

FILED  
U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA

2010 NOV -5 AM 10: 07

OFFICE OF THE CLERK

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )

Plaintiff, )

vs. )

8:10CV276

\$39,900.00 IN UNITED )  
STATES CURRENCY )  
and a 2005 TOYOTA SIENNA, )  
VIN 5TDZA23C65S337119, )

ORDER

Defendants. )

NOW ON THIS 5<sup>th</sup> day of November, 2010, this matter comes on before the Court upon the

Stipulation of the parties (Filing No.     ). The Court reviews the file and the Stipulation, and, being duly advised on the premises, finds as follows:

1. Nine hundred dollars of the Defendant properties should be returned to the Claimant, Richard Mathie, by delivering the same to the trust account of his attorney of record, James H. Hoppe.

2. Pursuant to this Court's Order dated August 6, 2010 (Filing No. 6), the United States has published notice of its intent to dispose of the properties in such a manner as the Attorney General may direct. A Declaration of Publication was filed herein on October 6, 2010 (Filing No. 12). In response to said published notice, no person or entity has filed a Petition setting forth any legal or equitable interest in the Defendant properties.

3. The balance of the Defendant properties, viz. \$39,000.00 and the 2005 Toyota Sienna,

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VIN 5TDZA23C65S337119, should be forfeited to the United States.

4. The parties' Stipulation should be approved.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

A. The parties' Stipulation is hereby approved.

B. Nine hundred dollars of the Defendant property shall be returned to the Claimant, Richard Mathie, by delivering the same to his attorney of record, James H. Hoppe. The Marshal shall deliver said amount by making payment to James H. Hoppe's Trust Account.

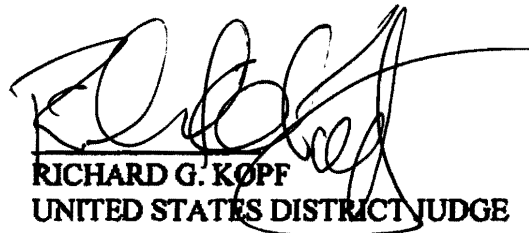
C. Pursuant to this Court's Order dated August 6, 2010 (Filing No. 6), the United States has published notice of its intent to dispose of the properties in such a manner as the Attorney General may direct. A Declaration of Publication was filed herein on October 6, 2010 (Filing No. 12). No person or entity has filed a Petition, in response to said published notice, setting forth any legal or equitable interest in the subject properties.

D. The remaining Defendant properties, viz., \$39,000.00 and the 2005 Toyota Sienna, VIN 5TDZA23C65S337119, are hereby forfeited to the United States. All right, title or interest in or to the Defendant properties held by any person or entity is hereby forever barred and foreclosed.

E. The Marshal shall dispose of said \$39,000.00 and the 2005 Toyota Sienna, VIN 5TDZA23C65S337119, in accordance with law.

F. Upon Mr. Hoppe's receipt of the \$900.00, as mentioned above, he shall file a Receipt for said amount. Upon the filing of said Receipt, this Court shall enter a Judgment in this action.

BY THE COURT:

  
RICHARD G. KOPF  
UNITED STATES DISTRICT JUDGE

Dated 11/5/10 ROK


Prepared and submitted by:

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Approved as to form and content:

\$39,900.00 IN UNITED STATES CURRENCY  
and 2005 TOYOTA SIENNA, VIN  
5TDZA23C65S337119, Defendant, and  
RICHARD MATHIE, Claimant

By:

  
JAMES H. HOPPE (#15691)  
Attorney at Law  
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