UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:11-cv-506-RJC-DSC

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UNITED STATES OF AMERICA,
Plaintiff,
vs.
US CURRENCY \$31,680.00,
Defendant.

ORDER

THIS MATTER comes before the Court <u>sua sponte</u>. Plaintiff filed its Complaint, (Doc. No. 1), on October 12, 2011 and served Defendant by publication from October 13, 2011 through November 11, 2011 pursuant to Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions. (Doc. No. 3). Pursuant to 21 U.S.C. § 881, any person claiming a legal interest in the Defendant Property had until December 12, 2011 to file a verified claim and, pursuant to Federal Rule of Civil Procedure 12(a)(1)(A)(i), until January 3, 2012 file an Answer to Plaintiff's Complaint. The time has now expired and no one has filed a verified claim or an Answer. Plaintiff has not filed a motion for entry of default. See FED. R. CIV. P. 55(a); 18 U.S.C. § 983(a)(4)(A); Rule G(5) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions; (Doc. No. 3-1 at 2) ("The verified Claim and Answer must be filed with the Clerk of Court. . . or default and forfeiture will be ordered."). The Court orders Plaintiff to move for entry of default within 30 days of entry of this Order.

IT IS, THEREFORE, ORDERED that Plaintiff shall file a Motion for Entry of Default within 30 days. FAILURE TO FILE SUCH A MOTION WITHIN 30 DAYS WILL

RESULT IN DISMISSAL OF THIS ACTION WITHOUT PREJUDICE.

Signed: March 12, 2012

Bobert J. Conrad, Jr. Chief United States District Judge

Chief United States District Judge