

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
BRYSON CITY DIVISION

2:10cv16

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
15 Trimont Lake Road, Franklin, Macon)
County, North Carolina, Deed at Book G-)
16, page 125, Macon County Registry,)
being real property, together with the)
residence, and all appurtenances,)
improvements, and attachments thereon,)
)
Defendants.)
)
)

NOTICE OF
APPLICATION FOR
WARRANT
FOR SEIZURE OF REAL PROPERTY
UNDER 18 U.S.C. § 985(d)(1)(B)(i)

WHEREAS, on June 1, 2010, the United States filed a Verified Complaint for Forfeiture *in Rem* against the defendant real property and the defendant currency; and

WHEREAS, the Complaint alleged that the defendant real property and defendant currency were forfeitable to the United States under 21 U.S.C. § 881 and related federal statutes because they were proceeds of and facilitating property used in drug-trafficking and drug-manufacturing offenses, in violation of 21 U.S.C. §§ 801, *et seq.*; and

WHEREAS, on June 1, 2010, the United States, pursuant to 18 U.S.C. § 985(d)(1)(B)(i), duly filed an Application for Warrant for Seizure of the defendant real property prior to the entry of a final order of forfeiture; and

WHEREAS, the Complaint alleged that Donald Kenneth Lequire and Dorothy Jean Lequire are the current and sole co-owners of the defendant real property, and the United States submitted additional proof of that ownership as an attachment to its Application for Warrant for Seizure for Real Property; and

WHEREAS, the provisions of 18 U.S.C. § 985(d)(1)(B)(i) now require the Court to issue this Notice of Application for Warrant and to schedule a hearing “in which the property owner has a meaningful opportunity to be heard.”

NOW, THEREFORE,

- a. The United States is ordered to personally serve a copy of its Application for Warrant for Seizure for Real Property, Memorandum of Law in Support of Application for Warrant for Seizure for Real Property, and this Notice of Application for Warrant on Donald Kenneth Lequire and Dorothy Jean Lequire to file proof of that service with the Court;
- b. A hearing on whether the Court will issue a Warrant for Seizure of the defendant real property is hereby scheduled for **June 11, 2010, at 11:00 a.m. in Courtroom #2, United States Courthouse, 100 Otis Street, Asheville, North Carolina.**

Signed: June 2, 2010



Dennis L. Howell
United States Magistrate Judge

