

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Philip A. Brimmer

Civil Action No. 14-cv-02665-PAB-BNB

UNITED STATES OF AMERICA,

Plaintiff,

v.

\$20,550.00 IN UNITED STATES CURRENCY;
\$12,464.00 IN UNITED STATES CURRENCY;
2003 HYUNDAI TIBERON, VIN KMHHM65D23UO99998;
2004 BMW 745li, VIN WBAGN6347D550199; and
1996 BMW 318ti, VIN WBAG7329TA596212,

Defendants.

DEFAULT AND FINAL ORDER OF FORFEITURE

This matter comes before the Court on the United States' Motion for Default and Final Order of Forfeiture [Docket No. 16]. The Court having read the motion and being fully advised in the premises finds that:

The United States commenced this action *in rem* pursuant to 21 U.S.C. § 881.

All known interested parties have been provided an opportunity to respond and publication has been effected as required by Rule G(4) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions.

After proper notice, neither the known potential claimants nor any other third party has filed a Claim or Answer as to defendant Currency as required by Rule G(5) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions.

Default was entered by the Clerk of the Court on December 22, 2014 [Docket No. 15].

Based upon the facts and verification set forth in the Verified Complaint, it appears by a preponderance of the evidence that there was reasonable cause for the seizure of defendants \$20,550.00 and \$12,464.00 in U.S. Currency, defendant Hyundai, defendant BMW 745li, and defendant BMW 318ti, and a Certificate of Reasonable Cause is granted pursuant to 28 U.S.C. § 2465. It further appears that there is cause to issue a forfeiture order under 21 U.S.C. § 881.

The facts and verifications as set forth in the Verified Complaint provide probable cause and an ample basis by a preponderance of the evidence for a final Judgment and Order of Forfeiture as to defendants \$20,550.00 and \$12,464.00 in U.S. Currency, defendant Hyundai, defendant BMW 745li, and defendant BMW 318ti.

The Clerk of Court shall be directed to enter Judgment as to defendants \$20,550.00 and \$12,464.00 in U.S. Currency, defendant Hyundai, defendant BMW 745li, and defendant BMW 318ti.

Therefore, it is

ORDERED that default and forfeiture of defendant Currency, including all right, title, and interest is hereby entered in favor of the United States pursuant to 21 U.S.C. § 881. It is further

ORDERED that the United States shall have full and legal title as to defendants \$20,550.00 and \$12,464.00 in U.S. Currency, defendant Hyundai, defendant BMW

745li, and defendant BMW 318ti and may dispose of said property in accordance with law. It is further

ORDERED that this Default and Final Order of Forfeiture shall serve as a Certificate of Reasonable Cause as to defendant Currency under 28 U.S.C. § 2465. It is further

ORDERED that the Clerk of Court is directed to enter Judgment as to defendants \$20,550.00 and \$12,464.00 in U.S. Currency, defendant Hyundai, defendant BMW 745li, and Defendant BMW 318ti.

DATED January 15, 2015.

BY THE COURT:

s/Philip A. Brimmer
PHILIP A. BRIMMER
United States District Judge
