

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:11CV372
)	
v.)	
)	
\$1,000.00 refunded to Mango)	ORDER
Creek Properties, Inc., from)	
GBS Partners, Inc., seized on)	
January 28, 2010; et al.,)	
)	
Defendants.)	
_____)	

This matter is before the Court on the motion of Violet Goodwin (Filing No. [66](#)) in which she claims she has "squatter's rights" in two of the properties relevant to this case by virtue of "adverse possession." At the time of this filing, this case had been appealed to the United States Court of Appeals for the Eighth Circuit (Filing No. [61](#)). Upon motion of plaintiff, the Eighth Circuit remanded this case to this Court for the limited purpose of permitting this Court to address Ms. Goodwin's motion (Filing No. [78](#)). A hearing on said motion was scheduled for Thursday, May 17, 2012, at 10:00 a.m. (Filing No. [79](#)). Ms. Goodwin was mailed notice of this hearing on May 3, 2012. Notice was mailed to the address Ms. Goodwin provided in Filing No. [66](#): Violet L. Goodwin, 1451 Emmet St., Omaha, NE 68110. The post office did not notify the Court that the notice was not delivered.

On May 17, 2012, Ms. Goodwin failed to appear for the hearing. Prior to this time, neither Ms. Goodwin nor an attorney representing Ms. Goodwin contacted the Court regarding the scheduled hearing. Assistant United States Attorney Nancy Svoboda testified at the hearing that she also had not been contacted by Ms. Goodwin or an attorney representing Ms. Goodwin prior to the hearing. The Court waited until 10:30 a.m., and neither Ms. Goodwin nor an attorney on her behalf made an appearance. Thus, the Court finds Ms. Goodwin is in default, and the Court will deny her motion. Accordingly,

IT IS ORDERED

- 1) Ms. Goodwin is in default of her claim for failure to appear before this Court at the time of her scheduled hearing.
- 2) Ms. Goodwin's motion to intervene (Filing No. [66](#)) is denied.

DATED this 17th day of May, 2012.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court