

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	8:08CV294
	)	
\$11,600.00 IN UNITED STATES CURRENCY,	)	<b>ORDER</b>
	)	
Defendant.	)	
	)	
NOLAN MILLER and CARLISS MOORE,	)	
	)	
Claimants.	)	

NOW ON THIS 2nd day of October, 2009, this matter comes on before the court on the plaintiff's MOTION TO DISMISS (Filing No. 39). The Court, being duly advised in the premises, finds the Motion should be granted.

**IT IS ORDERED:**

1. Plaintiff's MOTION TO DISMISS (Filing No. 39) is granted, and this action is dismissed with prejudice.
2. The U.S. Marshals Service shall, forthwith, return the defendant property to the claimants by tendering the same to the trust account of their attorney of record, Jason E. Troia.

**DATED October 2, 2009.**

**BY THE COURT:**

s/ F.A. Gossett  
United States Magistrate Judge