

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

EVERETT SMITH,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 10-cv-500
)	
JOHN HUDSPETH, State's Attorney of)	
Clinton County, Illinois)	
)	
Defendant.)	

ORDER

Cause comes before the Court on a Consent Motion for Order Releasing Certain Specified Property Pursuant to Settlement Agreement. The Court finds, based upon the parties Motion, that settlement has been reached in this matter. The Court further finds that a condition of settlement requires the Sheriff of Clinton County to release certain items held under his control. The items are:



- a. \$59,422.00 in United States Currency
- b. Red 1986 Chevrolet Monte Carlo, VIN: 1G1GZ37G8GR164376 (941J369)
- c. 2000 GREY/SILVER IMPALA, VIN:2G1WF55KXY9103405 (102K657)
- d. Black Mercedes, VIN: WDBJF70G9YAP62097 (100K656)
- e. 1995 White G-20 Chevrolet Van, VIN: 1GBEG25K1SF187924 (912H886)
- f. 2007 Silver Buyang Sport Minibike Scooter, VIN: L4PLUMD0171024356
- g. 2008 Blue Shanghai Shanke Scooter, VIN: L8YTCKPD38Y010061 (36F613)
- h. 2008 Blue Gemstar Scooter/Motorcycle , VIN: LJ4TCKPB78Y011306 (36F615)
- i. 2008 Black Shanghai Scooter, VIN: L8YTCKPDX8Y010090 (36F614)
- j. Sanyo Model # DP50747, Serial Number: B8221048118332

The Court understands, based upon the complaint and other documents filed in this matter, that the Plaintiff was the victim of a robbery whereupon a substantial sum of United States currency was taken from him. It has been represented to the Court that the aforementioned items, other than the \$59,422.00, were purchased with the victim's

currency subsequent to the robbery. The Plaintiff, therefore, is entitled to the personal property purchased with his currency.

IT IS THEREFORE ORDERED: that the Sheriff of Clinton County, Illinois, is to immediately release the aforementioned items, (a) through (j), to the custody of the Plaintiff, Everett Smith.

IT IS SO ORDERED.

  David R. Herndon
2010.11.12
09:40:19 -06'00'

David R. Herndon
Chief United States District Judge