

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)	CASE NO. 8:09CV454
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
\$103,000.00 in United States Currency,)	
)	
Defendant.)	

This matter is before the Court on the notice of withdrawal filed by attorney Frank E. Robak, Sr. (Filing No. 28) and the government's motion to continue trial and set a status hearing (Filing No. 27).

The notice of withdrawal, filed as a motion, is granted.

The government's motion to continue the trial and set a status hearing is granted. The status hearing will take place on Wednesday, October 13, 2010, at 9:00 a.m. Trial will be rescheduled at the status hearing. The Claimant, Tri Q. On, will appear at the status hearing by audio or video conference, and these arrangements are being made by court personnel and the facility.

The Court requests the parties to research the following issue that will be discussed at the status hearing: what authority, if any, gives a claimant the right to appear in these proceedings if the claimant is incarcerated or otherwise unavailable.

IT IS ORDERED:

1. The notice of withdrawal filed by attorney Frank E. Robak, Sr. (Filing No. 28) is granted;
2. The government's motion to continue trial and set a status hearing (Filing No. 27) is granted. The status hearing is scheduled for Wednesday, October 13,

2010, at 9:00 a.m., and trial will be rescheduled after discussion at the status hearing; and

3. The Clerk is directed to mail a copy of this order to the Claimant, Tri Q. On, at the address given in Filing No. 28.

DATED this 8th day of October, 2010.

BY THE COURT:

S/Laurie Smith Camp
United States District Judge