

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

UNITED STATES OF AMERICA,
Plaintiff,

v

\$8,900.00 IN UNITED STATES
FUNDS,
Defendant Property,

CHARLES KEVIN GIMLIN,
Claimant.

CASE NO. 7:11-CV-164 (HL)

FINAL ORDER OF FORFEITURE

On December 1, 2011, Plaintiff filed a Verified Complaint for Forfeiture against the Defendant Property. The Complaint alleges that the defendant property constitutes money furnished or intended to be furnished in exchange for a controlled substance, in violation of Title II of the Controlled Substances Act, 21 U.S.C. 801, *et seq.*, punishable by more than one year-s imprisonment, or constitutes proceeds traceable to such an exchange, and is therefore subject to forfeiture pursuant to 21 U.S.C. 881(a)(6).

Pending now before the Court is the United States-Motion For Final Order of Forfeiture.

The Court hereby makes the following FINDINGS OF FACT AND CONCLUSIONS OF LAW:

1. Pursuant to a Warrant of Arrest this Court issued on December 1, 2011, the U.S. Marshals Service for the Middle District of Georgia arrested and seized the Defendant Property on December 5, 2011.

2. The United States perfected service of process of this action on potential claimants, Charles Kevin Gimlin and Marjorie Helen Gant.

3. 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 December 7, 2011, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions.

4. On December 16, 2011, Claimant Charles Kevin Gimlin, through his counsel, J. Converse Bright, Esq., filed an Answer in this forfeiture action asserting his interest in the Defendant Property, described as \$8,900.00 in United States Funds.

5. On May 4, 2012, the United States and the Claimant, through his counsel, filed a Joint Notice of Claimant's Voluntary Election to Withdraw Claim and Answer, waiving any right or claim to the Defendant Property.

6. 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.

7. Plaintiff had probable cause to commence this action against and to seek forfeiture of the Defendant Property.

THEREFORE, IT IS HEREBY ORDERED THAT:

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, may warrant good title to any subsequent transferee, and shall dispose of the property in accordance with the law.

SO ORDERED, this 9th day of May, 2012.

s/ Hugh Lawson
HUGH LAWSON, SENIOR JUDGE
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA

Prepared by:
s/Danial E. Bennett
Assistant United States Attorney