

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Chief Judge Wiley Y. Daniel

Civil Action No. 05-cv-02262-WYD-BNB

UNITED STATES OF AMERICA,

Plaintiff,

v.

431 EAST 134TH AVENUE, THORNTON, COLORADO,

Defendant.

FINAL ORDER OF FORFEITURE

THIS MATTER comes before the Court on the United States' Unopposed Motion for Final Order of Forfeiture and Judgment. The Court, having reviewed said Motion and being fully advised in the premises, FINDS:

THAT the United States commenced this action *in rem* pursuant to 21 U.S.C. § 881;

THAT all known parties have been provided with an opportunity to respond and that publication has been effected as required by Supplemental Rule G(4);

THAT the United States and claimants Jesus Manuel Lozano-Sanchez and Bertha Lozano have reached a settlement in this case, and have filed a Settlement Agreement with the Court resolving all issues in dispute (Doc. # 35);

THAT no other claims to defendant Real Property have been filed;

THAT upon agreement of the parties, claimants Jesus Manuel Lozano-Sanchez and Bertha Lozano shall forfeit to the United States, \$75,000.00 in readily available

funds in lieu of defendant Real Property, and that defendant Real Property shall be dismissed;

THAT the United States has received \$75,000.00 from claimants Jesus Manuel Lozano-Sanchez and Bertha Lozano; and

THAT it further appears there is cause to issue a forfeiture order under 21 U.S.C. § 881.

NOW, THEREFORE, IT IS ORDERED, DECREED AND ADJUDGED:

THAT the United States' Unopposed Motion for Final Order of Forfeiture and Judgment (Doc. # 34 filed May 22, 2009) is **GRANTED**.

THAT forfeiture of the \$75,000.00 paid by claimants Jesus Manuel Lozano-Sanchez and Bertha Lozano to the United States in lieu of forfeiture of defendant Real Property, is hereby entered in favor of the United States;

THAT the United States shall have full and legal title to the forfeited \$75,000.00, and may dispose of it in accordance with law and in accordance with the terms and provisions of the parties' Settlement Agreement;

THAT defendant Real Property is hereby dismissed;

THAT the Clerk of Court is directed to enter Judgment of forfeiture of the \$75,000.00 paid by claimants Jesus Manuel Lozano-Sanchez and Bertha Lozano in lieu of forfeiture of defendant Real Property, pursuant to Rule 58(a) of the Federal Rules of Civil Procedure; and

THAT a Certificate of Reasonable Cause pursuant to 28 U.S.C. §2465, which this Order constitutes, is granted as to defendant Real Property.

DATED this 26th day of May, 2009.

BY THE COURT:

s/ Wiley Y. Daniel
WILEY Y. DANIEL,
CHIEF UNITED STATES DISTRICT JUDGE