

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn**

Civil Action No. 1:13-cv-03139-REB-MJW

In Re: Petition of DANIEL ARCHER, as
Owner of the unnamed vessel Hull ID
#SERA5032J798, for Exoneration from or
Limitation of Liability,

Plaintiff.

ORDER TO DEPOSIT SURETY BOND

Blackburn, J.

The matter before the court is plaintiff's **Verified Petition for Exoneration from or Limitation of Liability** [#1], filed November 19, 2013. Plaintiff brings this action under The Shipowners Limitation of Liability Act, 46 U.S.C. § 30501 *et seq.* (the "Act"), and Supplemental Rule F of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions (the "Supplemental Rule"), seeking to limit his potential liability to the putative value of the vessel for claims arising out of a voyage of the unnamed vessel, Hull ID #SERA5032J798, on June 19, 2011.

To be entitled to the protections afforded by the Act and the Supplemental Rule, plaintiff, as owner of the subject vessel,

shall deposit with the court, for the benefit of claimants, a sum equal to the amount or value of the owner's interest in the vessel and pending freight, or approved security therefor, and in addition such sums, or approved security therefor, as the court may from time to time fix as necessary to carry out the provisions of the statutes as amended; . . . The plaintiff shall also give security for costs and, if the plaintiff elects to give security, for interest at the rate of 6 percent per annum from the date of the security.

Supplemental Rule F(1). Although plaintiff has indicated that he will deposit such funds into the registry of the court (**see Ad Interim Stipulation For Value and Costs** [#5], filed November 20, 2013), he cannot do so absent court order, **see D.C.COLO.LCivR 67.2(a)**.

Thus, I enter this order, directing plaintiff to deposit a surety bond in the amount of the putative value of the vessel, plus costs and interest at the prescribed rate.

THEREFORE, IT IS ORDERED that by December 24, 2013, plaintiff **SHALL DEPOSIT** into the registry of the court, as security for a sum equal to plaintiff's interest in the vessel together with costs, a surety bond in the amount of **twenty-five thousand dollars (\$25,000.00)**, together with interest thereon at a rate of **six percent (6%) per annum**, from the date of the bond.

Dated December 17, 2013, at Denver Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge