

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL NO. 3:17-cv-532**

UNITED STATES OF AMERICA,)
)
) **Plaintiff,**)
)
) **v.**) **DEFAULT JUDGMENT**
)
) **Approximately \$72,020 in funds seized**)
) **incident to a traffic stop of Ronald Scott**)
) **Staggs,**)
)
) **Defendant,**)

THIS MATTER is before the Court on Plaintiff United States of America’s Motion for Default Judgment (Doc. No. 8). Having considered the Motion and the entire record, the Court enters the following Order granting the Motion.

STANDARD OF REVIEW

When a defendant is in default, the well-pleaded factual allegations of the complaint are deemed to be admitted by the defendant, but conclusions of law and the amount of damages are not. *Ryan v. Homecomings Fin. Network*, 253 F.3d 778, 780 (4th Cir. 2001). A court must thus “determine whether the well-pleaded allegations in [the] complaint support the relief sought.” *Id.* The plaintiff bears the burden of proving that judgment should be granted by way of a motion for default judgment. *Silvers. v. Iredell Cty. Dept. of Soc. Servs.*, No. 5:15-cv-00083, 2016 WL 427953, at *6 (W.D.N.C. Feb. 3, 2016).

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. A Complaint for Forfeiture in Rem was filed on September 6, 2017, together with supporting Verification from Special Agent Jason P. Milhone of the Federal Bureau Investigation.

2. This Court has jurisdiction over the subject matter of the Complaint pursuant to 28 U.S.C. §§ 1345, 1355.

3. Venue is proper in this Court pursuant to 28 U.S.C. § 1395, as the Defendant property was seized in and has remained in the Western District of North Carolina throughout this action.

4. Process was fully issued in this action and returned according to law.

5. No person has filed a verified claim or an answer within the time allowed by law.

6. The Clerk properly entered default on January 3, 2018.

7. Entry of default judgment is adequately supported in fact and law based on the undisputed allegations of the Complaint and Verification, as well as the Memorandum in Support of the Motion for Default Judgment.

THEREFORE, IT IS HEREBY ORDERED that Judgment by default is rendered in favor of Plaintiff, the United States of America. The Court declares that the United States is the lawful owner of the subject property Defendant Approximately \$72,020 in funds seized incident to a traffic stop of Ronald Scott Staggs.

SO ORDERED.

Signed: May 30, 2018



Graham C. Mullen
United States District Judge

