

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
ORANGEBURG DIVISION

UNITED STATES OF AMERICA,)	CIV. NO. 5:14-cv-01277-JMC
)	
Plaintiff,)	
)	
vs.)	
)	
\$33,712.37 IN UNITED STATES)	
CURRENCY)	
)	
Defendant <i>in Rem</i> .)	

CONSENT ORDER OF FORFEITURE

The above-entitled in rem forfeiture action was initiated on April 8, 2014. The case concerns the proposed forfeiture of \$33,712.37 in funds (the “Defendant Funds”) previously seized from the Claimant, Juan Ramon Aguirre Davila on September 12, 2013, in Calhoun County, South Carolina, by special agents of the Internal Revenue Service Criminal Investigation Division (“IRS-CID”). The Complaint alleges that the Defendant Funds are subject to forfeiture pursuant to 21 U.S.C. § 881(a)(6), which authorizes the forfeiture of drug-related currency.

Juan Ramon Aguirre Davila is the sole owner of the Defendant Funds, and has filed a claim to the Defendant Funds. ECF No. 8. No other persons or entities have filed claims and answers in this action, as required by Supplemental Rule G(5).

A Warrant of Arrest *In Rem* was duly executed against the Defendant Funds on April 9, 2014. ECF No. 5. As set forth in the Declaration of Publication filed on May 16, 2014 (ECF No. 10), and in accordance with Supplemental Rule G(4), notice of this forfeiture action was published on an official internet government forfeiture site,

“www.forfeiture.gov”, for at least 30 consecutive days, beginning on April 16, 2014, and ending on May 15, 2014. Any person claiming an interest in the Defendant Funds was required to file a claim within sixty days after the first date of such publication (by June 15, 2014). All time limits for the filing of claims have now expired, with no requests for extensions of such time limits having been requested or granted.

The United States and the Claimant, Juan Ramon Aguirre Davila, have reached an agreement regarding the forfeiture of the Defendant Funds, the terms of which are set forth in a Stipulated Forfeiture Agreement filed June 4, 2014.

The United States and Juan Ramon Aguirre Davila have reached the following settlement. First, \$11,237.33 of the Defendant Funds is to be returned to Juan Ramon Aguirre Davila via electronic funds transfer payment from the United States to the trust account of the Claimant’s attorney. Second, the balance of the Defendant Funds, to wit, \$22,475.04, is to be forfeited, condemned, quit-claimed and abandoned to the United States, and shall be disposed of by the United States pursuant to law as a forfeited asset.

The parties agree that each side shall bear its own costs.

NOW THEREFORE, the Court being fully advised, and based on the Stipulated Forfeiture Agreement, which is incorporated herein by reference, it is

ORDERED, ADJUDGED AND DECREED, that:

1. All persons, except the Claimant, claiming any right, title or interest in or to the Defendant Funds are hereby held in default, and default judgment is entered against them.

2. Pursuant to 31 U.S.C. § 7317(c)(2), the Defendant Funds, to wit, \$22,475.04 is hereby forfeited, condemned, quit-claimed and abandoned to the United States of America.

3. Clear title in and to the Defendant Funds is hereby vested in the United States of America, and no other right, title or interest exists therein. All other claims in or to the Defendant Funds are hereby forever foreclosed and barred.

4. The \$22,475.04 in Defendant Funds forfeited herein shall be disposed of by the United States in accordance with law.

IT IS SO ORDERED.

s/J. Michelle Childs
J. MICHELLE CHILDS
UNITED STATES DISTRICT JUDGE

Columbia, South Carolina

June 30, 2014