

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

CIVIL NO. 3:12cv371-MOC-DCK

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
 v.)
)
 REAL PROPERTY LOCATED AT 620)
 WEST FRANKLIN STREET,)
 CHARLOTTE, NORTH CAROLINA,)
)
 Defendant.)

**WRIT OF ENTRY
AND ORDER**

The United States having filed a verified Complaint for Forfeiture in Rem against the defendant real property; and

The United States having not requested authority to seize the defendant real property at this time but having stated that it will post notice of the Complaint for Forfeiture In Rem on the defendant real property and serve notice of this action and a copy of the Complaint on the owner of the defendant real property under 18 U.S.C. § 985(c)(1) and (3); and

The United States having requested that the Court issue a Writ of Entry as provided in 18 U.S.C. § 985(b)(2) and 18 U.S.C. § 983(j) authorizing it to enter the defendant real property, including any structures, for the purpose of conducting an inspection and inventory of the defendant real property and, as provided in 19 U.S.C. § 1606, to assess the security of the property and to conduct an appraisal, and further to take certain interim measures to protect the property if the property is unoccupied and such measures appear necessary; and

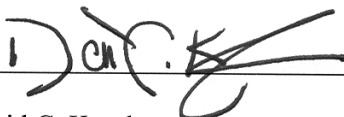
There being no filing in opposition to the government’s request for writ of entry;

IT IS THEREFORE ORDERED that the Department of Homeland Security, or its designee, is hereby authorized

1. to enter the defendant real property, including any structures, on one or more occasions during the pendency of this in rem forfeiture action against the defendant real property, for the purpose of conducting an inspection and inventory and appraisal; and
2. if the property is unoccupied and if it appears necessary in order to protect and preserve the property from theft, vandalism, and mold, to take the interim measures of boarding up the property and spraying for mold, and,
3. to be accompanied on any such occasion by any appraiser(s) selected by it for the purpose of appraising the condition and value of the defendant real property pursuant to 19 U.S.C. § 1606, which appraisal may include, among other means, still and video photography, and
4. to be accompanied on any such occasion by any government and contract personnel selected by it for the purpose of conducting an inspection and inventory, which inspection and inventory may include, among other means, still and video photography, and
5. to be accompanied on any such occasion by any federal, state, and local law enforcement officers selected by it to ensure the safety of personnel acting under this Writ of Entry.

Any interference with anyone acting under the authority of this Writ of Entry shall be deemed a violation of a Court order and may be punished as a contempt, as a violation of 18 U.S.C. § 2232 prohibiting the impairment of in rem jurisdiction, or otherwise as provided by law.

Signed: December 3, 2012



David C. Keesler
United States Magistrate Judge

