

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
AUGUSTA DIVISION

FILED  
U.S. DISTRICT COURT  
AUGUSTA DIV.

2014 OCT 27 PM 12:12

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SO. DIST. OF GA.

UNITED STATES OF AMERICA, \*  
 \*  
 Plaintiff, \*  
 v. \*  
 \*  
 \$14,236.00 in U.S. Currency, \*  
 \*  
 Defendant. \*

CV 113-044

ORDER

Presently pending before the Court is the parties' Joint Motion to Approve Consent Order of Forfeiture and Final Judgment. (Doc. 17.) On October 3, 2012, the McDuffie County, Georgia Sheriff's Office seized \$14,236.00 (the "Defendant Currency") from Erick Z. Callejas and Javier Ochoa-Sanchez, who were driving a vehicle registered to Ricardo M. Collado ("Claimant"). The Drug Enforcement Agency subsequently adopted the seizure of the Defendant Currency. On March 11, 2013, the United States initiated these judicial proceedings by filing a Complaint for Forfeiture *in Rem* against the Defendant Currency pursuant to 18 U.S.C. §§ 981(a)(1)(A), 1956, 1957, and/or 1960. (Doc. 1.) The Government provided Callejas, Ochoa-Sanchez, and Claimant with copies of the Complaint and Notice of Forfeiture on or about March 20, 2013. (See Docs. 3, 4, 5.) In addition, the United States notified all other potential claimants by publishing notice on the

government website, [www.forfeiture.gov](http://www.forfeiture.gov), for thirty days beginning on March 20, 2013. (Doc. 11.) On April 23, 2013, Claimant filed a Claim to the Defendant Currency and an Answer on May 2, 2013. (Docs. 10, 12.) No person other than Claimant filed a claim, and the time in which to do so has expired.

The parties have now entered into a Stipulation of Settlement and Release of All Claims resolving all of the issues raised in the Complaint. (Doc. 17-1.) Specifically, the parties agreed that the United States shall return \$8,236.00 to Claimant in consideration for Claimant's agreement (1) to forfeit to the United States the remaining \$6,000.00 and (2) that this agreement shall constitute a full and final settlement of all claims that Claimant has as a result of the seizure.

The Court hereby finds that the United States has furnished due and legal notice of the proceeding as required by statute, and that all persons known to the United States to have a possible interest in the Defendant Currency have received actual notice and service of the Complaint and Warrant for Arrest in this action.

**THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:**


1. A Final Judgment of Forfeiture is hereby entered in favor of the United States against **\$6,000.00** of the Defendant Currency, which shall be disposed of by the United States according to law and the terms of this Order.

2. The United States Marshals Service shall return \$8,236.00 to Claimant. Claimant shall not be entitled to receive any further payment from the United States as a result of the seizure.

3. The parties shall be responsible for payment of their own expenses, including attorney's fees, incurred in connection with this proceeding.

4. The Clerk shall enter final judgment and administratively **CLOSE** this case. For the purpose of enforcing this Order, however, the United States District Court shall retain jurisdiction for **30 DAYS**.

**ORDER ENTERED** at Augusta, Georgia, this 27<sup>th</sup> day of October, 2014.

  
HONORABLE J. RANDAL HALL  
UNITED STATES DISTRICT JUDGE  
SOUTHERN DISTRICT OF GEORGIA