

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

Civil Action No. 12-cv-00310-PAB-CBS

UNITED STATES OF AMERICA,

Plaintiff,

v.

\$16,000.00 IN UNITED STATES CURRENCY,

Defendant.

DEFAULT JUDGMENT 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 United States moves for "default" as opposed to "default judgment." Given that the government has already moved for entry of default [Docket No. 10], which was entered by the Clerk's of the Court on April 13, 2012 [Docket No. 11], the Court will construe the government's request as a motion for entry of default judgment.

The Court having read 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;

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;

Entry of Default was entered by the Clerk of the Court on April 13, 2012 [Docket No. 11];

Based upon the facts and verification set forth in the Verified Complaint [Docket No. 1], it appears by a preponderance of the evidence that there was reasonable cause for the seizure 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 21 U.S.C. § 881; and

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 as to defendant property; and

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

NOW, THEREFORE, IT IS ORDERED that:

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

\$16,000.00 IN UNITED STATES CURRENCY;

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

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

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

DATED April 25, 2012.

BY THE COURT:

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