

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION**

UNITED STATES OF AMERICA,)	
Plaintiff,)	
)	
v.)	Civil No. 13-2058
)	
A 2013 HARLEY DAVIDSON FLHX)	
VIN #1HD1KBM1XDB608226,)	
Defendant)	

DEFAULT JUDGMENT OF FORFEITURE

This matter comes before the Court on the Motion for Default Judgment of Forfeiture filed by the United States of America and, finding that the relief sought by such motion has merit and should be granted, the Court further finds and adjudicates as follows:

1. The Complaint for Forfeiture *in Rem* in this matter was filed on March 1, 2013, alleging that the defendant property should be forfeited to the United States of America pursuant to 31 U.S.C. § 5317, 18 U.S.C. § 981, and 18 U.S.C. § 984.
2. Subsequently, on March 8, 2013, a waiver of summons in the Forfeiture Action was filed by the owners Clayton and Christine Lee in which they acknowledged receipt of service of the Notice and a copy of the forfeiture complaint;
3. In that waiver of summons, Clayton Lee and Christine Lee waived their appearance in this action, waived further notice of any proceedings, and admitted the facts alleged in the affidavit;
4. Additionally, notice of this civil forfeiture action against the defendant property

was published for 30 consecutive days on an official Government internet site (www.forfeiture.gov) beginning on March 8, 2013, as evidenced by the Proof of Publication filed with this Court on May 17, 2013.

5. The published notice informed all persons or entities, known or unknown, claiming an interest in the defendant property, that the defendant property had been arrested, that this civil forfeiture action was pending, that they had sixty (60) days from the first day of publication of the notice to file a verified claim and twenty-one (21) days after filing the claim to answer. Further, for guidance in the preparation of a claim and answer, the notice referred any such persons or entities to Rule G(5) of the Supplemental Rules of Admiralty and Maritime Claims, and warned that if this rule was not followed a judgment of forfeiture would be rendered.
6. The United States of America took all reasonable measures to ensure that Clayton Lee and Christine Lee and any other possible claimant received such notice in a timely fashion. To this date, however, no person or entity has filed a verified claim contesting the forfeiture. Therefore, all possible claimants have been noticed and have failed to appear or otherwise defend their interests and the United States of America is entitled to a judgment of forfeiture, all without the necessity of any further notice to any other person or entity.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED AS FOLLOWS:

- A. The United States of America is hereby given a judgment of forfeiture against the defendant property described below:

2013 Harley Davidson with the VIN number 1HD1KBM1XDB608226

and against the interest therein of Clayton Lee and Christine Lee and any and all persons or entities having or claiming an interest in the defendant property;

B. Title to the defendant property is hereby vested in the United States of America and any administrative claims or interests therein of any persons or entities, including Clayton Lee and Christine Lee are hereby cancelled; and

C. The Defendant property is referred to the custody of the Internal Revenue Service for disposition in accordance with law and regulations.

IT IS SO ORDERED this 28th day of May, 2013.

/s/ P. K. Holmes, III

P.K. HOLMES, III
CHIEF U. S. DISTRICT JUDGE