



## United States v. Trent

2009 | Cited 0 times | W.D. North Carolina | June 15, 2009

### PRELIMINARY ORDER OF FORFEITURE

THIS MATTER is before the Court on the Government's Motion for Preliminary Order of Forfeiture [Doc. 69].

In the Bill of Indictment in this case, the United States sought forfeiture of property pursuant to 18 U.S.C. § 924(d), specifically, a firearm involved in a violation of 18 U.S.C. § 922(g). At trial, the Defendant was convicted by a jury. Through counsel, he has subsequently consented to forfeiture of the firearm.

Accordingly, IT IS, THEREFORE, ORDERED:

1. The Government's Motion for Preliminary Order of Forfeiture [Doc. 69] is GRANTED, and the United States is authorized to seize the following property, and said property is hereby forfeited to the United States for disposition according to law, subject to the provisions of 21 U.S.C. §853(n):

one Smith & Wesson .40 caliber pistol, seized on or about January 16, 2008, from the Defendant.

2. Pursuant to 21 U.S.C. § 853(n)(1), the Government shall publish as required by law notice of this Order and notice that any person, other than the Defendant, having or claiming a legal interest in any of the above-listed forfeited property must file a petition with the Court within thirty (30) days of the final publication of notice or of receipt of actual notice, whichever is earlier, or within sixty (60) days of first publication by the internet. This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in each of the forfeited properties and any additional facts supporting the petitioner's claim and the relief sought. The United States may, as permitted by law and to the extent practicable, provide direct written notice to any person known to have alleged an interest in property that is the subject of this order of forfeiture, as a substitute for published notice.

3. Upon adjudication of all third-party interests, the Court will enter a Final Order and Judgment of Forfeiture pursuant to 21 U.S.C. § 853(n).

IT IS SO ORDERED.

