

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

<b>UNITED STATES OF AMERICA,</b>	)	<b>CASE NO. 8:10CV99</b>
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	
	)	<b>DEFAULT JUDGMENT AND</b>
<b>\$110,080.00 IN UNITED STATES CURRENCY,</b>	)	<b>DECREE OF FORFEITURE</b>
<b>AND A 2006 DODGE RAM 2500 2500 SLT</b>	)	
<b>PICKUP, VIN 1D7K828C66J158784,</b>	)	
	)	
<b>Defendants.</b>	)	

This matter is before the Court on Plaintiff's Motion for Default Judgment and Decree of Forfeiture (Filing No. 14) against the Defendants and any unknown claimants. Plaintiff is presently represented by Nancy A. Svoboda, Assistant United States Attorney. The Defendants are not present, personally nor through counsel. No Claimants are present, personally nor through counsel. Upon review of the record of this case, the Court, being duly advised in the premises, finds as follows:

1. A Complaint for Forfeiture was filed herein on March 15, 2010. A Warrant for Arrest in Rem was issued by this Court and was properly executed on the Defendant properties by the United States Marshal.

2. Publication of the notice of this action and of the arrest of the Defendant properties was duly made pursuant to Order of this Court dated March 15, 2010.

3. On March 22, 2010, James K. McGough, attorney for Jerry Sedy, was served, *via* certified mail, Notice of the Verified Complaint, Notice of Seizure and Procedure and Warrant In Rem by the U.S. Marshals Service, as evidenced by Filing No. 8, a Process Receipt and Return. In her Affidavit dated May 25, 2010 (Attachment No. 1 to Filing No. 12), Plaintiff's counsel avers she had a telephone conversation with Jim

McGough, Mr. Sedy's attorney, on May 4, 2010. In that conversation, Mr. McGough stated he was not authorized to file a Claim nor an Answer in this law suit. Mr McGough stated Mr. Sedy knew that would subject him to a default judgment. Additionally, Mr. McGough said his client, Jerry Sedy, wanted to walk away from the money and the vehicle involved in this lawsuit.

4. No person or entity entitled to the Defendant properties has filed a Claim or an Answer to Plaintiff's Complaint within the time fixed by law.

5. The Plaintiff's Request to Enter Default was granted by this Court on May 27, 2010.

IT IS ORDERED:

A. The Motion for Default Judgment and Decree of Forfeiture (Filing No. 14) filed by Plaintiff is hereby sustained.

B. All right, title or interest in or to the Defendant properties held by any person or entity is hereby forever barred and foreclosed.

C. The Defendant properties are forfeited to the United States of America.

D. The Defendant properties shall be disposed of by the United States Marshal for the District of Nebraska in accordance with law.

DATED this 7<sup>th</sup> day of July, 2010.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge