

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
CIVIL NO. 5:10CV71**

<b>UNITED STATES OF AMERICA</b>	)	
	)	
v.	)	<b>ORDER</b>
	)	
<b>\$13,950.00 IN UNITED STATES CURRENCY,</b>	)	<b>STRIKING and DEFAULTING</b>
	)	
<b>Defendant.</b>	)	<b>the CLAIM of</b>
	)	
	)	<b>CLAIMANT JOSEPH LETUAL</b>

**WHEREAS**, the United States filed a Verified Complaint for Forfeiture in Rem against the defendant property on June 15, 2010;

**WHEREAS**, the Complaint alleges that the defendant property is proceeds traceable to transactions and exchanges for controlled substances or property used or intended to be used to facilitate such transactions and is, therefore, subject to forfeiture to the United States pursuant to 21 U.S.C. § 881(a)(6);

**WHEREAS**, Joseph Letual filed a Claim and Answer on July 29, 2010;

**WHEREAS**, on November 3, 2010, the Court entered an Order compelling Joseph Letual to answer the United States’ Special Interrogatories under Rule G(6) of the Supplemental Rules for Admiralty or Maritime and Asset Forfeiture Claims, Title 28, U.S.C. Appendix, by November 24, 2010;

**WHEREAS**, Joseph Letual has failed to comply with that Order;

**WHEREAS**, on December 13, 2010, the Court issued an Order to Joseph Letual to Show Cause by December 27, 2010, why his counsel’s Motion to Withdraw and the United States’

Motion to Strike his Claim should not be granted;

**WHEREAS**, Joseph Letual has failed to comply with that Order;

**WHEREAS**, the United States has moved the Court to strike and default the Claim of Joseph Letual under Fed. R. Civ. P. 37(b), Fed. R. Civ. P. 55(a), and Rule G(8)(c) of the Supplemental Rules for Admiralty or Maritime and Asset Forfeiture Claims, Title 28, U.S.C. Appendix, and the Court finds that the United States has shown good cause; and

**WHEREAS**, the Court finds that all necessary service on Joseph Letual has been accomplished in compliance with law.

**NOW, THEREFORE**, the Court finds, pursuant to Fed. R. Civ. P. 37(b), Fed. R. Civ. P. 55(a), and Rule G(8)(c) of the Supplemental Rules for Admiralty or Maritime and Asset Forfeiture Claims, Title 28, U.S.C. Appendix, that Joseph Letual has failed to comply with the Court's Orders, that he has failed to plead and otherwise defend his Claim, that his Claim is in default, and that his Claim is hereby stricken.

The Clerk is directed to enter default against Joseph Letual pursuant to Fed. R. Civ. P. 55(a).

Signed: July 8, 2011



Richard L. Voorhees  
United States District Judge

