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5 UNITED STATES DISTRICT COURT  
6 EASTERN DISTRICT OF WASHINGTON

7 UNITED STATES OF AMERICA,

8  
9 Plaintiff,

2:17-CV-0205-TOR

10 vs.

Final Order of Forfeiture

11 ONE (1) ROSSI .38 SPECIAL CALIBER  
12 REVOLVER, SERIAL NO. D683964;  
13 and,

14 FIVE (5) ROUNDS OF .38 CALIBER  
15 AMMUNITION,

16 Defendants.  
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18 Plaintiff, the United States of America, alleged in a Verified Complaint for  
19 Forfeiture *In Rem* that the Defendant property captioned above are subject to  
20 forfeiture to the United States pursuant to 21 U.S.C. § 881(a)(11). ECF No. 1.  
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22 The Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 1345 and  
23 1355. Venue is proper pursuant to 28 U.S.C. §§ 1355 and 1395.  
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25 The Defendant property being sought for forfeiture is described as follows:

- 26 a. One (1) Rossi .38 special caliber revolver, bearing Serial Number  
27 D683964; and,  
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1 b. Five (5) rounds of .38 caliber ammunition manufactured by  
2 Remington and Companhia Brasileira de Cartuchos.

3 Hereinafter “Defendant property”.

4 On July 14, 2017, the United States Marshals Service executed the Warrant of  
5 Arrest *In Rem*. The returned warrant was filed with the Court under the above cause  
6 number on July 17, 2017. (ECF No. 5).

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8 In accordance with Fed. R. Civ. P. Rule G(4)(a)(iv)(C), Supplemental Rules for  
9 Admiralty or Maritime Claims and Asset Forfeiture Actions, notice of civil forfeiture  
10 was posted on an official government website, [www.forfeiture.gov](http://www.forfeiture.gov), beginning July 18,  
11 2017, and ending August 16, 2017. ECF No. 7, 7-1 and 7-2. Based upon the internet  
12 publication start date of July 18, 2017, the last date to file a timely claim, if direct  
13 notice was not received, was September 16, 2017.

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16 On or about July 17, 2017, the United States sent a copy of Verified Complaint  
17 for Forfeiture *In Rem* (ECF No. 1), Warrant of Arrest *In Rem* (ECF No. 5), and Notice  
18 of Complaint for Forfeiture (ECF No. 6-1) to JERRY LEE EVERETT, III, via  
19 certified mail, return receipt requested in care of Attorney James M. Parkins, who  
20 represents Mr. Everett in the related Eastern District of Washington criminal case,  
21 *United States v. Jerry Lee Everett, III, 2:16-CR-151-TOR*.

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24 On or about August 28, 2017, the United States filed its Notice of Default (ECF  
25 No. 9), which was served via regular, first-class U.S. mail and via certified mail,  
26 return receipt requested upon JERRY LEE EVERETT, III, via certified mail, return  
27 receipt requested in care of Attorney James M. Parkins, who represents Mr. Everett in  
28 Final Order of Forfeiture - 2

1 the related Eastern District of Washington criminal case, *United States v. Jerry Lee*  
2 *Everett, III, 2:16-CR-151-TOR*. On September 28, 2017, the United States filed its  
3 Motion for Entry of Default (ECF No. 13), which was served via regular, first-class  
4 U.S. mail, upon JERRY LEE EVERETT, III, in care of Attorney James M. Parkins.  
5 On September 29, 2017, a Clerk's Order of Default (ECF No. 17) was entered as to  
6 any potential interest Mr. Everett had in the Defendant property.  
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9 On or about July 17, 2017, the United States sent a copy of Verified Complaint  
10 for Forfeiture In Rem (ECF No. 1), Warrant of Arrest In Rem (ECF No. 5), and Notice  
11 of Complaint for Forfeiture (ECF No. 6-1), to JONATHAN D. RICHART, via  
12 certified mail, return receipt requested, to his last known address. On or about August  
13 25, 2017, JONATHON D. RICHART's wife contacted the United States Attorney's  
14 Office. She stated that neither she nor her husband had an interest in the Defendant  
15 assets.  
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18 On or about August 28, 2017, the United States filed its Notice of Default,  
19 which was served via certified mail and regular U.S. mail upon JONATHAN D.  
20 RICHART at his last known address. ECF No. 10. On September 28, 2017, the  
21 United States filed its Motion for Entry of Default (ECF No. 10), which was served  
22 via regular, first-class U.S. mail, upon JONATHAN D. RICHART, at his last known  
23 address. On September 29, 2017, a Clerk's Order of Default (ECF No. 18) was  
24 entered as to any potential interest Mr. Richart had in the Defendant property.  
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1 On or about July 17, 2017, the United States sent a copy of Verified Complaint  
2 for Forfeiture In Rem (ECF No. 1), Warrant of Arrest In Rem (ECF No. 5), and  
3 Notice of Complaint for Forfeiture (ECF No. 6-1), to TYLER A. BORDELON, via  
4 certified mail, return receipt requested, to his last known address.  
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6 On or about August 28, 2017, the United States filed its Notice of Default,  
7 which was served via certified mail and regular U.S. mail upon TYLER A.  
8 BORDELON at his last known address. ECF No. 8. On September 29, 2017, a  
9 Clerk's Order of Default (ECF No. 16) was entered as to any potential interest Mr.  
10 Bordelon had in the Defendant property.  
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12 On or about July 17, 2017, the United States sent a copy of Verified Complaint  
13 for Forfeiture In Rem (ECF No. 1), Warrant of Arrest In Rem (ECF No. 5), and  
14 Notice of Complaint for Forfeiture (ECF No. 6-1), to HAYLIE M. WICKENHAGEN,  
15 via certified mail, return receipt requested, to her last known address.  
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18 On or about August 28, 2017, the United States filed its Notice of Default,  
19 which was served via certified mail and regular U.S. mail upon HAYLIE M.  
20 WICKENHAGEN at her last known address. ECF No. 11. On September 29, 2017,  
21 a Clerk's Order of Default (ECF No. 19) was entered as to any potential interest Ms.  
22 Wickenhagen had in the Defendant property.  
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25 No claims to the Defendant property, timely or otherwise, have been received  
26 or filed with the Court, and the deadlines for filing claims have passed.  
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1 It appearing to the Court that and any all potential interests in the Defendant  
2 property have been resolved;

3 IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the  
4 Defendant property described as follows is hereby forfeited to the United States of  
5 America, and no right, title, or interest shall exist in any other person or entity.  
6

- 7 a. One (1) Rossi .38 special caliber revolver, bearing Serial Number  
8 D683964; and,  
9  
10 b. Five (5) rounds of .38 caliber ammunition manufactured by  
11 Remington and Companhia Brasileira de Cartuchos.

12 IT IS FURTHER ORDERED that the United States shall dispose of the  
13 forfeited Defendant property described herein in accordance with law.

14 IT IS FURTHER ORDERED that the United States District Court shall retain  
15 jurisdiction in the case for the purpose of enforcing or amending this order.  
16

17 DATED November 21, 2017.



*Thomas O. Rice*  
THOMAS O. RICE  
Chief United States District Judge