

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

CASE NO. 1:11cv56-MP-GRJ

REAL PROPERTY LOCATED AT
7660 NE 30TH STREET, HIGH SPRINGS,
FLORIDA, WITH ALL IMPROVEMENTS
AND APPURTENANCES THEREON,

Defendant.

_____ /

ORDER

This matter is before the Government's Motion to Set Aside Decree of Forfeiture and Dismiss Case. (Doc. 13). On March 25, 2011, this action originated before this court on the Government's filing of a Verified Complaint for Forfeiture In Rem seeking to forfeit the subject property owned by Katherine J. Logan and Michael Tiner. (Doc. 1). It has been determined that the defendant real property was foreclosed on prior to the entry of the Decree of Forfeiture. (See doc. 8). It appears that the mortgage is legitimate and was recorded prior to the Government's Lis Pendens. (See doc. 4). As such, the Government requests that the Decree of Forfeiture entered on August 24, 2011, be set aside and that this case be dismissed. No objections have been filed.

Accordingly, it is now **ORDERED** as follows:

The Decree of Forfeiture entered August 24, 2011 (doc. 8), is VACATED, and this case DISMISSED pursuant to Fed. R. Civ. P. 41 (a)(1)(A)(i).

DONE and ORDERED this 15th day of March, 2012.

s/ M. Casey Rodgers

**M. CASEY RODGERS
CHIEF UNITED STATES DISTRICT JUDGE**