

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

|                                     |   |                             |
|-------------------------------------|---|-----------------------------|
| <b>UNITED STATES OF AMERICA,</b>    | ) |                             |
|                                     | ) |                             |
| <b>Plaintiff,</b>                   | ) |                             |
|                                     | ) |                             |
| <b>vs.</b>                          | ) | <b>CIVIL NO. 08-607-GPM</b> |
|                                     | ) |                             |
| <b>\$11,250.00 IN UNITED STATES</b> | ) |                             |
| <b>CURRENCY,</b>                    | ) |                             |
|                                     | ) |                             |
| <b>Defendant.</b>                   | ) |                             |

**MEMORANDUM AND ORDER**

**MURPHY, District Judge:**

On August 26, 2008, the United States filed a complaint for the forfeiture of \$11,250.00 (*see* Doc. 2). On November 3, 2008, a claim for the property was filed by Desmond J. London (*see* Doc. 6). The United States then moved for summary judgment (*see* Doc. 16), and the matter was set for hearing. The United States claims that the subject currency was found in a suitcase in London's car when it was stopped by police in February 2008 and, because the currency was intended to be used for the purchase of marijuana, the currency is subject to forfeiture.

London has now moved to dismiss his claim with prejudice (*see* Doc. 19), and he has not opposed the Government's motion for summary judgment. Accordingly, the Court **GRANTS** London's motion to dismiss. Because there are no other claims for the property, the Court likewise **GRANTS** the motion for summary judgment filed by the United States and **CANCELS** the hearing set on October 5, 2009. The Court finds that there is no genuine issue as to any material fact in this lawsuit and that the subject-matter \$11,250.00 was intended to be used by Desmond London to

purchase marihuana. The defendant property, \$11,250.00 in United States Currency, and the interest of Desmond London in said property is hereby ordered forfeited to the United States of America pursuant to 21 U.S.C. § 881(a)(6), and no right, title, or interest in the property shall exist in any other party. The defendant property shall be disposed of according to law by the United States Marshal.

The Clerk is **DIRECTED** to enter judgment in favor of the United States of America and against the defendant as described above.

**IT IS SO ORDERED.**

DATED: 9/29/09

*s/ G. Patrick Murphy*  
G. Patrick Murphy  
United States District Judge