

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Honorable Marcia S. Krieger

Civil Action No. 09-cv-00753-MSK-CBS

UNITED STATES OF AMERICA,

Plaintiff,

v.

VARIOUS PIECES OF OLD MASTERS FINE ART;
VARIOUS PIECES OF CONTEMPORARY ART;
VARIOUS PIECES OF FINE ART;
4497 AND 4499 SHADOW RIDGE, ISLAND PARK, IDAHO;
CONVEYANCES;
E*TRADE ACCOUNTS;
SPORTS MEMORABILIA;
FIREARMS;
TAXIDERMY;
PERSONAL PROPERTY;
RIDLEY ACCOUNT;
CHURCH TITHINGS;
C.G. BOERNER INTEREST; and
JEWELRY,

Defendants.

ORDER FOR INTERLOCUTORY SALE

THIS MATTER comes before the Court on the United States' Unopposed Motion for Order of Interlocutory Sale (Motion) (#47) filed November 3, 2009. The Court having read said motion and being fully advised in the premises FINDS:

THAT the United States has commenced this action pursuant to Title 18, United States Code, Section 981;

THAT under 19 U.S.C. § 1612 and Supplemental Rule for Admiralty or Maritime Claims and Asset Forfeiture Actions E(9), the Court may order the interlocutory sale of properties

subject to forfeiture if certain conditions are present;

THAT defendant 4497 and 4499 Shadow Ridge is vacant, and therefore liable to deterioration, decay, or injury during the pendency of this case; and

THAT the United States and counsel for the record title holders and mechanic lienholders have agreed to an interlocutory sale of the defendant property, fully described as:

4497 and 4499 Shadow Ridge, Island Park, Idaho
Lots 12 and 13, Block 5, Stonegate Phase 2
Fremont County, State of Idaho.

NOW THEREFORE, IT IS ORDERED that the Motion is **GRANTED**. The United States, through the United States Marshals Service or its agents shall take possession of defendant 4497 and 4499 Shadow Ridge, Island Park, Idaho, and the property shall be sold through the United States Marshals Service, or its designated agents, with the net proceeds (defined as the proceeds from the sale, less reasonable and customary costs of closing, taxes, and encumbrances, real estate commissions and other normal costs associated with the closing) being held by the United States Marshals Service as substitute *res* pending final adjudication of this case; and

THAT at the sale of the property the Notice of Lis Pendens recorded by the United States in this action with the Clerk and Recorder for the County of Larimer, Colorado will be released.

DATED this 4th day of November, 2009.

BY THE COURT:



Marcia S. Krieger
United States District Judge