

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

HARRY THOMAS,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 4:12CV00884 ERW
	)	
UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	

**MEMORANDUM AND ORDER**

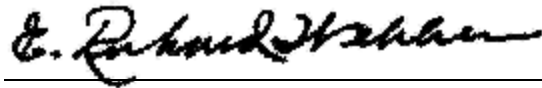
This matter comes before the Court on Defendant United States of America’s Motion to Dismiss, filed July 13, 2012 [ECF No. 11].

On May 14, 2012, Plaintiff Harry Thomas (“Plaintiff”) filed this Petition for Return of Property against Defendant United States of America (“Defendant”). On July 13, 2012, Defendant filed its Motion to Dismiss, arguing that Plaintiff’s claim is invalid because the property requested was properly forfeited by Plaintiff pursuant to his guilty plea [ECF No. 11]. Plaintiff failed to file a response to Defendant’s Motion to Dismiss. On August 7, 2012, this Court ordered Plaintiff to show cause why Defendant’s motion should not be granted [ECF No. 13]. That response period ended on August 21, 2012, and Plaintiff has failed to respond to the Order of this Court.

Accordingly,

**IT IS HEREBY ORDERED** that Defendant's Motion to Dismiss [ECF No. 11] is **GRANTED**. Plaintiff's claims against Defendant in the above-styled action are **DISMISSED**, with prejudice.

Dated this 11th day of September, 2012.



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E. RICHARD WEBBER  
SENIOR UNITED STATES DISTRICT JUDGE