

**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.

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**ORDER GRANTING MOTION FOR FINAL ORDER OF FORFEITURE**

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This matter comes before the Court on the United States' Unopposed Motion for Final Order of Forfeiture as to Defendant \$6,121.00.00 in United States Currency, filed November 2, 2012 (ECF No. 35). 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 and that publication has been effected as required by Supplement Rule G(4);
3. That the United States and mark Fraleigh, through Michelle L. Lazar, Esq., have reached a settlement in this case, and have filed a Settlement Agreement with the Court resolving all issues in dispute;

4. That no other claims to defendant \$6,121.00 in United States Currency have been filed;
5. That upon agreement of the parties, Mark Fraleigh agrees to forfeit \$1,121.00 of defendant \$6,121.00 in United States Currency, which funds will be forfeited pursuant to 21 U.S.C. § 881 and disposed of in accordance with law;
6. That upon agreement of the parties, the United States has agreed to return to Mark Fraleigh, the remaining \$5,000.00 of defendant \$6,121.00 in United States Currency;
7. That it further appears there is cause to issue a forfeiture order under 21 U.S.C. § 881.

Based on the foregoing the Court hereby ORDERS as follows:

1. The Unopposed Motion for Final Order of Forfeiture is GRANTED.
2. That judgment of forfeiture of \$1,121.00 of defendant \$6,121.00 in United States Currency is hereby entered in favor of the United States; 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; and
3. That 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 5<sup>th</sup> day of November, 2012.

BY THE COURT:

A handwritten signature in blue ink, appearing to read "William J. Martínez", written over a horizontal line.

William J. Martínez  
United States District Judge