

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CIVIL CASE NO. 1:13cv19

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
2005 HONDA ACCORD,)
VIN: JHMCM56765C004450,)
)
Defendant.)
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DEFAULT JUDGMENT OF FORFEITURE

THIS MATTER is before the Court on the Plaintiff’s Motion for Default Judgment, Entry of Judgment and Final Order of Forfeiture [Doc. 7].

The Plaintiff initiated this action for civil *in rem* forfeiture on January 24, 2013. [Doc. 1]. In the Verified Complaint for Forfeiture *in Rem*, it is alleged that on February 5, 2012 North Carolina State Trooper Christopher Morgan stopped a 2005 Honda Accord within Buncombe County, North Carolina for the traffic offense of following too closely. [Id. at 2]. The 2005 Honda Accord had a Vehicle Identification Number of JHMCM56765C004450 and was titled and registered in the State of New Mexico to Blas Gama-Ramos (Gama-Ramos). [Id.]. The vehicle was at

the time being driven by Stephanie Elizabeth Henry (Henry) who possessed a South Carolina driver's license. [Id. at 3]. Henry declined Trooper Morgan's request for permission to search the vehicle. [Id.]. Thereafter, North Carolina State Trooper William Blanton arrived at the scene with his K9 Bodie. [Id.]. Bodie alerted to the odor of narcotics at the passenger side door of the vehicle. [Id.]. After this alert, the troopers searched the Honda and found a hidden compartment in the dash thereof. [Id.]. This compartment contained five bundles of black tar heroin having a total weight of 1.5 kilograms. [Id.].

In the Complaint, it is alleged that the vehicle is the proceeds of controlled substances and/or has been used to transport controlled substances and/or to facilitate the commission of drug trafficking crimes. [Id. at 3]. It is thus subject to forfeiture to the United States. 21 U.S.C. §881; 18 U.S.C. §981. It is also alleged in the Complaint that Henry and Gama-Ramos are individuals who may possibly have claims to the vehicle. [Id. at 4].

The Government has shown that it sent personal notice to Henry and Gama-Ramos by certified mail, return receipt requested pursuant to Rule G(4)(b)(i) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions. [Doc. 5-1; Doc. 5-2]. The United States Postal

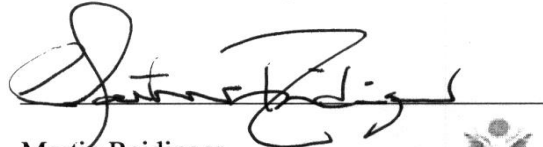
Service was unable to deliver the packages and the Government's attempts to locate the current addresses for Henry and Gama-Ramos were unsuccessful. [Doc. 5-3]. The Government therefore provided notice by publication on the official internet government forfeiture site, www.forfeiture.gov, for at least thirty consecutive days pursuant to Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions. [Doc. 4].

Neither Henry nor Gama-Ramos has filed an Answer or Verified Claim. On May 30, 2013, the Government's motion for entry of default was granted and the Clerk of Court entered default. [Doc. 5; Doc. 6]. The Government now moves for default judgment.

No individual or entity has made any appearance in this matter. The Court finds that the allegations of the Complaint and the supplemental filings establish that the 2005 Honda Accord is subject to forfeiture.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff's Motion for Default Judgment, Entry of Judgment and Final Order of Forfeiture [Doc. 7] is hereby **GRANTED** and Judgment of Forfeiture is hereby **ENTERED** in favor of the United States of America and against the 2005 Honda Accord, VIN: JHMCM56765C004450.

Signed: June 19, 2013


Martin Reidinger
United States District Judge

