

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
CIVIL NO. 08-4943(JNE/JJG)

UNITED STATES OF AMERICA,)	
)	
PLAINTIFF,)	DEFAULT JUDGMENT AND
)	FINAL ORDER OF FORFEITURE
V.)	
)	
\$9,800.00 IN UNITED STATES)	
CURRENCY,)	
)	
DEFENDANT.)	

Based on the motions of the United States for default judgment against Daris Bush and all unknown persons and entities having an interest in the defendant currency who have failed to file a verified statement of claim and answer; and for a final order of forfeiture forfeiting the defendant currency; and based on all the files and records in this action, and on the Court’s finding that:

1. A verified Complaint for Forfeiture *In Rem* with supporting Affidavit of Drug Enforcement Administration Task Force Officer Mari Askerooth was filed on August 15, 2008, alleging that the defendant currency is subject to forfeiture pursuant to 18 U.S.C. §§ 881(a)(6);
2. A Warrant of Arrest and Notice *In Rem* was issued by the Clerk of Court on August 15, 2008, directing the U.S. Marshals Service to arrest the defendant currency;
3. A copy of the Complaint for Forfeiture *In Rem*, Affidavit of Mari Askerooth, Verification, Warrant of Arrest and Notice *In Rem*, and Notice of Judicial Forfeiture Proceeding was sent via certified mail to Daris Bush, through his attorney Kenneth Bottema on September 8, 2008, advising him to serve on the United States Attorney and file with the Clerk of Court a verified statement of interest in or right against the defendant no later than 35 days after the date of service and an answer to the Complaint for Forfeiture within 20 days from the filing date of the verified statement;

4. On September 19, 2008, Kenneth Bottema advised the U.S. Attorney's Office that he no longer represents Daris Bush, and that he gave Daris Bush the Notice of Judicial Forfeiture Proceedings, the Verified Complaint, the Affidavit In Support of Complaint, and the Warrant of Arrest and Notice *In Rem* with instructions to act within the time limits prescribed by law;

5. On October 27, 2008, the U.S. Attorney's Office, via certified mail, sent copies of the Notice of Judicial Forfeiture Proceedings, the Verified Complaint, the Affidavit In Support of Complaint, and the Warrant of Arrest and Notice *In Rem* to Daris Bush at his last known address. The service package was returned to the United States Attorney's Office as "unable to forward no forward order on file";

6. On September 26, 2008, for at least 30 consecutive days, the U.S. Attorney's Office posted a notice of forfeiture on an official government internet site (www.forfeiture.gov), giving notice to all unknown interested persons and entities of the verified statement of interest and answer requirements;

7. No verified statement of interest in the defendant currency and answer to the Complaint for Forfeiture *In Rem* has been timely filed with the Clerk of Court and served on the United States Attorney, and the time for filing a verified statement of interest and answer has expired;

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. default judgment is entered against Daris Bush and all unknown persons and entities who have failed to timely file a verified claim and answer to the Complaint for Forfeiture; and

2. all right, title and interest in the defendant \$9,800.00 in U.S. currency is forfeited to and vested in the United States pursuant to 21 U.S.C. § 881(a)(6) for disposition in accordance with law.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: January 9, 2009

s/ Joan N. Ericksen
JOAN N. ERICKSEN, Judge
United States District Court