

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Philip A. Brimmer

Civil Action No. 08-cv-00267-PAB-KLM

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALL MONIES SEIZED FROM BANK ACCOUNTS, PLUS
ALL ACCRUED AND EARNED INTEREST
IN THE NAME OF LUIS VILLALOBOS,

Defendant.

FINAL ORDER OF FORFEITURE

This matter is before the Court on the United States' Unopposed Motion for Final Order of Forfeiture [Docket No. 98]. The Court has reviewed the pleading, is fully advised in the premises, and finds that:

The United States commenced this action *in rem* pursuant to 31 U.S.C. § 5317;

The defendant property is more fully described as:

- a. \$101,486.80 seized from Public Service Credit Union Account # 158577(00);
 - b. \$111,017.46 seized from Wachovia Account # 830422041379116;
 - c. \$108,400.82 seized from Wachovia Account # 830422045425568;
 - d. \$198,453.98 seized from Wachovia Account # 830422047920103; and
 - e. \$129,655.00 seized from Wachovia Account # 830422048726418;
- totaling \$649,014.06;

All known parties have been provided with an opportunity to respond, and publication has been effected as required by Supplemental Rule G;

Luis Villalobos and Alma Villalobos have filed the requisite Claim and Answer;

No other claims are pending as to defendant property;

The United States and sole claimants Luis Villalobos and Alma Villalobos have reached a settlement in this case and have filed a Settlement Agreement with the Court resolving all issues in dispute;

Upon agreement of the parties, \$250,000.00 of defendant \$649,014.06 shall be forfeited to the United States;

The United States will promptly return to claimants \$399,014.06 plus interest;

It further appears there is cause to issue a forfeiture order under 31 U.S.C. §5317.

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

Forfeiture of \$250,000.00 of defendant funds shall enter in favor of the United States and the United States shall have full and legal title to the forfeited funds and may dispose of it in accordance with law;

\$399,014.06 plus interest will be promptly returned to Claimants pursuant to the terms and provisions of the parties' Settlement Agreement;

The Clerk of Court is directed to enter Judgment; and

A Certificate of Reasonable Cause, which this Order constitutes, is granted as to defendant property pursuant to 28 U.S.C. § 2465.

DATED June 8, 2010.

BY THE COURT:

s/Philip A. Brimmer
PHILIP A. BRIMMER
United States District Judge