

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:12-cv-00371-MOC-DCK

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
Vs.)	ORDER
)	
620 WEST FRANKLIN STREET, SALISBURY,)	
NC,)	
)	
Defendant.)	

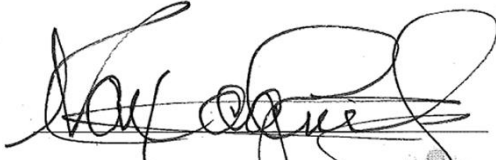
THIS MATTER is before the court on the government’s Motion to Strike Claim. Review of that pleading reveals that the government served such motion on the putative claimant and that the time for claimant to respond has passed with no response.

The government has shown that the putative claimant has not signed her claim under penalty of perjury, Rule G(5)(a)(i)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, that she has not filed an Answer within the time allowed, Rule G(5)(B), and that a similar petition filed by claimant in a related criminal action, United States v. Juan Molina-Sanchez, 3:12cr25-FDW (W.D.N.C. Aug. 13, 2013), was dismissed by this court, id. at Order (#29), thus implicating res judicata, collateral estoppel, and mootness as to the claim asserted herein. Put another way, even if claimant were to cure the Rule G violations, her claim would be to no avail inasmuch as this court has already determined that the defendant is forfeitable and has been forfeited to the United States of America.

ORDER

IT IS, THEREFORE, ORDERED that the government's Motion to Strike Claim (#10) is **GRANTED**, and the Claim (#6) of Yuritzi Maldonado Alejandre is **STRICKEN**.

Signed: May 16, 2014



Max O. Cogburn Jr.
United States District Judge