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ELECTRONICALLY FILED

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA,

Plaintiff,

-v-

\$11,523.00 IN UNITED STATES
CURRENCY,

Defendant *in rem*.

: Hon. Joseph H. Rodriguez, U.S.D.J.

: Civil Action No. 11-6412 (JHR)

:

DEFAULT JUDGMENT AND
: FINAL ORDER OF FORFEITURE

:

:

WHEREAS, on October 31, 2011, a Verified Complaint for Forfeiture *In rem* was filed in the United States District Court for the District of New Jersey against \$11,523.00 in United States currency (hereinafter “defendant property”) to enforce the provisions of Title 21, United States Code, Section 881(a)(6), which subjects to forfeiture to the United States all monies, negotiable instruments, securities, or other things of value furnished or intended to be furnished by any person in exchange for a controlled substance, or represents proceeds traceable to such an exchange, or was used or intended to be used to facilitate a violation Title II of the Controlled Substances Act, Title 21, United States Code, Section 801 *et seq.*; and

WHEREAS, pursuant to the Warrant for Arrest *In Rem* issued by the Clerk of the Court

November 2, 2011, the United States Marshals Service seized the defendant property, namely \$11,523.00 in United States currency; and

WHEREAS, or about December 13, 2011, copies of the Verified Complaint for Forfeiture *In Rem*, Warrant for Arrest *In Rem*, and a Notice of Forfeiture were sent certified mail, return receipt requested to Wayne Powell, Esq., Attorney At Law, 101 Tarragon Building, 811 Church Road, Cherry Hill, New Jersey 08002, and Michael Rivera, 2110 Mays Landing Road, #20, Millville, New Jersey 08332 (*See Declaration of Peter W. Gaeta with Exhibits, Exhibit A, hereinafter "Gaeta Decl." filed herein*); and

WHEREAS, on or about December 14, 2011, copies of the Verified Complaint for Forfeiture *In Rem*, Warrant for Arrest *In Rem*, and a Notice of Forfeiture were received at the office of Wayne Powell, Esq., Attorney At Law, 101 Tarragon Building, 811 Church Road, Cherry Hill, New Jersey 08002, attorney for Michael Rivera (*Id.*); and

WHEREAS, on or about December 15, 2011, copies of the Verified Complaint for Forfeiture *In Rem*, Warrant for Arrest *In Rem*, and a Notice of Forfeiture were received by Michael Rivera, 2110 Mays Landing Road, #20, Millville, New Jersey 08332 (*Id.*); and

WHEREAS, a notice of civil forfeiture was posted on an official government internet site, namely <http://www.forfeiture.gov>, beginning on December 21, 2011, and running for thirty consecutive days through January 19, 2012, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, Federal Rules of Civil Procedure (*See Gaeta Decl. Exhibit B*); and

WHEREAS, no other Claim or Answer was filed within the time required by Rule G(5) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, Federal

Rules of Civil Procedure and Title 18, United States Code, Section 983(a)(4)(A), for the Defendant Property; and

NOW THEREFORE, IT IS HEREBY, ORDERED, ADJUDGED AND DECREED

1. That Default Judgment and Final Order of Forfeiture is granted against the defendant property, namely \$11,523.00 in United States currency; and

2. That all forfeited funds, including but not limited to currency, currency equivalents and certificates of deposits, as well as any income derived as a result of the United States Marshals Service's management of any property forfeited herein, and the proceeds from the sale of any forfeited property, after the payment of costs and expenses incurred in connection with the sale and disposition of the forfeited property shall be deposited forthwith by the Department of Justice, United States Marshals Service into the Department of Justice Asset Forfeiture Fund, in accordance with the law.

The Clerk is hereby directed to send copies to all counsel of record.

ORDERED this *1st* day of *May*, 2012

Joseph H. Rodriguez
HONORABLE JOSEPH H. RODRIGUEZ, U.S.D.J.
UNITED STATES DISTRICT COURT