

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA,

v.

Case No.: 8:14-cv-2221-T-30MAP

\$35,502.21, SEIZED FROM
FLORIDA CITIZENS BANK
ACCOUNT NO. 100200016622,
HELD IN THE NAME OF
"SHREEJI BAPA KRUPA, LLC,
SETTLEMENT ACCOUNT,"

DEFAULT JUDGMENT OF FORFEITURE

THIS CAUSE comes before the Court upon the United States' Motion (Doc. 18), pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure and Middle District of Florida Local Rule 7.03(i)(1), for entry of a Default Judgment of Forfeiture for \$35,502.21, seized from Florida Citizens Bank account number 100200016622, held in the name of "Shreeji Bapa Krupa, LLC, Settlement Account" (Defendant Funds).

On September 5, 2014, the United States filed a Verified Complaint for Forfeiture in Rem against the Defendant Funds, which were seized on June 3, 2014, pursuant to a seizure warrant. Doc. 1. The Defendant Funds are currently in the custody of the United States Marshals Service.

Beginning on September 10, 2014, through and including October 9, 2014, the United States published notice of the present action on its official website, www.forfeiture.gov, as required by Supplemental Rule G(4)(a)(i) & (iv)(C) of the Federal Rules of Civil Procedure. Doc. 8.

On September 26, 2014, the United States sent notices of this forfeiture action, via certified United States mail and first class mail, to the only known potential claimants, Chirag Patel, Hitesh Shah, and Vijay Patel, in accordance with the requirements of Rule G(4)(b) and Local Rule 7.03.

The Notice Package included: (1) a Notice of Complaint for Forfeiture *in Rem*, (2) a copy of the Verified Complaint for Forfeiture *in Rem* and Warrant of Arrest *in Rem*, (3) an Acknowledgment of Receipt of Notice of Verified Complaint for Forfeiture, and (4) the Notice of Designation Under Local Rule 3.05. The Notice of Forfeiture directed the recipient to file a Statement of Right or Interest with the Clerk of Court within 35 days after receipt of the notice.

The Notice of Forfeiture specifically advised that, in order to contest the United States' civil forfeiture complaint, the claimant was required to: (a) file a Statement of Right or Interest within 35 days after receipt of the notice; and (b) file an Answer within 21 days after filing the Statement of Right or Interest. The notice further instructed the potential claimant to file a Statement of Right or Interest and Answer with the Office of the Clerk, United States District Court, Sam Gibbons Federal Courthouse, 2nd Floor, 801 North Florida Avenue, Tampa, Florida 33602.

Finally, the notice advised that the “[f]ailure to follow the requirements set forth above may result in judgment by default taken against you for relief demanded in the Complaint. You may wish to seek legal advice to protect your interests.”

On October 31, 2014, Vijay Patel filed a Statement of Right or Interest for the Defendant Funds, and on December 29, 2014, Mr. Patel withdrew his interest in the Defendant Funds. See Docs. 9, 13.

Chirag Patel and Hitesh Shah failed to timely file a statement of right or interest, and the time for them to file a claim, or otherwise contest the forfeiture of the Defendant Funds, has expired.

Accordingly, on December 30, 2014, the United States filed a Motion for Clerk’s Entry of Default against Chirag Patel and Hitesh Shah, and on December 31, 2014, the Clerk entered the requested Defaults. See Docs. 15-17.

As no one has filed a claim, or has otherwise appeared to contest the forfeiture, and the time to do so has expired, it is accordingly, hereby:


ORDERED, ADJUDGED and DECREED that the United States’ motion (Doc. 18) is GRANTED.

It is FURTHER ORDERED that pursuant to Federal Rule of Civil Procedure 55(b)(2) and Local Rule 7.03(i)(1), judgment of default is hereby entered against Chirag Patel, Hitesh Shah, and Vijay Patel. Any further claims or statements of interest are time-barred.

It is FURTHER ORDERED that all right, title, and interest in the Defendant Funds is hereby forfeited to the United States of America, pursuant to 31 U.S.C. § 5317(c)(2), Federal Rule of Civil Procedure 55(b)(2), and Local Rule 7.03(i)(1), and clear title to the Defendant Funds is vested in the United States of America for disposition according to law.

The Clerk is directed to close this case.

DONE and ORDERED in Tampa, Florida, this 9th day of January, 2015.



JAMES S. MOODY, JR.
UNITED STATES DISTRICT JUDGE

Copies to:
Counsel/Parties of Record

F:\Docs\2014\14-cv-2221 forfeit default.docx