

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

Civil Action No. 13-cv-1193-WJM-BNB

UNITED STATES OF AMERICA

Plaintiff,

v.

11843 HANNIBAL STREET, COMMERCE CITY, CO,
7361 MAD RIVER ROAD, MAD RIVER, CA,
2001 FORD F-250 XL, VIN # 1FTNW21F01EA67656,
2000 VOLVO S80-16, VIN # YV1TS90DXY1094497,
\$10,315.00 IN UNITED STATES CURRENCY,
\$6,934.00 IN UNITED STATES CURRENCY,
\$4,130.00 IN UNITED STATES CURRENCY,
\$3,967.00 IN UNITED STATES CURRENCY,
\$1,091.00 IN UNITED STATES CURRENCY,
\$30,947.50 SEIZED FROM E-TRAD ACCT XXXXXX8410,
\$30,007.82 SEIZED FROM US BANK ACCT XXXXXXXX1124,
\$25,629.65 SEIZED FROM JP MORGAN CHASE BANK ACCT XXXXXXXX6097,
\$19,680.12 SEIZED FROM FIRST BANK ACCT XXXXXX1991,
\$16,019.66 SEIZED FROM CORE FIRST BANK & TRUST ACCT XXX7962,
\$10,572.89 SEIZED FROM US BANK ACCT XXXXXXXX0439,
\$6,200.50 SEIZED FROM EDWARD JONES ACCT XXXX4700-1-0,
\$5,899.72 SEIZED FROM US BANK ACCT XXXXXXXX0698,
\$2,937.27 SEIZED FROM BELLCO CREDIT UNION ACCT XXXXX7138,
\$1,125.31 SEIZED FROM BELLCO CREDIT UNION ACCT XXXXX7229,
\$15,232.74 SEIZED FROM TCF NATIONAL BANK ACCT XXXXXX6528,
\$5,525.59 SEIZED FROM PUBLIC SERVICE CREDIT UNION ACCT XXXXXX9267,
ROLEX EXPLORER II WATCH,
TAG HEUER AQUARACER LADIES WATCH,
ROLEX SUB MARINER WATCH SEIZED FROM CHASE SAFE DEPOSIT BOX 6062-8,
2007 VOLVO S80 VIN # YV1AS982071019817,
\$72,000.000 IN UNITED STATES CURRENCY,
\$18,252.00 IN UNITED STATES CURRENCY,
\$579.00 IN UNITED STATES CURRENCY,
2003 FORD F-250 SUPER DUTY XL PICKUP TRUCK VIN # 1FTNW21P13EC31363,
2010 BMW 335I VIN#WBAWL7C59AP475234,
2009 FORD ECONOLINE E250 VIN # 1FTNE24W59DA47967,
\$10,441.37 SEIZED FROM VALLEY BANK & TRUST ACCT XXXX4545,
\$1,331.71 SEIZED FROM VALLEY BANK & TRUST ACCT XXXX7208

Defendants.

FINAL ORDER OF FORFEITURE

This matter comes before the Court on Plaintiff's Unopposed Motion for Final Order of Forfeiture, filed on December 16, 2013 (ECF No. 42). The Court having reviewed the Motion and being fully advised hereby GRANTS the Motion and FINDS as follows:

THAT the United States commenced this action in rem pursuant to 21 U.S.C. § 881;

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);

THAT claimants Drew Jeffrey, Christina McCarthy, Brandon Jeffrey, Countrywide Home Loans, Inc., and BMW Financial Services, LLC have properly filed Claims to the defendant property pursuant to Supplemental Rule G(5);

THAT the United States and all claimants have reached settlements in this case, and have filed Settlement Agreements with the Court resolving all issues in dispute;

THAT no other claims to the defendant property have been filed;

THAT upon agreement of the parties, claimants Drew Jeffrey, Christina McCarthy, and Brandon Jeffrey agree to forfeit the following defendant property pursuant to 21 U.S.C. § 881, and that said property will be disposed of in accordance with law:

- a. Real Property located at 7361 Mad River Road, Mad River, California,

which more fully described as:

THAT REAL PROPERTY SITUATED IN THE COUNTY OF TRINITY,
STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF THE WEST HALF OF THE NORTHEAST
QUARTER AND THE NORTH HALF OF THE SOUTHEAST QUARTER
OF SECTION 19, TOWNSHIP 1 SOUTH, RANGE 7 EAST, H.B. & M.,
ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS
FOLLOWS:

