

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

\$116,550.00 IN UNITED STATES
CURRENCY,

Defendant.

8:13CV294

DECREE OF FORFEITURE

This matter comes on before the Court upon Plaintiff's Motion for Decree of Forfeiture (Filing No. 36) against the Defendant property, Nicholas Edward Ferrigno and any other unknown claimants. Plaintiff is represented by Nancy A. Svoboda, Assistant United States Attorney. Nicholas Edward Ferrigno is not present, neither 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 *In Rem* (Filing No. 1) was filed herein on September 19, 2013. A Warrant for Arrest *In Rem* was issued by this Court and was properly served on the Defendant property by the U. S. Marshals Service (Filing Nos. 3, 7).

2. Publication of the notice of this action and of the arrest of the Defendant property was duly made pursuant to Order of this Court dated September 30, 2013 (Filing Nos. 6 and 14).

3. On October 23, 2013, the U. S. Marshals Service served Nicholas Edward Ferrigno with the Complaint for Forfeiture *In Rem*, the Notice of Complaint for Forfeiture and the Warrant for Arrest *In Rem* (Filing No. 9). Ferrigno filed an Answer (Filing No. 8) herein, alleging ownership of the Defendant property. On December 23, 2014, Ferrigno filed a Withdrawal (Filing No. 34) of his Answer. In that Withdrawal, Ferrigno states he consents to the entry of a

decree of forfeiture herein, forfeiting whatever interest he had in the Defendant property to the United States.

4. Other than Ferrigno, no person or entity with an interest in the Defendant property has filed a Claim or an Answer in response to the Complaint for Forfeiture *In Rem* within the time fixed by law.

5. The Plaintiff's Motion Decree of Forfeiture should be sustained.

IT IS ORDERED

- A. The Plaintiff's Motion for Decree of Forfeiture (Filing No. 36) is hereby sustained.
- B. All right, title and interest in or to the Defendant currency held by any person or entity is hereby forever barred and foreclosed.
- C. The Defendant currency shall be and the same hereby is forfeited to the United States of America.
- D. The Defendant currency shall be disposed of by the United States of America in accordance with law.

Dated this 9th day of February, 2015.

BY THE COURT:

s/ Richard G. Kopf
Senior United States District Court Judge