

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge William J. Martínez**

Civil Action No. 10-cv-02855-WJM-KMT

UNITED STATES OF AMERICA,

Plaintiff,

v.

2007 MONACO M-40PDQ MOTOR HOME VIN 1RF43464X72043536,
2005 OPTIMA UTILITY TRAILER VIN 5MVWB24255E001500,
\$104,800.00 UNITED STATES CURRENCY,
\$83,000.00 UNITED STATES CURRENCY, and
\$4,725.00 UNITED STATES CURRENCY

Defendants.

FINAL ORDER OF FORFEITURE

This matter comes before the Court on the Government's Unopposed motion for Final Order of Forfeiture, filed October 5, 2012 (ECF No. 65). The Court having reviewed the Motion hereby FINDS the following:

1. That the United States commenced this action in rem pursuant to 21 U.S.C. § 881;
2. 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);
3. That the United States and claimants Ronald Keller, Sharen Delano, and lienholder Bank of the West have reached settlements in this case, and have filed a Settlement Agreement with the Court resolving all issues in dispute;

4. That no other claims to defendant property have been filed;
5. That forfeiture of
 - a. defendant 2007 Monaco Motor Home VIN 1RF43464X72043536;
 - b. defendant 2005 Optima Utility Trailer VIN 5MVWB24255E001500;
 - c. defendant \$104,800.0 United States Currency;
 - d. \$68,000.00 of defendant \$83,000.00 United States Currency; and
 - e. defendant \$4,725 United States Currency;

shall enter in favor of the United States;

6. That the United States shall return to claimant Ronald Keller \$15,000.00 of defendant \$83,000.00 in United States Currency;
7. That the United States shall pay to Bank of the West, from the proceeds of the sale of defendant 2007 Monaco M-40PDQ Motor Home VIN 1RF43464X72043536, less all associated costs and expenses incurred by the Government as follows:
 - a. Unpaid principal balance of \$61,064.31; and
 - b. Interest to December 13, 2011, of \$8,071.07, and \$12.95 per diem thereafter until the payoff date.
8. That the United States shall return to claimant Sharen Delano \$8,500.00 from the net proceeds of defendant 2007 Monaco M-40PDQ Motor Home VIN 1RF43464X72043536, including all deductions for associated costs and expenses incurred by the government and payment to the lienholder Bank of the West.

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

IT IS HEREBY ORDERED that a forfeiture of

1. Defendant 2007 Monaco Motor Home VIN 1RF43464X72043536;
2. Defendant 2005 Optima Utility Trailer VIN 5MVWB24255E001500;
3. Defendant \$104,800.00 United States Currency;
4. \$68,000.00 of defendant \$83,000.00 United States Currency;
5. Defendant \$4,725.00 United States Currency;

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

The Clerk of the Court is DIRECTED to enter judgment, and a Certificate of Reasonable Cause, which this Order constitutes, is GRANTED as to all defendant property pursuant to 28 U.S.C. § 2465.

Dated this 9th day of October, 2012.

BY THE COURT:



William J. Martínez
United States District Judge