

IN THE UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS
PEORIA DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 08-1381
)	
MINDY L. ENGEL and)	
TRI-STATE WINDOW AND POOL, INC.)	
Defendants.)	

**ORDER GRANTING UNITED STATES’
MOTION REQUESTING COURT TO VOID FORECLOSURE BID
PURCHASE, FORFEIT 10% OF THE PURCHASE PRICE PAYMENT TO THE
UNITED STATES OF AMERICA, AND DIRECT UNITED STATES
MARSHAL TO AGAIN SELL SAID MORTGAGED
REAL ESTATE BY PUBLIC JUDICIAL SALE**

This matter having come before this Court, and this Court, after having been fully advised in the premises, adopts the factual allegations in the Motion of the United States as the factual findings of this Court and incorporates said findings as a substantive part of this Order.

THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

1. The \$34,001.00 bid made by Bruce Engel, (street address redacted), Augusta, IL 62311, at the judicial foreclosure sale held in this case on April 20, 2010, is not approved by this Court because after the \$3401.00 down payment was made at the time of the sale, the remaining \$30,600.00 balance of the \$34,001.00 purchase price was not paid.

2. \$3401.00 (10% of the purchase price down payment) paid by Bruce Engel at the judicial foreclosure sale conducted in this case on April 20, 2010, is hereby forfeited to the United States of America to be applied first to the costs and fees incurred in this foreclosure action and the balance to be applied towards satisfaction of the mortgage indebtedness at issue in this foreclosure proceeding.

3. A new judicial sale shall be scheduled and conducted in accordance with the Judgment of Foreclosure entered by this Court in this case on January 20, 2010.

4. After the judicial sale, the United States Marshals Service shall tender to the Office of the United States Attorney in Springfield, Illinois, \$3401.00 that is forfeited to the United States by this order, less costs of the United States Marshal withheld.

5. There is no just reason to delay enforcement of or appeal from entry of this Order.

ENTERED this *23rd* day of June, 2010

s/ Michael M. Mihm

MICHAEL M. MIHM
UNITED STATES DISTRICT JUDGE