

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
NO. 7:13-CV-258-F

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
LAINEZ-FLORES' REAL PROPERTY)
AS DESCRIBED IN DEED BOOK)
01812, PAGES 0453-0455 OF THE)
SAMPSON COUNTY REGISTRY,)
NORTH CAROLINA, HAVING THE)
PHYSICAL ADDRESS OF)
506 AND 508 WILLIAMS STREET,)
CLINTON, NORTH CAROLINA AND)
BEING TITLED IN THE NAME OF)
MARCO ANTONIO NUNEZ, SUBJECT)
TO THE LIFE ESTATE PREVIOUSLY)
RESERVED UNTO ANGELA CHRISTINA)
LAINEZ-FLORES;)
WITH ALL APPURTENANCES AND)
IMPROVEMENTS THEREON;)
AND ANY AND ALL PROCEEDS FROM)
THE SALE OF SAID PROPERTY,)
)
Defendants.)

FINAL ORDER OF FORFEITURE

WHEREAS, on December 5, 2013, the plaintiff, the United States of America, filed its complaint against the defendants, of which Marco Antonio Nunez, the record owner of the real properties, subject to the life estate previously reserved unto Angela Christina Lainez-Flores; the county tax administrator

where the properties reside; and, any lienholders found during title searches are potential claimants;

AND WHEREAS, service of plaintiff's Complaint and the Notice of Complaint for Forfeiture of Real Property was attempted without success upon Marco Antonio Nunez, via personal service on January 4, 2014 by an agent of the Internal Revenue Service-Criminal Investigation, there being no forwarding address nor any information as to his whereabouts from database searches;

AND WHEREAS, service of plaintiff's Complaint and the Notice of Complaint for Forfeiture of Real Property was made on Angela Christina Lainez-Flores, via personal service on February 20, 2014, by an agent of the Internal Revenue Service-Criminal Investigation;

AND WHEREAS, service of plaintiff's Complaint and the Notice of Complaint for Forfeiture of Real Property was made on Jesus Aracely Villela, via personal service on March 11, 2014, by an agent of the Internal Revenue Service-Criminal Investigation;

AND WHEREAS, service of plaintiff's Complaint and the Notice of Complaint for Forfeiture of Real Property was attempted without success upon Abraham Ernesto Meraz-Zelaya, due to him being previously deported from the United States to Honduras on August 14, 2013;

AND WHEREAS, service of plaintiff's Complaint and the Notice of Complaint for Forfeiture of Real Property was made on the Sampson County Tax Collector, via certified mail return receipt on approximately February 12, 2014 by an agent of the U. S. Postal Service;

AND WHEREAS, the defendant real property was served via posting of plaintiff's Complaint and the Notice of Complaint for Forfeiture of Real Property on the subject real property on December 17, 2013 by an agent of the Internal Revenue Service-Criminal Investigation;

AND WHEREAS, the United States published notification of this civil forfeiture action on the Government's internet web site www.forfeiture.gov for at least 30 consecutive days, between December 6, 2013 and January 4, 2014, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty of Maritime Claims and Asset Forfeiture Actions. Said published notice advised all third parties of their right to petition the court within sixty (60) days from the first day of the publication date for a hearing to adjudicate the validity of their alleged legal interest in the forfeited property;

AND WHEREAS, more than 35 days have elapsed since the date on which the defendants and potential claimants were served with the Notice of Complaint for Forfeiture of Real Property and a copy of the Complaint, excluding the date thereof;

AND WHEREAS, examination of the Court's files and records shows that on February 21, 2014, Sampson County filed a Claim in this action as to the taxes due and owing on the subject real property, and the United States recognizes the interest held by Sampson County as to the defendant property;

AND WHEREAS, no other person has filed a verified claim in this action or answered or plead as required by Rule G(5) of the Supplemental Rules for Admiralty or Maritime and Asset Forfeiture Claims, other than those specifically mentioned herein;

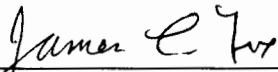
It is HEREBY ORDERED, ADJUDGED and DECREED:

1. That the defendant real is hereby forfeited to the United States, subject only to the interest of Sampson County, and that the United States Department of Treasury is directed to dispose of the property according to law, paying the claim of Sampson County.

2. That any and all forfeited funds shall be deposited by the United States as soon as located or recovered into the Department of Treasury's Assets Forfeiture Fund in accordance with 28 U.S.C. § 524(c) and 21 U.S.C. § 881(e).

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

SO ORDERED this 14th day of October, 2014.



JAMES C. FOX
SENIOR UNITED STATES DISTRICT JUDGE