deadlines, of Supplemental Rules G(4)(b)(C), G (5)(ii)(A) and G(5)(b) have expired.

With no claims, answers, or pleadings having been filed in opposition to the forfeiture of said defendant, and there being no remaining issues, final disposition of this action is appropriate at this time.

NOW, THEREFORE, the Court having considered the matter and having been fully advised in the premises, it is **ORDERED, ADJUDGED, AND DECREED** as follows:

1. This Court has jurisdiction over the subject matter, and the complaint states a claim upon which relief may be granted.

2. In accordance with the verified complaint, the defendant, One 2000 Land Rover Discovery II, 4 WD Sport Utility Vehicle, VIN # SALTY1245YA272389, which was seized by the United States Marshals Service, is **ORDERED** to be forfeited to the United States of America pursuant to the provisions of Title 18, United States Code, Section 981(a)(1)(C).

3. This order resolving all matters and issues joined in this action, the Clerk of Court is directed to close this file for administrative and statistical purposes.

DONE and ORDERED this 3rd day of September, 2008.

/s/ Callie V. S. Granade
CHIEF UNITED STATES DISTRICT JUDGE