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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAN WESSON .357 MAGNUM,
SERIAL NUMBER 94762; AND
FIVE ROUND OF AMMUNITION,

Defendants.

NO: 2:14-CV-0177-TOR
FINAL ORDER OF FORFEITURE

Plaintiff, United States of America, alleged in a Verified Complaint for Forfeiture In Rem that the Defendant firearm and ammunition (hereafter “Defendant property”) is subject to forfeiture to the United States pursuant to 18 U.S.C. § 924. ECF No. 1.

The Court has jurisdiction over this matter by virtue of 28 U.S.C. §§ 1345 and 1355. Venue is proper pursuant to 28 U.S.C. § 1395.

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1 The Defendant property being forfeited is described as follows:

2 -a black Dan Wesson .357 magnum with black rubber grips, Serial # 94762,
3 seized on or about December 23, 2012, from BUD RAY BROWN, by the Spokane
4 Police Department, and adopted by ATF for forfeiture on or about August 7, 2013;
5 and,

6 -three rounds of Winchester .357 Mag ammunition and two rounds of FC 57
7 ammunition, seized on or about December 23, 2012, from BUD RAY BROWN,
8 by the Spokane Police Department, and adopted by ATF for forfeiture on or about
9 August 7, 2013.

10 On October 21, 2014, the Bureau of Alcohol, Tobacco, Firearms and
11 Explosives (ATF) executed the Warrant of Arrest In Rem. The returned warrant
12 was filed with the Court under the above cause number on October 21, 2014. ECF
13 Nos. 6 and 7.

14 Notice of Civil Forfeiture Action was posted on the official government
15 website beginning October 19, through November 17, 2014, as required by Rule
16 G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and
17 Asset Forfeiture Actions, as evidenced by the Notice of Publication filed herein on
18 February 2, 2015. ECF Nos. 8, 8-1 and 8-2. At the latest, the claim period expired
19 on December 18, 2014. To date, no claims have been received or filed pursuant to
20 the internet posting.

1 ATF did not identify any potential claimants other than Defendant Bud Ray
2 Brown, therefore, the United States did not provide direct notice of this forfeiture
3 action.

4 On April 17, 2013, Defendant Bud Ray Brown and the United States entered
5 into a plea agreement (ECF No. 27) filed in the related Eastern District of
6 Washington criminal case, *United States v. Bud Ray Brown*, Case Number: 13-CR-
7 00010-LRS. Bud Ray Brown agreed to the forfeiture of the Defendant property in
8 said plea agreement.

9 It appearing to the Court that no timely claims have been made to the
10 Defendant property;

11 ACCORDINGLY, IT IS HEREBY ORDERED that the Defendant property,
12 a black Dan Wesson .357 magnum with black rubber grips, Serial # 94762; and
13 three rounds of Winchester .357 Mag ammunition and two rounds of FC 57
14 ammunition, is hereby forfeited to the United States of America, and no right, title,
15 or interest shall exist in any other person.

16 IT IS FURTHER ORDERED that the United States shall dispose of the
17 forfeited property in accordance with law.

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1 The District Court Executive is hereby directed to enter this Order and
2 Judgment accordingly, furnish copies to counsel, and **CLOSE** the file.

3 **DATED** February 5, 2015.



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6 THOMAS O. RICE
7 United States District Judge