

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

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|-----------------------------------|---|--------------------------------------|
| SE PROPERTY HOLDINGS, LLC, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | CIVIL ACTION NO. 09-0442-CG-M |
| |) | |
| ALAN J. SWINDALL, |) | |
| |) | |
| Defendant. |) | |

ORDER

This matter is before the court on the return of service of the writ of execution filed by the United States Marshal’s Service (Doc. 120), to which is attached a letter to the court from the Northern District of Alabama’s Marshal and a copy of a Warranty Deed and Abstract search showing that the real property in Clay County, Alabama, sought by the plaintiff to be seized and sold for payment of the judgment rendered in this action, was deeded to Parnell & Crum, PA on April 24, 2012. The court notes the representations of the Marshal that the fees of Marshal’s Service were not paid by an advanced deposit, and that said fees total \$540.57.

In light of the foregoing, the amended order issued on March 1, 2013 (Doc. 117) and the writ of execution issued on March 4, 2013 (Doc. 118) are hereby **VACATED**, and the United States Marshals Service for the Northern District of Alabama is **ORDERED** to **CANCEL** the sale of said real property.

It is further **ORDERED** that plaintiff immediately pay the fee of \$540.57 to the United States Marshal's Service in the Northern District of Alabama.

DONE and ORDERED this 1st day of April, 2013.

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