

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

CIVIL CASE NO. 1:13-cv-00228-MR-DLH

UNITED STATES OF AMERICA, )  
)  
Plaintiff, )  
)  
vs. )  
)  
2825 MUDCUT ROAD, MARION, )  
McDOWELL COUNTY, NORTH )  
CAROLINA, )  
)  
Defendant. )  
\_\_\_\_\_ )

ORDER

**THIS MATTER** is before the Court on the claim of ownership filed by Roy Leonard Calhoun [Doc. 5].

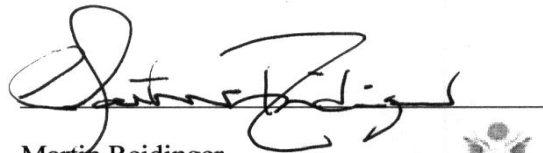
On October 4, 2013, the Court entered an Order directing the Claimant to file an amended claim signed under penalty of perjury within fourteen days. [Doc. 6]. The Claimant was specifically warned that “failure to file a claim signed under penalty of perjury within the time provided may result in the dismissal of his claim.” [Id. at 2]. The deadline set by the Court for the filing of an amended claim has passed, and no amended claim was filed.

“A claimant who fails to file a verified statement has no standing to contest a forfeiture.” United States v. Loria, No. 3:08cr233-2, 2009 WL 3103771, at \*2 (W.D.N.C. Sept. 21, 2009) (quoting United States v. \$487,825,000 in U.S. Currency, 484 F.3d 662, 664-65 (3<sup>d</sup> Cir. 2007)). Accordingly, the Claimant’s claim shall be dismissed.

**IT IS, THEREFORE, ORDERED** that the Claim of Roy Leonard Calhoun [Doc. 5] is hereby **DISMISSED**.

**IT IS SO ORDERED.**

Signed: October 28, 2013

  
Martin Reidinger  
United States District Judge

