



3. The United States has furnished due and legal notice of these proceedings as required by law. The United States perfected service of process of this action on Claimant Isaac Decena-Gonzalez, and other potential claimants.

4. The United States published notice of this action on an official government website, *www.forfeiture.gov* for at least thirty (30) consecutive days, beginning on October 26, 2010, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions.

5. Claimant filed a timely Claim and Answer in these proceedings, asserting his interest in the Defendant Property described as \$20,000.00 in United States Funds, and One 2000 Volkswagen Jetta GLX, VIN: 3VWTE29M3YM056147, but those pleadings have now been stricken.

6. Plaintiff sent Special Interrogatories to the Claimant, through his counsel of record, which were received on April 18, 2011.

7. The due date for Claimant's responses to Plaintiff's Special Interrogatories was May 9, 2011, but Claimant failed to respond.

8. This Court entered an Order on August 8, 2011 allowing Claimant's counsel to withdraw after having reviewed and considered the filed request.

9. Upon the filing of a motion requesting an extension of time to complete discovery by the Plaintiff, this Court entered an Order extending the time up to December 27, 2011.

10. The Plaintiff has made numerous attempts to locate and serve the Claimant again with its Special Interrogatories, but has been unsuccessful in locating Mr. Decena-Gonzalez.

11. As of today's date, no other person or entity has filed a claim and answer in this action and the time for filing a timely claim and answer has expired.

12. There is sufficient evidence to warrant a conclusion, by a preponderance of evidence standard, that Defendant Property is subject to forfeiture in accordance with 21 U.S.C. § 881(a)(6).

THEREFORE, IT IS HEREBY FURTHER ORDERED THAT:

1. All right, title, and interest in the Defendant Property is hereby forfeited to and vested in the United States, which shall have clear title to this property and may warrant good title to any subsequent transferee.

2. The United States Attorney General or his authorized designee shall dispose of this property in accordance with the law.

3. No parties shall be entitled to costs, including any costs under 28 U.S.C. § 2412, nor shall the person or persons who made the seizure of the Defendant Property, nor any attorney, agent, or employee of the United States, be liable to suit or judgment on account of the seizure of the Defendant Property or prosecution of the instant forfeiture action, there being reasonable cause shown for the seizure.

SO ORDERED, this 3rd day of January, 2012

S/Marc T. Treadwell  
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MARC T. TREADWELL, JUDGE  
UNITED STATES DISTRICT COURT

PREPARED BY:

s/ DANIAL E. BENNETT  
ASSISTANT UNITED STATES ATTORNEY  
GEORGIA STATE BAR NO. 052683