

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

UNITED STATES OF AMERICA,	*	
	*	
Plaintiff,	*	
v.	*	CIVIL ACTION NO. 10-561-CG-B
	*	
\$54,711.00, more or less,	*	
in U.S. currency	*	
	*	
Defendant. ¹	*	

ORDER OF FORFEITURE

This matter is before the Court on plaintiff’s Motion for Entry of Order of Forfeiture (Doc. 27). For cause shown, the Motion is **granted**.

On August 16, 2011, a redacted complaint for forfeiture in rem was filed on behalf of the United States against the defendant, \$54,711.00, more or less, in U.S. Currency, alleging it was subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(A), as property involved in money laundering transactions or attempted money laundering transactions, in violation of 18 U.S.C. §§ 1956 or 1957, or any property traceable thereto; and/or Title 21 U.S.C.§ 881(a)(6), as moneys or other things of value furnished or intended to be furnished by any person in exchange for a controlled substance and all proceeds traceable to such an exchange, or moneys intended to be used to facilitate any violation of the Title 21 of the United States Code or property

¹ The defendant currency was seized from Bank of America bank accountxxxxxxxx7298, held by EZY INFOTECH USA, Inc.(EZY)

traceable thereto.

As set forth in plaintiff's motion and exhibits, on August 17, 2011, the plaintiff sent a copy of the redacted Complaint and Notice to the known potential claimant EZY through its attorney notifying it of its right to file a claim in this Court within thirty five (35) days of the date that said notice was sent and file a motion or answer within 21 days thereafter, in accordance with Supplemental Rule G(4)(b)(ii)(B) and (C). EZY filed a timely answer on September 13, 2011, which it subsequently withdrew (doc. 24, 25). EZY did not file a claim and has waived any right it had to do so. (doc. 24). The plaintiff and EZY agreed to each bear its owns costs in this action.

Notice of this seizure and forfeiture action, of the right of any person claiming a legal interest in the defendant property to file with the court a claim within 60 days of the first date of publication and a motion or answer within 21 days thereafter was published on an official government forfeiture internet site at www.forfeiture.gov, from September 15 to October 14, 2011, as authorized by Supplemental Rule G(4)(iv)(C). Accordingly, any putative claimant who received notice from the internet had to file a claim by November 14, 2011, and any motion or answer within 21 days thereafter, by December 5, 2011. Supplemental Rule G(5)(ii)(B). No claims, motions or answers by unknown potential claimants were filed and the time for filing same has long since expired.

All identifiable potential claimants have been sent notice. All potential claimants have had adequate notice and time in which to file a claim, motion, or an answer. No such claims, motions, or answers have been filed the filing deadlines have expired.

On October 12, 2010, the Internal Revenue Service seized the defendant \$54,711.00 pursuant to a Warrant For Arrest, which gave the Court in rem jurisdiction over it.

With no claims, motions or answers in opposition to the forfeiture of said defendant remaining, and there being no remaining issues, final disposition or 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 defendant \$54,711.00, more or less, in U.S. Currency, and the complaint states a claim upon which relief may be granted.

2. The defendant \$54,711.00 is forfeited to the United States of America for disposition according to law. A separate Judgment will be entered.

3. The plaintiff and EZY are to bear their own costs.

4. This Order and the accompanying Judgment 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 2nd day of March, 2012.

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