

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

Civil Action No. 08-cv-01642-WYD-KMT

UNITED STATES OF AMERICA,

Plaintiff,

v.

1607 SAGEWOOD DRIVE, FORT COLLINS, COLORADO;

1975 CORVETTE, VIN 1Z67J5S404269;

1979 CORVETTE, VIN 1Z8749S434902;

2004 HARLEY DAVIDSON, VIN 1HD1CGP1X4K441730;

\$3,000 IN UNITED STATES CURRENCY; and

BANK OF CHOICE CERTIFICATE OF DEPOSIT,

Defendants.

FINAL ORDER OF FORFEITURE

THIS MATTER comes before the Court on the United States' Unopposed Motion for Final Order of Forfeiture and Judgment (filed March 31, 2009). The Court, having reviewed the 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 claimant Desaegher have reached a settlement in this case, and have filed a Settlement Agreement with the Court resolving all issues in dispute;

THAT the United States is releasing its Claims against defendant Sagewood Drive, therefore the mortgage will remain in full effect and the lien interest of GMAC is not affected by the settlement or forfeiture, thus resolving all issues regarding defendant property and the Claim of GMAC.

THAT no other claims have been filed;

THAT upon agreement of the parties, claimant Dennis Desaegher shall forfeit to the United States, all right, title, and interest to defendant 1975 Corvette, 1979 Corvette, 2004 Harley Davidson, and \$3,000 in United States currency;

THAT the United States is releasing its claims against defendant Sagewood;

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 is **GRANTED**. In accordance therewith,

THAT forfeiture of all right, title, and interest to defendant 1975 Corvette, 1979 Corvette, 2004 Harley Davidson, and \$3,000 in United States currency, is hereby entered in favor of the United States;

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

THAT the United States is releasing its claims against defendant 1607 Sagewood Drive;

THAT the Clerk of Court is directed to enter Judgment of forfeiture 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 all defendant property.

Dated: April 16, 2009

BY THE COURT:

s/ Wiley Y. Daniel
Wiley Y. Daniel
Chief United States District Judge