

Judge Thomas S. Zilly

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

26218 SE BLACK NUGGET ROAD,
ISSAQUAH, WASHINGTON,

Defendant.

NO. C07-2040TSZ

JUDGMENT OF FORFEITURE OF
\$150,000.00

Plaintiff, United States of America, filed its Verified Complaint for Forfeiture In Rem on December 20, 2007, pursuant to Title 21, United States Code, Sections 881(a)(6) and 881(a)(7), alleging that the defendant real property was used and intended to be used to facilitate the distribution of a controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 846. Notice of the forfeiture action was published in The Daily Journal of Commerce on January 25, 2008, February 1, 2008, and February 8, 2008. All interested parties were advised to file their claims pursuant to Supplemental Rule C(6) of the Federal Rules of Civil Procedure with the Clerk of the Court within thirty (30) days after the date of the publication and to serve their Answers to the Complaint within twenty (20) days after filing their claim.

On December 20, 2007, the United States filed a Verified Complaint for Forfeiture In Rem against the above-captioned defendant, 26218 SE Black Nugget

1 Road, Issaquah, Washington, King County Parcel #242406-9031, its buildings,
2 improvements, appurtenances, fixtures, attachments and easements (sometimes
3 hereinafter referred to as “defendant real property”). The government alleged that the
4 real property was forfeitable to the United States pursuant to Title 21, United States
5 Code, Sections 881(a)(6) and 881(a)(7), for violations of Title 21, United States Code,
6 Sections 841(a)(1) and 846.

7 On December 20, 2007, a Lis Pendens was filed against the defendant real
8 property commonly known as 26218 SE Black Nugget Road, Issaquah, Washington.

9 On February 7, 2008, Norman Rea and Donna Rea filed a verified claim to the
10 defendant real property, in which they claimed an ownership interest. On October 24,
11 2008, Norman Rea and Donna Rea filed an Answer to the Complaint for Forfeiture.

12 On February 7, 2008, Ona Rea filed a verified claim for defendant real property
13 in which she claimed an ownership interest. On October 24, 2008, Ona Rea filed an
14 Answer to the Complaint for Forfeiture.

15 On February 7, 2008, Christopher Rea filed a verified claim for defendant real
16 property in which he claimed an ownership interest. On June 26, 2008, Christopher
17 Rea entered a plea (see docket # 28 in related criminal case no. CR08-106JCC,
18 Christopher Rea’s Plea Agreement) in which Christopher Rea agreed to forfeit his
19 interest in the defendant real property located at 26218 SE Black Nugget Road,
20 Issaquah, Washington.

21 On February 18, 2009, the parties reached and filed a Stipulated Settlement
22 Agreement, under the terms of which Claimants agreed to pay the United States a total
23 sum of \$320,000.00, on the following schedule: \$150,000.00 within 30 days of the
24 filing of the stipulated settlement agreement with the Court; an additional \$75,000.00
25 no later than February 15, 2010; and an additional \$95,000.00, no later than February
26 15, 2011.

27 The United States will continue to maintain its Lis Pendens on file until
28 payment of the full \$320,000.00 is received, and will continue to retain a security

1 interest in the defendant real property until then.

2 Now, therefore, on Motion of the Plaintiff, the United States of America, for a
3 Judgment of Forfeiture of \$150,000.00, it is hereby ORDERED, ADJUDGED and
4 DECREED as follows:

5 1. Plaintiff's Motion for Entry of Judgment of Forfeiture of \$150,000.00,
6 docket no. 40, is GRANTED.

7 2. The Court has jurisdiction over this action under Title 28, United States
8 Code, Sections 1345, 1355, and 1395 and Title 21, United States Code, Sections
9 881(a)(6) and 881(a)(7), and has venue pursuant to Title 28, United States Code,
10 Section 1395.

11 3. In lieu of the forfeiture of the defendant real property located at 26218 SE
12 Black Nugget Road, Issaquah, Washington, \$320,000.00 will be forfeited to the
13 United States of America.

14 4. Payment of the first \$150,000.00 was received by the United States of
15 America on March 20, 2009. The \$150,000.00 is hereby forfeited in full to the United
16 States of America and no right, title or interest in said funds shall exist in any other
17 party.

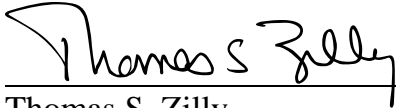
18 5. Upon payment in full of the remaining \$170,000.00 (\$75,000.00 no later
19 than February 15, 2010; and an additional \$95,000.00 no later than February 15, 2011),
20 the United States of America shall file a Second Judgment of Forfeiture for the balance
21 of those funds, as well as a notice of release of Lis Pendens.

22 6. The United States of America will continue to maintain its Lis Pendens
23 on file until payment of the full \$320,000.00 is received and will continue to retain a
24 security interest in the property for the balance of the funds.

25 7. The United States Marshals Service shall dispose of the forfeited
26 \$150,000.00 in accordance with the law.

27 8. The Clerk of the Court shall deliver three (3) "raised seal," certified copies
28 of the Judgment of Forfeiture of \$150,000.00 to the United States Marshals Service.

1
2 DATED this 17th day of April, 2009.
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6 Thomas S. Zilly
United States District Judge

7 Presented by:
8

9 s/Richard E. Cohen
10 RICHARD E. COHEN
11 Assistant United States Attorney
12 United States Attorney's Office
13 700 Stewart Street, Suite 5220
14 Seattle, Washington 98101-1271
Telephone: (206) 553-4665
Fax: (206) 553-6934
Email: Richard.E.Cohen@usdoj.gov