PARCEL NO. 2 AS SHOWN ON THE PARCEL MAP FOR LOWELL E.
STONE, FILED FOR RECORD IN THE OFFICE OF THE COUNTY
RECORDER OF TRINITY COUNTY, CALIFORNIA ON MARCH 3, 1977
IN BOOK 9 OF MAPS AND SURVEYS AT PAGES 158 THROUGH 160.
EXCEPTING THEREFROM THE NORTHERLY PORTION OF SAID
PARCEL NO. 2 DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF SAID PARCEL NO. 2
AT THE SOUTHERLY TERMINUS OF THE COURSE LABELED NORTH
20°33'45" EAST 325.00 FEET; THENCE ALONG SAID WEST LINE,
NORTH 20°33'45" WEST 325.00 FEET; THENCE NORTH 43°10'45"
WEST, 122.81 FEET; THENCE SOUTH 79°54'45" WEST 36.40 FEET;
THENCE NORTH 60°01'45" WEST, 122.22 FEET TO THE NORTHWEST
CORNER OF SAID PARCEL NO. 2; THENCE ALONG THE NORTH LINE
OF SAID PARCEL NO. 2, NORTH 76°10'53" EAST, 156.22 FEET;
THENCE NORTH 71°35'19" EAST 367.99 FEET TO THE NORTHEAST
CORNER OF SAID PARCEL NO. 2; THENCE ALONG THE EAST LINE
OF SAID PARCEL NO. 2, SOUTH 1°23'36" WEST, 330.74 FEET TO THE
NORTHEAST 1/16TH CORNER; THENCE CONTINUING ALONG SAID
EAST LINE SOUTH 1°25'32" WEST, 275.15 FEET MORE OR LESS TO
A POINT ON SAID LINE BEARING SOUTH 88°34'28" EAST FROM THE
POINT OF BEGINNING; THENCE NORTH 88°34'28" WEST, 146.11
FEET MORE OR LESS TO THE POINT OF BEGINNING.

PURSUANT TO LOT LINE ADJUSTMENT #P-09-14 TOGETHER WITH A
NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS OVER
THE EXISTING ROAD LEADING FROM THE LAND HEREIN
DESCRIBED TO THE COUNTY ROAD, AS DESCRIBED IN THE DEED
RECORDED NOVEMBER 1, 1978 IN BOOK 195 OF OFFICIAL
RECORDS PAGE 763, TRINITY COUNTY RECORDS.

- b. 2001 Ford F-250 XL, VIN #1FTNW21F01EA67656;

- c. 2000 Volvo S80-16, VIN #YV1TS90DXY1094497;
- d. \$10,315.00 in United States Currency;
- e. \$6,934.00 in United States Currency;
- f. \$4,130.00 in United States Currency;
- g. \$3,967.00 in United States Currency;
- h. \$30,947.50 seized from E-Trade Acct. XXXXXX8410;
- i. \$30,007.82 seized from US Bank Acct. XXXXXXXX1124;
- j. \$25,629.65 seized from JP Morgan Chase Bank Acct. XXXXXXXX6097;
- k. \$16,019.66 seized from Core First Bank & Trust XXX7692;
- l. \$10,572.89 seized from US Bank Acct XXXXXXXX0439;
- m. \$6,200.50 seized from Edward Jones Acct XXXX4700-1-0;
- n. \$5,899.72 seized from US Bank Acct XXXXXXXX6172;
- o. \$5,666.93 seized from US Bank Acct XXXXXXXX0698;
- p. \$2,937.27 seized from Bellco Credit Union Acct XXXXX7138;
- q. \$1,125.31 seized from Bellco Credit Union Acct XXXXX7229;
- r. \$15,232.74 seized from TCF National Bank Acct XXXXXX6528;
- s. \$5,525.59 seized from Public Service Credit Union Acct XXXXXX9267;
- t. Rolex Explorer II Watch;
- u. Tag Heuer Aquaracer Ladies Watch;
- v. Rolex Sub Mariner Watch seized from Chase Safe Deposit Box 6062-8;
- w. 2007 Volvo S80, VIN YV1AS982071019817;
- x. \$72,000.00 in United States Currency;

- y. \$18,252.00 in United States Currency;
- z. \$579.00 in United States Currency;
- aa. 2010 BMW 335i, VIN WBAWL7C59AP475234;
- bb. 2009 Ford Econoline E250, VIN 1FTNE24W59DA47967;
- cc. \$10,441.37 seized from Valley Bank & Trust Acct XXXX4545; and
- dd. \$1,331.71 seized from Valley Bank & Trust Acct XXXX7208;

THAT Defendant 7361 Mad River Road, Mad River, California is titled in the name of claimant Drew Jeffery's business, Bigfoot Consulting, LLC, a/k/ Big Foot Consulting, LLC, and is unencumbered;

