

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	
v.	:	CIVIL ACTION
	:	No. 5:12-CV-170 (CAR)
\$8,811.00 IN UNITED STATES FUNDS,	:	
	:	
Defendant Property,	:	
	:	
JIMMY WIGGINS,	:	
	:	
Claimant.	:	
_____	:	

CONSENT ORDER

On May 11, 2012, the United States of America filed a civil action *in rem* to forfeit \$8,811.00 in United States funds (the "Defendant Property") pursuant to 21 U.S.C. § 881(a)(6). Now, the parties have executed and presented to the Court a Stipulation for Compromise Settlement and Release of Claims [Doc. 13-1], which is incorporated hereby and made a part of this Order, in which they agree that \$5,000.00 of the Defendant Property shall be forfeited to the United States, and the remaining \$3,811.00 shall be released to Claimant Jimmy Wiggins, through his counsel.

Consequently, the Court hereby makes the following Findings of Fact and Conclusions of Law:

1. The Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1345 and 1355, and venue is proper pursuant to 28 U.S.C. § 1395.
2. The United States has furnished due and legal notice of these proceedings as required by law. All persons known to the United States to have a possible interest in the Defendant Property have received actual notice and service of the Complaint and Warrant for Arrest In Rem in this action.
3. Claimant filed a Claim and an Answer in these proceedings, asserting his interest in the Defendant Property. No other claims and answers have been filed, and the time for filing claims and answers has now expired.
4. There is sufficient evidence to warrant the conclusion, by a preponderance of the evidence, that the Defendant Property is subject to forfeiture in accordance with 21 U.S.C. § 881(a)(6).

**THEREFORE, IT IS HEREBY ORDERED THAT:**

1. All right, title, and interest of Claimant in \$5,000.00 of the Defendant Property is hereby forfeited to the United States.
2. All other right, title, and interest in \$5,000.00 of 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.
3. The United States Attorney General or his authorized designee shall dispose of this property in accordance with the law.

4. The United States Marshals Service shall coordinate the release of the funds in the amount of \$3,811.00, payable jointly to the Claimant Jimmy Wiggins and his counsel, Nathaniel J. Middleton, Esq., 3951 Snapfinger Parkway, Suite 515, Decatur, Georgia, 30035.
5. Pursuant to 28 U.S.C. § 2465, 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 21st day of June, 2013.

S/ C. Ashley Royal  
C. ASHLEY ROYAL, CHIEF JUDGE  
UNITED STATES DISTRICT COURT

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