

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:14cv136**

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 1585 AMHERST ROAD,)
 MORGANTON, BURKE COUNTY,)
 NORTH CAROLINA,)
)
 Defendant.)
 _____)

**AMENDED
ORDER**

Previously, Court entered an Order granting Claimant’s Motion to Appoint Counsel. (Order, Feb. 23, 2015.) The Court now enters this Amended Order in place of the Court’s prior Order.

Pending before the Court is the Motion to Appoint Counsel [# 16]. Claimant moves to appoint counsel pursuant to 18 U.S.C. § 983(b)(2)(A). The Government did not respond to the motion. Upon a review of the record, the relevant legal authority, and the Claimant’s motion, the Court **GRANTS** the motion [# 16].

The Court finds that Claimant has standing to contest the forfeiture of property in this civil forfeiture proceedings, is financially unable to obtain representation, and the property subject to forfeiture is real property used by

Claimant as a primary residence. See 18 U.S.C. § 983(b)(2)(A). Accordingly, the appointment of counsel is appropriate in this case. The Court **DIRECTS** the Legal Services Corporation to appoint an attorney to represent Claimant in this matter. The Court **DIRECTS** the Clerk to forward a copy of this Order to:

Legal Aid of North Carolina
P.O. Box 7606
Asheville, NC 28802

Pisgah Legal Services
P.O. Box 2276
Asheville, NC 28802

Legal Aid of North Carolina – Administrative Office
P.O. Box 26087
Raleigh, NC 27611

Signed: March 3, 2015


Dennis L. Howell
United States Magistrate Judge 