

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)
)
Plaintiff,)

vs.)

CIV 10-084-FHS

- 1)CHARLES O. DUCKETT, a.k.a. Charles Duckett, a.k.a. Charles Otis Duckett;
2)EVELYN D. DUCKETT, a.k.a. Evelyn Deloris Duckett, a.k.a. Evelyn Duckett, deceased, the unknown heirs, executors, devisees, trustees and assigns of Evelyn Deloris Duckett, deceased;
3)MARCUS DUCKETT;
4)KATIE DUCKETT; 5)CAPITAL ONE BANK;
6)FORD MOTOR CREDIT CORPORATION;
7)ERIN CAPITAL MANAGEMENT, LLC;
8)COLLINS FINANCIAL SERVICES, INC.;
9)NCO PORTFOLIO MANAGEMENT CAPITAL ONE;
10)STATE OF OKLAHOMA, ex rel., Department of Human Services;
Defendants.

ORDER

Before the court is the Findings and Recommendations of the United States Magistrate Judge, (Dkt. 156) in which the Magistrate Judge recommends that all proceedings under the Order of Sale are hereby approved and confirmed and that the United States Marshal for the Eastern District of Oklahoma make sure and execute to the purchaser, Larry and Laura Brinkley a good and sufficient deed for the property, more specifically described as follows:

All that part of Lots 1 and 2 and the E2 of the NW4 of Section 7, Township 8 South, Range 24 East of the IBM, according to the United States survey thereof described

as follows:

Tract #1-A - The SW4 of the NE4 of the NW4 and;

Tract #1-B - The Southeast 10 acres of Lot 1;

Tract #2 - The S2 of the West 18.77 acres of Lot 1 of said Section 7, LESS AND EXCEPT; Begin at the Southwest Corner of Said Lot 1; thence East 300 feet; thence North 150 feet; thence West 300 feet; thence South 150 feet to the POB;

Tract #3-A - All that part of NE 10 acres of Lot 1 of said Section 7, Described as follows: Begin 30 feet West and 210 feet South of the Northeast corner of Lot 1 of said Section 7; thence West 420 feet; thence South 420 feet; thence East 420 feet; thence North 420 feet to the POB;

Tract #3-B - All that part of Lot 1 of said Section 7 described as follows: Begin at the SE corner of the Northeast 10 acres of said Lot 1; thence North 30 feet; thence West 450 feet; thence South 30 feet; thence East 450 feet to the point of beginning.

Tract #4 - The East 18.80 acres of Lot 2 of said Section 7; (a.k.a. E2 SE4 NW4) AND also SE4 NW4 of said Section 7, LESS AND EXCEPT All that part of the East 18.80 acres of Lot 2 and the SE4 NW4 of said Section 7 described as follows: Begin at the SW Corner of the NW4 of the SE4 of the NW4 of said Section 7; thence North 89[→52'21" East 263.94 feet; thence North 00[→03'02" West 369.15 feet; thence South 89[→52'21" West 590 feet; thence South 00[→03'02" East 369.15 feet; thence North 89[→52'21" East 326.06 feet to the POB;

Tract #6 - All that part of S2 NE4 of Section 7, Township 8 South, Range 24, described as follows: Begin 765.6 feet west of the southeast corner of NE4 of said Section 7; thence North 1156.9 feet; thence West 1874.4 feet; thence South 1156.9 feet; thence East 1874.4 feet to the POB.

It was further recommended that after the execution and delivery of the Deed to the purchaser by the United States Marshal, the purchaser is hereby granted possession of the property against any or all persons now in possession.

It was also recommended that the proceeds of the sale

conducted here be disbursed by the United States Marshal for the Eastern District of Oklahoma as follows:

FIRST: To the payment of costs of this action in the amount of \$3,350.43
Service by publication . . . \$1,040.76
Appraisers fees \$ 600.00
Publication of Notice of Sale \$1,496.52
Publication of Notice of Hearing \$ 213.15

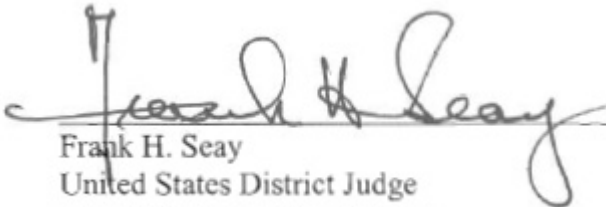
SECOND: The sum of \$3,106.60
to the U.S. Marshal Service for fees & mileage

THIRD: The sum of \$209,542.97
Payable to US Department of Justice
in partial satisfaction of plaintiff's
judgment of . . \$279,306.12
which includes:
Unpaid principal of \$274,920.10
Interest to judgment & sale \$4,386.77

FOURTH: The residue, if any, to be paid to the Clerk of this court to abide the further order of the court.

No objections were filed to said Report and Recommendation. Upon review, this Court hereby adopts the Findings and Recommendations as the ruling of this court. Accordingly, the Motion to Confirm Sale 1 (Dkt. 123) is hereby **GRANTED**.

IT IS SO ORDERED this 28th day of July, 2014.


Frank H. Seay
United States District Judge
Eastern District of Oklahoma