

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

Civil Action No. 11-cv-01684-PAB-MEH

UNITED STATES OF AMERICA,

Plaintiff,

v.

11 FIREARMS and
1620 ROUNDS OF AMMUNITION,

Defendants.

DEFAULT AND FINAL ORDER OF FORFEITURE

This matter comes before the Court on the United States' Motion for Default and Final Order of Forfeiture [Docket No. 12] as to defendant property. The Court having reviewed said Motion finds that:

The United States commenced this action *in rem* pursuant to 18 U.S.C. § 924(d).

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

After notice, no parties have filed a Claim or Answer as to defendant property as required by Rule G(5) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions.

Entry of Default was entered by the Clerk of the Court on November 23, 2011 [Docket No. 11].

Based upon the facts and verification set forth in the Verified Complaint, it appears by a preponderance of the evidence that there was reasonable cause for the seizure of all of the defendant property, and a Certificate of Reasonable Cause is granted pursuant to 28 U.S.C. § 2465. It further appears that there is cause to issue a forfeiture order under 18 U.S.C. § 924(d).

The facts and verifications as set forth in the Verified Complaint provide probable cause by a preponderance of the evidence for a final Judgment and Order of Forfeiture as to defendant property.

The Clerk of Court shall be directed to enter Judgment as to all of the defendant property.

NOW, THEREFORE, IT IS ORDERED that

Default and forfeiture of the following defendant property, including all right, title, and interest, is hereby entered in favor of the United States:

- a. Aguirre Y Aranzabal double barrel 12 gauge shotgun, SN: 264880;
- b. Ruger, Model Mark I, .22 caliber pistol, SN: 10-49957;
- c. Winchester Model 94, 30-30 rifle SN: 3424696;
- d. Sears and Roebuck Model 41, .22 caliber rifle;
- e. Ruger Model M-77 rifle, .270 caliber, SN:75-87572;
- f. Mossberg Model 183D, .410 gauge bolt action shotgun, SN: none;
- g. Winchester Model 52, .22 caliber bolt action rifle, SN: 42300A;
- h. Winchester 290 rifle, .22 caliber, SN: 781880;
- i. Rifle unknown manufacture/model/caliber, SN: 463062;

- j. Winchester Model 1894 rifle, .25 caliber, SN: 347182;
- k. Taurus .38 special revolver, SN: 926812; and
- l. 1620 rounds of ammunition.

The United States shall have full and legal title as to defendant property and may dispose of said property in accordance with law.

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

The Clerk of Court is directed to enter Judgment as to all of the defendant property.

DATED December 7, 2011.

BY THE COURT:

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