

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

UNITED STATES OF AMERICA,	:	CASE NO.: 3:13CV111
Plaintiff,	:	JUDGE WALTER H. RICE
v.	:	
REAL PROPERTY KNOWN AS:	:	
354 NARROWS TRACE,	:	
BEAVERCREEK, OH 45385	:	
Defendant.	:	

**AGREED ORDER AND DECREE OF FORFEITURE**

It is hereby stipulated and AGREED by and between Plaintiff, United States of America, and Claimants GREGORY J. OLDIGES and LINDA M. OLDIGES, and the Court hereby finds that:

1. In this civil forfeiture action, filed on April 15, 2013, the United States seeks the forfeiture of all right, title and interest (including any leasehold interest) in the whole of any lot or tract of land and any appurtenances or improvements, to the Real Property commonly known as 354 Narrows Trace, Beavercreek, Ohio, having the following legal description: Situated in the County of Greene in the State of Ohio and in the Township of Beavercreek and being Lot Numbered 7 Narrows Pass as recorded in Plat Book 26, Pages 148, 149, 150, 151 and 152 (aka P.C. 34, Pages 175B, 176A, 176B, 177A and 177B) of the Plat Records of Greene County, Ohio.

Parcel Id No. B03-1-21-59

Prior Instrument Reference: OR Vol. 3287 Page 586 of the Deed Records of Greene County, Ohio.

(Doc. 1).

2. The United States alleged in the Complaint (Doc. 1) that the Defendant is subject to forfeiture pursuant to:
  - i. 18 U.S.C. § 981(a)(1)(C) as proceeds of violations of 8 U.S.C. § 1324 (Bringing in and harboring certain aliens), 18 U.S.C. § 1028 (Fraud and related activity in connection with identification documents, authentication features, and information), 18 U.S.C. § 1028A (Aggravated identity theft), 18 U.S.C. § 1029 (Fraud in connection with access devices), 18 U.S.C. § 1956 (Laundering of monetary instruments), 18 U.S.C. § 1957 (Engaging in monetary transactions in property derived from specified unlawful activity), 18 U.S.C. § 1001 (Statements or entries generally), and 18 U.S.C. § 371 (Conspiracy);
  - ii. 18 U.S.C. § 981(a)(1)(A) as property involved in a violation of 18 U.S.C. § 1956 (Laundering of monetary instruments), and 18 U.S.C. § 1957 (Engaging in monetary transactions in property derived from specified unlawful activity); and
  - iii. 8 U.S.C. § 1324(b) as the gross proceeds of a violation of 8 U.S.C. § 1324(a), or property traceable to such proceeds.
3. An Affidavit by Brian Turk, Special Agent with Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HIS) was attached to the Complaint which set forth additional facts in support of the forfeiture. (Doc. 1.)
4. The notice of the Complaint for Forfeiture against Real Property was posted at the Defendant Real Property location on April 16, 2013. (Docs. 2 and 6.)
5. GREGORY J. OLDIGES and LINDA M. OLDIGES are the titled owners of the Defendant real property. (Doc. 1 and 4.)
6. GREGORY J. OLDIGES and LINDA M. OLDIGES were sent direct notice of the filing of the Complaint against the Defendant real property. (Doc. 10.)
7. GREGORY J. OLDIGES was served with the Summons & Complaint on April 18, 2013 through his attorney, Gregory Lockhart. (Doc. 7.)
8. LINDA M. OLDIGES was personally served with the Summons & Complaint on April 16, 2013. (Doc. 8.)
9. There are no liens of record on the Defendant real property.
10. Notice of the forfeiture action against the Defendant real property was posted on an official government internet site ([www.forfeiture.gov](http://www.forfeiture.gov)) beginning on April 22, 2013 in accordance with Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions. (Doc. 9.)

11. The only claims filed to the Defendant Real Property were filed by Claimants GREGORY J. OLDIGES and LINDA M. OLDIGES. (Doc. 4.)

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. All right, title and interest (including any leasehold interest) in the whole of any lot or tract of land and any appurtenances or improvements, to the Real Property commonly known as 354 Narrows Trace, Beavercreek, Ohio, having the following legal description:  
Situating in the County of Greene in the State of Ohio and in the Township of Beavercreek and being Lot Numbered 7 Narrows Pass as recorded in Plat Book 26, Pages 148, 149, 150, 151 and 152 (aka P.C. 34, Pages 175B, 176A, 176B, 177A and 177B) of the Plat Records of Greene County, Ohio.

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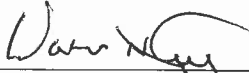
is hereby forfeited to the United States pursuant to:

- i. 18 U.S.C. § 981(a)(1)(C) as proceeds of violations of 8 U.S.C. § 1324 (Bringing in and harboring certain aliens), 18 U.S.C. § 1028 (Fraud and related activity in connection with identification documents, authentication features, and information), 18 U.S.C. § 1028A (Aggravated identity theft), 18 U.S.C. § 1029 (Fraud in connection with access devices), 18 U.S.C. § 1956 (Laundering of monetary instruments), 18 U.S.C. § 1957 (Engaging in monetary transactions in property derived from specified unlawful activity), 18 U.S.C. § 1001 (Statements or entries generally), and 18 U.S.C. § 371 (Conspiracy);
  - ii. 18 U.S.C. § 981(a)(1)(A) as property involved in a violation of 18 U.S.C. § 1956 (Laundering of monetary instruments), and 18 U.S.C. § 1957 (Engaging in monetary transactions in property derived from specified unlawful activity); and
  - iii. 8 U.S.C. § 1324(b) as the gross proceeds of a violation of 8 U.S.C. § 1324(a), or property traceable to such proceeds.
2. All right, title and interest to Defendant, including but not limited to any interest of GREGORY J. OLDIGES and LINDA M. OLDIGES is hereby condemned, forfeited and vested in the United States of America, and shall be disposed of according to law.
  3. Any and all claims which GREGORY J. OLDIGES and/or LINDA M. OLDIGES may have against the Plaintiff, its agencies, and/or employees as well as local law enforcement

agencies and their employees, arising out of the facts giving rise to this forfeiture action are hereby RELEASED.

4. The parties shall bear their own costs, including any possible attorney's fees, court costs, or other expenses of litigation.
5. The Court will retain jurisdiction to enforce the terms of this Agreement.
6. This case is terminated on the docket.

SO ORDERED:

  
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HON. WALTER H. RICE  
UNITED STATES DISTRICT JUDGE

CARTER M. STEWART  
United States Attorney

s/Pamela M. Stanek  
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PAMELA M. STANEK  
Assistant United States Attorney

s/Jeanne Marie Cors by Gregory G. Lockhart  
JEANNE MARIE CORS  
Attorney for Claimant, GREGORY J. OLDIGES  
Attorney for Claimant, LINDA M. OLDIGES

s/Gregory J. Oldiges  
\_\_\_\_\_  
GREGORY J. OLDIGES  
Claimant

s/Linda M. Oldiges  
\_\_\_\_\_  
LINDA M. OLDIGES  
Claimant