

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn

Civil Action No. 09-cv-01563-REB-BNB

UNITED STATES OF AMERICA,

Plaintiff,

v.

\$6,340.00 IN UNITED STATES CURRENCY,
2008 DODGE RAM VIN 3D7KS28A38G200086

Defendants.

DEFAULT AND FINAL ORDER OF FORFEITURE

Blackburn, J.

THIS MATTER comes before the Court on the Motion for Default and Final Order of Forfeiture [#14] filed by the United States on September 28, 2009, as to defendant properties, the Court having reviewed said Motion FINDS:

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

THAT all known interested parties have been provided an opportunity to respond and that publication has been effected as required by Rule G(4) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions;

THAT after notice, there have been no Claims, Answers, or other responsive pleadings filed in this matter as to defendant properties as required by Rule G(5) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions and 18 U.S.C. § 983 (a)(4).

THAT Entry of Default was entered by the Clerk of the Court on September 8, 2009 (ECF Document 13); and

THAT based upon the facts and verification set forth in the Verified Complaint, it appears that there was reasonable cause for the seizure of the defendant properties, and a Certificate of Reasonable Cause is granted pursuant to 28 U.S.C. § 2465.

THAT it further appears by a preponderance of the evidence that there is cause to issue a forfeiture order under 21 U.S.C. § 881;

THAT the facts and verifications as set forth in the Verified Complaint provide probable cause and an ample basis by a preponderance of the evidence for a final Judgment and Order of Forfeiture of as to defendant properties,

THAT pursuant to Fed.R.Civ.P. 54(b), this Court expressly determines that there is no just reason for delay in entering Final Order of Forfeiture and Judgment as to defendant properties.

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

THAT the Motion for Default and Final Order of Forfeiture [#14] filed by the United States on September 28, 2009, is granted;

THAT default and forfeiture of and as to defendant properties including all right, title, and interest is entered in favor of the United States;

THAT the United States shall have full and legal title as to defendant properties and may dispose of said property in accordance with law;

THAT this Default and Final Order of Forfeiture shall serve as a Certificate of Reasonable Cause as to as to all defendant properties under 28 U.S.C. § 2465; and

THAT the Clerk shall enter a Default Judgment as to defendant properties pursuant to Rule 55 of the Federal Rules of Civil Procedure.

Dated September 28, 2009.

BY THE COURT:



Robert E. Blackburn
United States District Judge