

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 07-12269
HON. GEORGE CARAM STEEH

BANK OF AMERICA ACCOUNT
NUMBER XXXXXXXX6055 IN THE NAME
OF LATEST TECHNOLOGY INTERNATIONAL
VALUED AT THREE HUNDRED FIFTY FOUR
THOUSAND ONE HUNDRED FORTY FOUR
DOLLARS AND FORTY FOUR CENTS
(\$354,144.44) IN U.S. CURRENCY,

Defendant *in Rem*.

FINDINGS AND ORDER TO ANSWER FOLLOWING REMAND
BY THE SIXTH CIRCUIT COURT OF APPEALS (DOC. 23, 24)

The court conducted a hearing this date following remand from the Sixth Circuit Court of Appeals and a mandate issued November 24, 2009. The plaintiff and claimant agreed that the facts pertinent to the issues identified by the Court of Appeals are undisputed. The Court heard argument by both sides and based upon the reasons stated on the record, concludes as follows:

1) The United States Secret Service received claimant's administrative claim on February 22, 2007, and as a matter of law, her claim shall be considered "filed" for purposes of 18 USC § 983(c)(3)(A) on that date,

2) The government filed its complaint untimely, ninety-two days after the claim was filed, and,

3) The government has shown good, sufficient cause to excuse its two day delay in

filing the complaint in this case.

4) The court finds that Supplemental Rule G applies generally to this forfeiture action *in rem*, and only to the extent Rule G does not address an issue will Supplemental Rules C and E and the Federal Rules of Civil Procedure also apply.

Claimant shall answer the government's complaint on or before June 22, 2010, and comply with the scheduling order also entered this date.

IT IS SO ORDERED.

Dated: April 22, 2010

S/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on April 22, 2010, by electronic and/or ordinary mail.

S/Josephine Chaffee
Deputy Clerk