

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

Case No. 3:09CV23-FDW

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	DEFAULT JUDGMENT OF FORFEITURE
)	
\$16,260.00 IN UNITED STATES CURRENCY,)	
)	
Defendant.)	

THIS MATTER is before the Court on the government’s motion under Fed. R. Civ. P. 55(b)(2) for a Default Judgment of forfeiture against the Defendant Property.

THE COURT FINDS THAT:


1. A verified Complaint for Forfeiture in rem of the Defendant Property was filed on January 16, 2009. This Court found probable cause for forfeiture and issued a warrant for arrest in rem.
2. Process was fully issued in this action and returned according to law. Pursuant to an Order and Warrant for Arrest in Rem, the government duly seized the Defendant Property. Service of process was made by certified mail and by internet publication of notice via www.forfeiture.gov on February 19, 2009 through March 20, 2009.
3. No person has filed a verified claim or an Answer within the time allowed by law, and the Clerk has accordingly entered Default.
4. Based on the affidavits of Charlotte-Mecklenburg Police Department Detective Jennifer LaFortune, filed with the Complaint, the government has shown probable cause to believe that the Defendant Property was used or intended to be used to commit or facilitate the commission of violations of Title II of the Controlled Substances Act, 21 U.S.C. § 801, and that it is therefore subject to forfeiture under 21 U.S.C. § 881.

BASED ON THE FORGOING FINDINGS, THE COURT CONCLUDES that the government is entitled to a Judgment of Forfeiture by Default against the Defendant Property.

THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

1. The government's Motion for Default Judgment of Forfeiture is hereby granted.
2. Any and all right, title and interest of all persons in the world in or to the following property is hereby forfeited to the United States; and no other right, title or interest shall exist therein: all present and future interest in \$16,260.00 in United States Currency that was seized on September 26, 2008, in the vicinity of 1429 Norris Avenue, Charlotte, North Carolina.
3. The United States is hereby directed to dispose of the forfeited Defendant Property as provided by law.

Signed: December 21, 2009



Frank D. Whitney
United States District Judge

