UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA STATESVILLE DIVISION DOCKET NO. 5.13mc67 APR 11 2013 **US District Court** Western District of NC In Re: 19201-B NC Highway 88 ORDER Creston, Ashe County, NC. AND LIS PENDENS Deed Book 504, Page 53 Return to: Thomas R. Ascik FILE IN GRANTOR INDEX UNDER: Assistant United States Attorney United States Attorney's Office KAMRAN REZAPOUR and TINA I. REZAPOUR Room 233, U.S. Courthouse 100 Otis Street Asheville, NC 28801 828-271-4661

WHEREAS, the United States of America, by and through Paul Pierce, a Special Agent (SA) with the United States Food and Drug Administration Office of Criminal Investigations ("FDA-OCI"), has presented an affidavit to the Court alleging that the above-captioned property facilitated wire and mail fraud, in violation of 18 U.S.C. §§ 1341 and 1343; and smuggling, in violation of 18 U.S.C. §§ 542 and 545, and,

WHEREAS, the Court, having reviewed the affidavit, finds that there is probable cause to believe that the property facilitated wire and mail fraud, in violation of 18 U.S.C. §§ 341 and 1343, and smuggling in violation of 18 U.S.C. §§ 542 and 545, and,

WHEREAS, upon this finding of probable cause, the property may be subject to criminal or civil forfeiture to the United States pursuant to 18 U.S.C. §§ 981 and 982 and 21 U.S.C. § 853, and the government is entitled to record a *lis pendens* to give public notice of the government's forfeiture interest and potential civil and/or criminal forfeiture claim against the property; and,

THEREFORE, the United States is directed forthwith to file this Order and Lis Pendens with the appropriate state or local public depository to prevent the flight or transfer of the property so that the United States may initiate action to adjudicate forfeiture of the property; and,

ALL WHO READ THIS ORDER AND LIS PENDENS TAKE NOTICE that the property is subject to forfeiture to the United States in a present or future criminal or civil in rem action before this Court, and any person who has a question as to this action should contact: Thomas R. Ascik, Assistant U.S. Attorney, Room 233, U.S. Courthouse, 100 Otis Street, Asheville, NC 28801

This the 11th day of April 2013.

SO ORDERED

DAVID S. CAYER

UNITED STATES MAGISTRATE JUDGE