

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

UNITED STATES OF AMERICA

Plaintiff,

v.

\$23,000.00, more or less, in U.S. Currency,

Defendant.

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CIVIL ACTION NO. 11-0676-CG-C

ORDER OF FORFEITURE

This matter is before the Court on plaintiff's Motion for Entry of Order of Forfeiture (Doc. 29). For cause shown, the Motion is **GRANTED**.

On December 1, 2011, a verified complaint for forfeiture in rem was filed on behalf of the United States against the defendant, \$23,000.00, more or less, in U.S. Currency, alleging it subject to forfeiture pursuant to 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 traceable thereto.

Claimants Harry G. Cooper and Gail A. Cooper through their attorney filed a timely claim and answer which they subsequently withdrew on September 27, 2012.

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 December 3, 2011 to January 1,

2012, 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 February 1, 2012, and any motion or answer within 21 days thereafter by February 22, 2012. 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 unresolved claims, motions, or answers have been filed and the filing deadlines have expired.

On December 6, 2011, the United States Marshal Service seized the defendant, \$23,000.00, pursuant to a Warrant for Arrest, which gave the Court in rem jurisdiction over it.

With no claims in opposition to the forfeiture of said defendant remaining, 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 defendant \$23,000.00, more or less, in U. S. Currency, and the complaint states a claim upon which relief may be granted.
2. The defendant \$23,000.00 is forfeited to the United States of America for disposition according to law pursuant to 21 U.S.C. § 881(a)(6). A separate Judgment will be entered.
3. The plaintiff and claimants Harry G. Cooper and Gail A. Cooper 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 17th day of October, 2012.

s/ WILLIAM H. STEELE
CHIEF UNITED STATES DISTRICT JUDGE