

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:11cv29**

UNITED STATES OF AMERICA)
)
 Plaintiffs,)
)
 v.)
)
 \$6,357.00 in United States Currency,)
)
 Defendant.)
 _____)

ORDER

Pending before the Court is Claimant Robert A. Sellarole’s Motion to Reconsider [# 10]. Claimant moves the Court to reconsider its prior Order denying without prejudice his Motion to Appoint Counsel. This is a civil forfeiture action brought by the United States of America. The Government seeks the forfeiture of \$6,357.00 in United States Currency. After the Court denied Claimant Sellarole’s prior motion, he sent another letter to the Clerk of Court requesting the reconsideration of the Court’s Order. In support of his motion he attached his tax return, bank statements, and several other documents.

The appointment of counsel for indigent claimants in civil forfeiture proceedings is government by 18 U.S.C. § 983(b). The relevant provision of this statute provides that:

If a person with standing to contest the forfeiture of property in a judicial civil forfeiture proceeding under a civil forfeiture statute is financially

unable to obtain representation by counsel, and the person is represented by counsel appointed under section 3006A of this title in connection with a related criminal case, the court may authorize counsel to represent that person with respect to the claim.

18 U.S.C. § 983(b)(1)(A). Claimant has still not provided the Court with sufficient information for the Court to determine whether the appointment of counsel pursuant to Section 983(b) is appropriate in this case. Claimant has not indicated whether he is currently represented by counsel appointed under Section 3006A in a related criminal case, or even whether a related criminal case is pending. Accordingly, the Court **DENIES** Claimant's Motion for Reconsideration [# 10]. The Court **DIRECTS** the Clerk to place under **SEAL** the Motion to Reconsideration [# 10] because the document contains the confidential information of Claimant, including his social security number, bank account number, and other information.

Signed: June 21, 2011

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Dennis L. Howell
United States Magistrate Judge