THAT claimant Drew Jeffrey, on behalf of Big Foot Consulting, LLC, is the only individual or entity to have filed a Claim for defendant 7361 Mad River Road;

THAT upon agreement of the parties, the United States has agreed to return defendant 11843 Hannibal Street, Commerce City, Colorado, defendant 2003 Ford F-250 Super Duty XL Pickup Truck, defendant \$1,091.00 in United States Currency, and defendant \$19,690.12 seized from First Bank Acct xxxxxx1991, to claimant Christina McCarthy;

THAT the United States has further agreed to return defendant 2003 Ford F-250 to claimant Brandon Jeffrey;

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

It is therefore ORDERED as follows:

THAT judgment of forfeiture of the following defendant property is hereby entered in favor of the United States:

- a. Real Property located at 7361 Mad River Road, Mad River, California, which more fully described as:

THAT REAL PROPERTY SITUATED IN THE COUNTY OF TRINITY, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF THE WEST HALF OF THE NORTHEAST QUARTER AND THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 1 SOUTH, RANGE 7 EAST, H.B. & M., ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

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BEGINNING AT A POINT ON THE WEST LINE OF SAID PARCEL NO. 2 AT THE SOUTHERLY TERMINUS OF THE COURSE LABELED NORTH 20°33'45" EAST 325.00 FEET; THENCE ALONG SAID WEST LINE, NORTH 20°33'45" WEST 325.00 FEET; THENCE NORTH 43°10'45" WEST, 122.81 FEET; THENCE SOUTH 79°54'45" WEST 36.40 FEET; THENCE NORTH 60°01'45" WEST, 122.22 FEET TO THE NORTHWEST CORNER OF SAID PARCEL NO. 2; THENCE ALONG THE NORTH LINE OF SAID PARCEL NO. 2, NORTH 76°10'53" EAST, 156.22 FEET; THENCE NORTH 71°35'19" EAST 367.99 FEET TO THE NORTHEAST CORNER OF SAID PARCEL NO. 2; THENCE ALONG THE EAST LINE OF SAID PARCEL NO. 2, SOUTH 1°23'36" WEST, 330.74 FEET TO THE NORTHEAST 1/16TH CORNER; THENCE CONTINUING ALONG SAID EAST LINE SOUTH 1°25'32" WEST, 275.15 FEET MORE OR LESS TO A POINT ON SAID LINE BEARING SOUTH 88°34'28" EAST FROM THE POINT OF BEGINNING; THENCE NORTH 88°34'28" WEST, 146.11 FEET MORE OR LESS TO THE POINT OF BEGINNING.

PURSUANT TO LOT LINE ADJUSTMENT #P-09-14 TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS OVER THE EXISTING ROAD LEADING FROM THE LAND HEREIN DESCRIBED TO THE COUNTY ROAD, AS DESCRIBED IN THE DEED

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- h. \$30,947.50 seized from E-Trade Acct. XXXXXX8410;
- i. \$30,007.82 seized from US Bank Acct. XXXXXXXX1124;
- j. \$25,629.65 seized from JP Morgan Chase Bank Acct. XXXXXXXX6097;
- k. \$16,019.66 seized from Core First Bank & Trust XXX7692;
- l. \$10,572.89 seized from US Bank Acct XXXXXXXX0439;
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- n. \$5,899.72 seized from US Bank Acct XXXXXXXX6172;
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- q. \$1,125.31 seized from Bellco Credit Union Acct XXXXX7229;
- r. \$15,232.74 seized from TCF National Bank Acct XXXXXX6528;
- s. \$5,525.59 seized from Public Service Credit Union Acct XXXXXX9267;
- t. Rolex Explorer II Watch;
- u. Tag Heuer Aquaracer Ladies Watch;
- v. Rolex Sub Mariner Watch seized from Chase Safe Deposit Box 6062-8;

- w. 2007 Volvo S80, VIN YV1AS982071019817;
- x. \$72,000.00 in United States Currency;
- y. \$18,252.00 in United States Currency;
- z. \$579.00 in United States Currency;
- aa. 2010 BMW 335i, VIN WBAWL7C59AP475234;
- bb. 2009 Ford Econoline E250, VIN 1FTNE24W59DA47967;
- cc. \$10,441.37 seized from Valley Bank & Trust Acct XXXX4545; and
- dd. \$1,331.71 seized from Valley Bank & Trust Acct XXXX7208

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 Agreements; and

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 17th day of December, 2013.

BY THE COURT:



William J. Martínez
United States District Judge