

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

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

CIVIL ACTION NO. 12-00670-CG-M

One 2003 Ford Mustang,)

VIN 1FAFP45X23F316865;)

One 1994 Chevrolet Corvette,)

VIN 1G1YY22P75103880;)

One 2006 Nissan Titan,)

VIN 1N6BA07A06N569220,)

Defendants.)

ORDER OF FORFEITURE

This matter is before the Court on plaintiff's Motion for Order and Judgment of Forfeiture (Doc. 32). For cause shown, the Motion is **GRANTED**.

As set forth in plaintiff's Amended Verified Complaint, Motion To Strike, and the Court's Order granting the motion, Janice Bolin and Tricia McGee obtained the defendant vehicle through fraud subjecting them to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C), and failed to file the required responsive pleadings within the time allotted, after being given the required notice.

Plaintiff also sent a copy of the Amended Verified Complaint and Notice of Forfeiture Action to Ron Blackmon of Auto Pawn of Daphne ("Blackmon").

Blackmon filed an unverified claim but no answer, contrary to the notice sent him and the pleading requirements of Supplemental Rule G(5). This subjected his

pleadings to being stricken by the Court pursuant to Supplemental Rule G(8)(c)(i)(A) and (B), based on Blackmon's lack of standing to oppose forfeiture of the defendant Mustang, due to his failure to sign his claim under oath and file an answer.

The Court granted plaintiff's Motion to Strike Blackmon's non-compliant pleadings. With no remaining claims in opposition to forfeiture of the defendant vehicles, and plaintiff having published the required notice, the Court determined that the action was ripe for final disposition.

The warrants for arrest as to the defendant Mustang and Titan have been executed, as has the amended warrant for arrest for the defendant Corvette. Therefore, the Court has in rem jurisdiction to enter an order and judgment of forfeiture for their final disposition.

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 vehicles, and the complaint states a claim upon which relief may be granted.
2. In accordance with the Amended Verified Complaint, the defendants, One 2003 Ford Mustang, VIN 1FAFP45X23F316865; One 1994 Chevrolet Corvette, VIN 1G1YY22P7R5103880; and, One 2006 Nissan Titan, VIN 1N6BA07A06N569220, are **ordered** forfeited to the plaintiff, the United States of America, pursuant to Title 18 U.S.C.

§981(a)(1)(C), for disposition according to law. A separate Judgment will be entered.

3. 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 29th day of July, 2013.

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