

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA *
*
v. * Civil Action No. WMN-14-1295
*
\$17,242.00 in U.S. CURRENCY *
*
* * * * *

MEMORANDUM

The United States filed this action on April 16, 2014, alleging that the defendant currency constitutes or was derived from proceeds traceable to trafficking in contraband cigarettes and, therefore, is subject to forfeiture under 18 U.S.C. § 981(a)(1)(C). On May 1, 2014, Adel Ahmed Fadel, the individual from whom the defendant currency was seized, filed an answer to the complaint and on May 23, 2014, filed a claim to the defendant currency. No other claim to the currency has been filed.

On August 8, 2014, the government served Fadel with special interrogatories pursuant to Rule G(6) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions (Supplemental Rules). Under Supplemental Rule G(6)(b), Fadel’s answers or objections to the interrogatories were due within 21 days of the date they were served, i.e., on or before August 29, 2014. After no response was received by that date, the government contacted Fadel’s counsel on September 10, 2014, to

remind him of his obligations under Rule G and to offer as a courtesy a grace period to respond until September 17, 2014. After no response was received after that extended deadline, the government, on September 18, 2014, filed a motion to strike Fadel's claim and answer. No opposition to that motion has been filed and the time for doing so has expired.

Supplemental Rule G(8)(c)(i)(A) provides that "[a]t any time before trial, the government may move to strike a claim or answer for failing to comply with . . . Rule G(6)." See also United States v. \$10,460.00 in U.S. Currency, Civ. No. 12-2395, 2013 WL 3043408, at *1 (D. Md. June 18, 2013) (striking the claim and answer of claimant for failing to respond to the government's special interrogatories and collecting cases). If the court grants a Rule G(8)(c) motion to strike and there are no other claimants, the court may also enter judgment for the government. See United States v. Assorted Jewelry Valued at \$13,430.00, Civ. No. 11-777, 2013 WL 775542, at *2 (D.N.J. Feb. 28, 2013) (granting motion to strike and immediately entering default judgment in the absence of any other claims). Given the lack of any response from Fadel either to the special interrogatories or to the government's motion to strike, the Court will grant the government's motion. Given the absence of

any other claimants, the Court will also enter judgment in favor of the government. A separate order will issue.

_____/s/_____
William M. Nickerson
Senior United States District Judge

DATED: November 4, 2014