



United States of America v. \$23

2011 | Cited 0 times | D. Minnesota | January 21, 2011

DEFAULT JUDGMENT AND FINAL ORDER OF FORFEITURE

Based on the motion of the United States for an order granting default judgment against all unknown persons and entities having an interest in the defendant currency who have failed to file a verified statement of claim and answer, and for a final order of forfeiture forfeiting nineteen thousand six hundred fifty one dollars (\$19,651.00) of the defendant currency to the United States pursuant to the Stipulation of Settlement entered between the Plaintiff and Javier Meras; and based on all the files and records in this action, the Court finds as follows:

1. On or about July 14, 2010, Javier Meras filed a claim in the administrative forfeiture proceeding commenced by the U.S. Drug Enforcement Administration, contesting the forfeiture of the seized currency. The claim was submitted by attorney Matthew R. Beauchamp, 500 Second Street, Yuba City, California 95991.
2. On October 12, 2010, a verified Complaint for Forfeiture In Rem was filed by the United States alleging that the defendant currency is subject to forfeiture pursuant to 21 U.S.C. § 881(a)(6).
3. On October 15, 2010, the Plaintiff served Matthew R. Beauchamp and Manley Zimmerman, as counsel for Javier Meras, by certified mail with a copy of the Notice of Judicial Forfeiture Proceedings, the Verified Complaint, the Affidavit In Support of Complaint, and the Warrant of Arrest and Notice In Rem.
4. Notice of this forfeiture action was posted on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days, beginning on October 15, 2010.
5. Javier Meras has not filed a claim for the defendant currency in this judicial forfeiture action pursuant to Rule G(5), Supplemental Rules For Admiralty Or Maritime Claims And Asset Forfeiture Actions.
6. No verified statement of claim or answer to the Complaint for Forfeiture has been filed in this action, and the time for filing a verified claim and answer has expired.
7. On or about December 13, 2010, the Plaintiff and Javier Meras entered into a Stipulation of Settlement in this action.



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NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Default judgment is entered against all unknown persons and entities having an interest in the defendant currency who have failed to file a verified claim and answer in this proceeding;
2. All right, title and interest in nineteen thousand six hundred fifty one dollars (\$19,651.00) of the defendant currency is forfeited to and vested in the United States of America pursuant to 21 U.S.C. § 881(a)(6);
3. The United States Marshals Service shall dispose of the nineteen thousand six hundred fifty one dollars (\$19,651.00) in accordance with law; and
4. The United States Marshals Service shall return four thousand dollars (\$4,000.00) of the defendant currency to Javier Meras through his attorney of record Matthew R. Beauchamp, as provided for in the Stipulation for Settlement.

LET JUDGMENT BE ENTERED ACCORDINGLY.

