

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

UNITED STATES OF AMERICA	*	
	*	
Plaintiff,	*	
	*	
v.	*	CIVIL ACTION NO.09-133-CG-C
	*	
\$1,711.00, more or less, in U. S. Currency,*	*	
	*	
Defendant.	*	

ORDER OF FORFEITURE

This matter is before the Court on plaintiff's Motion for Entry of Order of Forfeiture (Doc. 8). For cause shown, the Motion is granted.

On March 12, 2009, a verified complaint for forfeiture in rem was filed on behalf of the United States against the defendant currency, \$1,711.00, more or less, in U.S. Currency, 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 March 13, 2009, the defendant currency, \$1,711.00, more or less, in U.S. Currency, was arrested and seized on March 18, 2009.

On March 12, 2009, the plaintiff sent a copy of the Complaint for Civil Forfeiture in Rem, Warrant For Arrest and Notice of Forfeiture Action to potential claimants Darrin

Terrone Auzenne and Shemika Monique Burton, which advised 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 April 16, 2009, and to file a motion or an answer within 20 days thereafter, in accordance with Supplemental Rules G(4)(b)(C), G (5)(ii)(A) and G(5)(b).

On March 16, 2009, said notice was received by Darrin Terrone Auzenne, at the Federal Correction Institution, Petersburg, Virginia, and said notice was received by Shemika Monique Burton, at the Federal Detention Center, Houston, Texas. Potential claimants Darrin Terrone Auzenne and Shemika Monique Burton, had through April 16, 2009 to file a claim and 20 days thereafter to file an answer. No such claim or other responsive pleadings were filed by either potential claimant and their time to file same has expired.

On April 29, 2009 and continuing for 30 consecutive days thereafter, plaintiff published notice of this action on an official government website at www.forfeiture.gov, in compliance with Supplemental Rule G(4). Said notice further advised of the right of any unknown potential claimants to file a claim within 60 days of the first date of publication and a motion or answer within 20 days thereafter and of the intent of the United States to seek forfeiture and disposal of the property according to law. Any putative claimant who received notice from the internet publication had to file a claim by July 20, 2009, and a motion under Rule 12 or an answer by May 11, 2009.

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, \$1,711.00, more or less, in U.S. Currency, which was seized by the United States Secret Service, is **ORDERED** forfeited to the United States of America for disposition according to the law, 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 31st day of July, 2009.

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