

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Christine M. Arguello**

Civil Action No. 13-cv-02095-CMA-KMT

UNITED STATES OF AMERICA,

Plaintiff,

v.

2007 GMC ACADIA SUV, VIN 1GKEV33737J120918,

Defendant

FINAL ORDER OF FORFEITURE

This matter is before the Court on the United States' Unopposed Motion for Final Order of Forfeiture (Doc. # 27). The Court having reviewed said Motion, FINDS:

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 after proper notice, Claimant Giovanni Rocha failed to file an Answer to the Verified Complaint pursuant to Rule G(5) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, and that consequently, on October 31, 2013, the Clerk of the Court entered Default as to Giovanni Rocha;

THAT on April 18, 2014, a Default and Final Order of Forfeiture was entered by the Court as to Claimant Giovanni Rocha;

THAT Claimant The Ultimate Machines Incorporated properly filed its Claim to Defendant 2007 GMC Acadia SUV pursuant to Supplemental Rule G(5), claiming interest as lienholder only;

THAT the United States and sole remaining Claimant The Ultimate Machines Incorporated have reached a settlement in this case, and have filed a Stipulated Expedited Settlement Agreement with the Court resolving all issues regarding Claimant's lienhold interest in Defendant 2007 GMC Acadia SUV;

THAT pursuant to an Order of Interlocutory Sale, Defendant 2007 GMC Acadia SUV was sold by the United States Marshals Service on March 8, 2014;

THAT pursuant to the parties' Expedited Settlement Agreement, the lien of Claimant The Ultimate Machines Incorporated shall be satisfied from the proceeds of the sale, and that any remaining net proceeds will be held as substitute *res*;

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

NOW, THEREFORE, IT IS ORDERED, DECREED AND ADJUDGED:

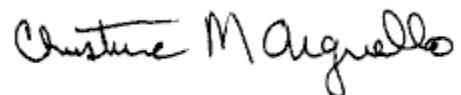
THAT judgment of forfeiture of the proceeds from the sale of Defendant 2007 GMC Acadia SUV VIN 1GKEV33737J120918 is hereby entered in favor of the United States pursuant to 21 U.S.C. § 881:

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; and

THAT a Certificate of Reasonable Cause, which this Order constitutes, is granted pursuant to 28 U.S.C. § 2465.

SO ORDERED this 23rd day of April, 2014.

BY THE COURT:



CHRISTINE M. ARGUELLO
United States District Court Judge