

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

Civil Action No. 12-cv-1121-WJM-MJW

UNITED STATES OF AMERICA

Plaintiff,

v.

\$15,410.00 IN UNITED STATES CURRENCY,
2001 GMC YUKON DENALI, VIN 1GKEK63U21J219267,
2009 NISSAN FRONTIER CREW CAB, VIN 1N6AD07W29C413694,
\$6,121.00 IN UNITED STATES CURRENCY

Defendants.

ORDER GRANTING MOTION FOR FINAL ORDER OF FORFEITURE

This matter comes before the Court on the United States' Unopposed Motion for Final Order of Forfeiture Only as to Defendants \$15,410.00 in United States Currency, and 2001 GMC Yukon Denali, filed July 20, 2012 (ECF No. 20). The Court having reviewed the Motion FINDS as follows:

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 as required by Supplemental Rule G(4);
3. That the United States and Claimant Graciela Loya, through her attorney Bradford Allin, Esq., have reached a settlement agreement in this case as to Ms. Loya's interest in certain defendant property, and have filed a

Settlement Agreement with the Court resolving all issues in dispute (ECF No. 20-1);

4. That Graciela Loya has an interest only in defendant's \$15,410.00 in United States Currency and 2001 GMC Yukon Denali;
5. That upon agreement of the parties, the United States has agreed to return \$6,000.00 of defendant's \$15,410.00 in United States Currency to Claimant Graciela Loya, through her attorney, Bradford Allin, Esq.;
6. That upon agreement of the parties, the remaining \$9,410.00 of defendant's \$15,410.00 in United States Currency will be forfeited to the United States pursuant to 21 U.S.C. § 881(a)(6), and that upon entry of a Final Order of Forfeiture, the forfeited property shall be disposed of in accordance with law;
7. That there are no claims of ownership for defendant's 2001 GMC Yukon Denali, and the parties agree that it shall be forfeited to the United States pursuant to 21 U.S.C. § 881(a)(4); and
8. That it further appears there is cause to issue a forfeiture order under 21 U.S.C. § 881(a)(4) and (a)(6).

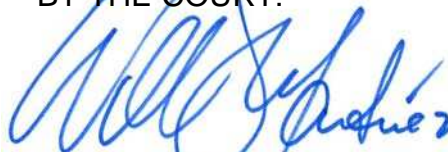
The Court hereby ORDERS as follows:

1. That the United States shall return \$6,000.00 of defendant's \$15,410.00 in United States Currency to Claimant Graciela Loya, through her attorney, Bradford Allin, Esq.;

2. That forfeiture of the remaining \$9,410.00 shall enter in favor of the United States pursuant to 21 U.S.C. § 881(a)(6);
3. That defendant 2001 GMC Yukon Denali is hereby forfeited to the United States, pursuant to 21 U.S.C. § 881(a)(4);
4. That the United States shall have full and legal title to the forfeited property, and may dispose of it in accordance with law and in accordance with the terms and provisions of the parties' Settlement Agreement;
5. That pursuant to Rule 54(b) of the Federal Rules of Civil Procedure, the Clerk of the Court is DIRECTED to enter Judgment only as to \$9,410.00 of Defendant \$15,410.00 in United States Currency and defendant 2001 GMC Yukon Denali;
6. That all remaining defendant property as listed in the caption are pending, and are not affected by this Final Order of Forfeiture; and
7. That a Certificate of Reasonable Cause, which this Order constitutes, is GRANTED as to defendants \$15,410.00 in United States Currency and 2001 GMC Yukon Denali, pursuant to 28 U.S.C. § 2465

Dated this 20th day of July, 2012.

BY THE COURT:



William J. Martínez
United States District Judge