

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA, : Hon. William H. Walls, U.S.D.J.
Plaintiff, : Civil Action No. 16-9364
v. : DEFAULT JUDGEMENT AND
A TOTAL OF \$18,073.00 IN UNITED STATES CURRENCY, : FINAL ORDER OF FORFEITURE
Defendant *in Rem*

WHEREAS, on or about December 19, 2016, the United States filed a Verified Complaint for Forfeiture *In Rem* (the “Verified Complaint”) in the United States District Court for the District of New Jersey against a total of \$18,073.00 in United States currency that was seized on or about April 18, 2016 (the “Defendant Currency”);

WHEREAS, the Verified Complaint alleged that the Defendant Currency is subject to forfeiture to the United States pursuant to 21 U.S.C. § 881(a)(6), which subjects to forfeiture all moneys, negotiable instruments, securities, or other things of value furnished, or intended to be furnished, by any person in exchange for a controlled substance and all proceeds traceable to such an exchange, in violation of 21 U.S.C. § 801, *et seq.* (narcotics control and enforcement laws);

WHEREAS, on or about January 18, 2017, the United States filed a Notice of Complaint for Forfeiture (the “Notice of Complaint”);

WHEREAS, the Notice of Complaint stated that any person who wished to assert an interest in and avoid forfeiture of the Defendant Currency was required to file a verified claim with the Clerk of the Court within thirty-five (35) days after the date the Notice of Complaint was sent or the date of delivery, if personally served;

WHEREAS, the Notice of Complaint also detailed the procedure for filing a claim and answer;

WHEREAS, the United States learned that Kwang H. Joo appeared to have a potential claim to the Defendant Currency because he had filed an administrative claim to the Defendant Currency, through counsel, on or about September 16, 2016;

WHEREAS, on or about January 18, 2017, the United States sent copies of the Verified Complaint and the Notice of Complaint by Federal Express to Steven L. Kessler, Esq., 100 Park Avenue, 34th Floor, New York, New York 10017-5516, counsel for Kwang H. Joo, as required by Rule G(4)(b) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, Federal Rules of Civil Procedure;

WHEREAS, on or about January 19, 2017, Steven L. Kessler, Esq., 100 Park Avenue, 34th Floor, New York, New York 10017-5516, counsel for Kwang H. Joo, received copies of the Verified Complaint and the Notice of Complaint;

WHEREAS, 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, Notice of Civil Forfeiture was posted on an official internet

government forfeiture website, namely www.forfeiture.gov for at least 30 consecutive days, beginning on January 24, 2017, notifying all third parties of their right to file a claim with the Court within 60 days from the first day of publication for a hearing to adjudicate the validity of their alleged legal interest in the property;

WHEREAS, on or about February 21, 2017, Kwang H. Joo filed a Verified Claim with regard to the Defendant Currency;

WHEREAS, on or about March 10, 2017, Kwang H. Joo filed an Answer to Civil Complaint for Forfeiture *In Rem*;

WHEREAS, on or about July 20, 2017, Kwang H. Joo filed a Notice of Withdrawal of Claim and Answer;

WHEREAS, no conforming claims remain with regard to the Defendant Currency, and the statutory time periods in which to file a claim have expired;

IT IS HEREBY, ORDERED, ADJUDGED, AND DECREED:

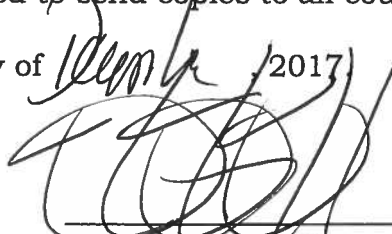
1. THAT a Default Judgment and a Final Order of Forfeiture is granted against the Defendant Currency, namely a total of \$18,073.00 in United States currency, and no right, title or interest in the Defendant Currency shall exist in any other party; and;

2. THAT any and 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, after the payment of costs and expenses incurred in connection with the forfeiture and disposition of the forfeited

property, shall be deposited forthwith by the United States Marshals Service into the Department of Justice Assets Forfeiture Fund, in accordance with the law.

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

ORDERED this 12 day of December 2017



HON. WILLIAM H. WALLS, U.S.D.J.
United States District Court