

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA

v.

Case No. 8:11-cv-1974-T-24EAJ

\$85,165.99 IN U.S. CURRENCY

JUDGMENT OF FORFEITURE

THIS CAUSE comes before the Court on the United States' Motion for a Judgment of Forfeiture for \$20,000.00, pursuant to the provisions of 31 U.S.C. § 5317(c)(2) and Supp'l Rule G, Supplemental Rules for Certain Admiralty or Maritime Claims and Asset Forfeiture Actions.

Having been fully advised in the premises, the Court hereby finds that the \$85,165.99 (defendant funds), is forfeitable to the United States pursuant to 31 U.S.C. § 5317(c)(2), on the grounds that the funds constitute property involved in or traceable to deposits structured to avoid currency transaction reporting requirements, in violation of 31 U.S.C. § 5324(a).

The Court further finds that the only persons or entities known to have an alleged interest in the defendant funds are Joseph and Barbara Wheeler. In accordance with the provisions of Supp'l Rule G(4)(b)(i), Barbara Wheeler, personally and as President and Registered Agent for Oasis Refreshment System, Inc., through Douglas DeVlaming, Esquire, received actual notice of this action and was sent a copy of the Complaint for Forfeiture *in Rem*.

The Court further finds that Joseph and Barbara Wheeler executed a Consent to Forfeiture wherein they agreed to forfeit \$20,000.00 of the defendant funds and the United States seeks to dismiss the remaining \$65,165.99 and return those funds to the Wheelers.

The Court further finds that the United States filed a Declaration of Publication which reflects that notice of this forfeiture was posted on an official government internet website (www.forfeiture.gov) for at least 30 consecutive days, beginning on September 10, 2011, pursuant to Supp'l Rule G(4)(a)(iv)(C).


The Court further finds that no other person or entity with an alleged interest in the defendant funds has timely filed a claim, and the time for filing such a claim has expired. Accordingly, it is hereby

ORDERED, ADJUDGED AND DECREED that for good cause shown, said Motion of the United States is hereby GRANTED.

It is further ORDERED that, pursuant to the provisions of 31 U.S.C. § 5317(c)(2) and Supp'l Rule G, all right, title, and interest in \$20,000.00 of the defendant funds is hereby CONDEMNED and FORFEITED to the United States for disposition according to law. Clear title to the \$20,000.00 is now vested in the United States of America.

It is further ORDERED that the remaining \$65,165.99 is hereby dismissed from this action.

DONE and ORDERED in Chambers in Tampa, Florida, this 19th day of October, 2011.



SUSAN C. BUCKLEW
UNITED STATES DISTRICT JUDGE

Copies to:
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