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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,
Plaintiff,
v.
APPROXIMATELY \$53,965.00 U.S.
CURRENCY and a 2003 FORD
MUSTANG COBRA,
WASHINGTON LICENSE PLATE
309ZWW, VIN:
1FAFP48Y73F332371,
Defendants.

NO. 2:16-CV-00235-JLQ

ORDER RE: MOTION FOR ENTRY OF
FINAL ORDER OF FORFEITURE

BEFORE THE COURT is the Government’s Motion for Entry of Final Order of Forfeiture (ECF No. 49). On August 11, 2017, the Government filed a Settlement Agreement (ECF No. 36) which resolved Rodney Allen Fisher, Jr.’s claims to the Defendant property. On September 11, 2017, the Government obtained a Clerk’s Order of Default against Ray James Noel and Michael Schroder. (ECF No. 47); (ECF No. 48). Local Rule 55.1 states “obtaining a default judgment in federal court is a two-step process: (1) entry of default and (2) entry of default judgment. A party must first file a motion for entry of default, obtain a Clerk’s Order of Default, and then file a separate motion for default judgment.” The Government has not filed a Motion for Entry of Default Judgment against Noel or Schroder. Accordingly, entry of a final order of forfeiture is premature and the Motion is Denied.

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IT IS HEREBY ORDERED:

1. The Government’s Motion for Entry of Final Order of Forfeiture (ECF No. 49) is **DENIED WITHOUT PREJUDICE**.
2. The Government may renew its Motion after moving for and obtaining default judgment against Ray James Noel and Michael Schroder.

IT IS SO ORDERED. The Clerk is hereby directed to enter this Order and furnish copies to counsel.

Dated September 13, 2017.

s/ Justin L. Quackenbush
JUSTIN L. QUACKENBUSH
SENIOR UNITED STATES DISTRICT JUDGE