

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3: 12CV468**

UNITED STATES OF AMERICA,)	
)	
)	
Vs.)	CONSENT JUDGMENT
)	
)	
APPROXIMATELY \$40,000.00 IN UNITED STATES FUNDS,)	
)	
Defendant.)	
)	

THIS MATTER is before the Court on the government's Motion for a Consent Judgment of forfeiture against a portion of the defendant property (#5)

THE COURT FINDS THAT:

1. A verified complaint for forfeiture in rem of the defendant property was filed on July 30, 2012. The same day, the Clerk issued a warrant for arrest in rem.
2. Process was fully issued in this action and returned according to law. Pursuant to the warrant for arrest in rem, as shown by the process receipt and return filed herein on September 11, 2012, the defendant property was deposited into a government suspense account. Service of process was made by internet publication of notice, as shown by the government's declaration filed on September 24, 2012.
3. The potential claimants from whom the defendant property was seized have expressly waived notice, as shown by their affidavit and waiver filed with the complaint.
4. Based on the affidavit of Special Agent Laura Hughes, United States Secret Service, filed

with the complaint, the government has shown probable cause to believe that the defendant property is proceeds of and/or was used or intended to be used to facilitate structuring of currency deposits in violation of 31 U.S.C. § 5324(a) and that it is therefore subject to forfeiture under 31 U.S.C. § 5317(c)(2).

5. The parties have agreed to settlement of all forfeiture matters in accordance with the affidavit and waiver. The Court deems the affidavit and waiver to be substantially equivalent to a claim and an answer duly filed herein by claimant. No other person has filed a claim herein within the time permitted by law.
6. As provided in the affidavit and waiver, the government and claimants have agreed to the forfeiture of the defendant property and the return of \$110,000.00, which is the remaining amount of seized funds, in full settlement of this matter.

BASED ON THE FOREGOING FINDINGS, THE COURT CONCLUDES that the government is entitled to a judgment of forfeiture by consent against the defendant property.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

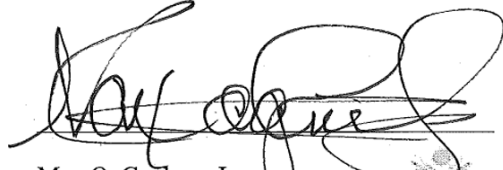
- 1 The government's motion for a judgment of forfeiture (#5) as to the defendant \$40,000.00 is hereby granted.
2. Any and all right, title and interest of all persons in the world in or to the following property is hereby forfeited to the United States; and no other right, title, or interest shall exist therein: approximately \$40,000.00 in United States funds.
3. The United States is hereby directed to dispose of the forfeited defendant property as provided by law and to release the remaining \$110,000.00 to claimants, in

accordance with the settlement of the parties.

4. Each party shall bear its own costs, including attorney fees.

The Clerk of Court is instructed to terminate this action based on entry of this Judgment.

Signed: October 29, 2012

A handwritten signature in black ink, appearing to read "Max O. Cogburn Jr.", written over a horizontal line. The signature is highly stylized and cursive.

Max O. Cogburn Jr.
United States District Judge