

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

* * *

UNITED STATES OF AMERICA,

Plaintiff,

v.

\$16,978.29 IN UNITED STATES CURRENCY,

Defendant.

) 3:12-cv-425-LRH-WGC

) ORDER GRANTING MOTION (#12) TO
) STRIKE ANSWER

On October 17, 2012, the United States filed its motion (#12) to strike the answer filed by putative claimant Mark Enriquez on the grounds that Enriquez failed to first file a verified claim as required by 18 USC § 983(a)(4) and Rule G(5) of the Supplemental Rules for Certain Admiralty and Maritime Claims and Forfeiture Actions. Enriquez has not filed an opposition or other response to the United States' motion and the time within which a timely response could be filed has expired. The time for filing a response to the United States' motion has not been extended nor has such an extension been requested.

Pursuant to Local Rule 7-2(d), the failure to file such a response "shall constitute a consent to the granting of the motion." The record herein provides adequate grounds for the granting of the motion. Quite plainly, the applicable rules pertaining to this action require that a verified claim be filed in this action in order to allow a person to participate as a claimant. No

1 verified claim was filed in this action by Enriquez prior to the filing of the answer (#9).

2 Accordingly, the United States' motion to strike (#12) is GRANTED and the Answer (#9)
3 filed by Mark Enriquez is STRICKEN.

4
5 DATED this 6th day of December, 2012.



LARRY R. HICKS
UNITED STATES DISTRICT JUDGE