IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

SPENCER ONDRISEK and   PLAINTIFFS
SETH CALAGNA

vs.   Civil No. 4:08-cv-04113

BERNIE LAZAR HOFFMAN a/k/a   DEFENDANT
TONY ALAMO

ORDER FOR SALE OF PROPERTY SUBJECT TO FIFTH WRIT OF EXECUTION

Before the Court is the Fifth Writ of Execution (ECF No. 381) entered in the above-styled

and numbered cause. The Fifth Writ of Execution was entered on July 20, 2016. As stated in the

Fifth Writ of Execution: "**Any person or entity asserting an ownership interest in this property**

must do so in writing. Any and all claims of ownership in this property must be received by

the Court on or before August 31, 2016." ECF No. 381 at 2 (emphasis in the original). Despite

this deadline, no written claims of ownership have been filed as to the real property identified in the

Fifth Writ of Execution. The date of August 31, 2016 has now passed. Because this deadline has

passed with no claims being filed, this property may be sold to satisfy the judgment against

Defendant.[1]

IT IS, THEREFORE, ORDERED that the U.S. Marshal's Office shall immediately advertise

and sell the following property in accordance with Ark. Code Ann. §§ 16-66-401 to 16-66-507, and

that the proceeds of the sale of each should be distributed first to the purchase money lienholder (if

any) and then to Plaintiffs pursuant to Ark. Code Ann. § 16-66-203(b)(2):

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[1] The Court has previously entered several fact-intensive orders related to Defendant and his
properties. *See* ECF Nos. 200-201, 335-336. The Court will not restate these findings here; but to the
extent they are relevant, they are also incorporated as a part of this order.

Miller County, Arkansas:

1.   100 Pine Drive, Fouke, Arkansas

The legal description of this property is as follows:

Lot Number Two (2), Richland Hills Second Addition to the Town of Fouke, Miller County, Arkansas.

ENTERED this 6th day of September 2016.

/s/   Barry A. Bryant
HON. BARRY A. BRYANT
U.S. MAGISTRATE JUDGE