

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,

Plaintiff,

vs.

AJIT TRIKHA,

Defendant.

Case No. 06-cr-30098-DRH

ORDER OF FINDING OF NO THIRD-PARTY INTERESTS

On April 4, 2008, this court entered an order for forfeiture against defendant Ajit Trikha for the following property which had been seized from said defendant:

Real property located at 6915 West Main Street, Belleville, Illinois, and all attachments, appurtenances, and improvements thereon, more fully described as follows:

All of Lots 6, 7 and the Southeasterly 15 feet of Lot 8 in Block 1 of "OGLEDALE"; reference being had to the plat thereof recorded in the Recorder's Office of St. Clair County, Illinois in Book of Plats W on Page 10. Parcel No. 07-01-0-418-039.

Said order further provided that the government would provide an opportunity for persons to claim a legal interest in the property pursuant to 21 U.S.C. § 853(n)(1).

On March 5, 2009, the Government filed a Motion for Order of Finding of No Third Party Interests (Doc. 112).

The court notes that notice was published by the government on an official government website, [www.forfeiture.gov](http://www.forfeiture.gov), for 30 consecutive days beginning September 26, 2008, and ending October 25, 2008, and that no third party filed a petition within 30 days after the last date of said publication to allege an interest in the property.

The court further notes that notice was published by the government in The Legal Reporter newspaper on September 3, 2008, September 10, 2008, and September 17, 2008, and that no third party filed a petition within 30 days after the last date of said publication to allege an interest in the property

The Court finds that under the "relation-back" doctrine codified in 21 U.S.C. Sec. 853(c), all right, title, and interest in the subject matter property vested in the United States upon the commission of the act giving rise to forfeiture and that in the instant case, said date that the property vested in the United States was no later than October 20, 2006. The Court finds that said property is therefore exempt from any real estate taxation from said date of October 20, 2006 until such date that the property is transferred from the United States to an owner who is not exempt from taxation. The United States shall pay any taxes or tax liens accruing prior to October 20, 2006 and may, at its discretion but not as a requirement of law or of this Court, voluntarily pay, as if the property were not exempt, any taxes or tax liens accruing after October 20, 2006 but prior to the date of the initial order of forfeiture of said property, said date being April 4, 2008. For any taxes or tax liens paid by the United States, said payments shall be considered part of the costs and expenses associated with the forfeiture and sale of the subject matter real estate and shall be reimbursed from the proceeds of the sale prior to the distribution of any proceeds to any third party claimants or petitioners. This Court retains jurisdiction to determine any and all issues regarding any real estate taxes imposed on the property prior to the date of this instant order, and no tax purchaser, tax certificate holder, taxing authority, or any other person or entity shall take any steps to collect said taxes or enforce said tax liens, except as specifically authorized by an Order issued by this District Court after prior notice to the United States and a hearing. This Court specifically orders that no

such tax purchaser, tax certificate holder, taxing authority, or any other person or entity shall commence state court tax deed proceedings and notices unless specifically authorized by this District Court after prior notice to the United States and a hearing. The United States shall record this instant Order as a means of providing notice of this prohibition and shall mail a copy to the State's Attorney of St. Clair County, Illinois, as the attorney for the taxing authorities.

Consequently, the court hereby GRANTS the Government's Motion (Doc. 112), finding pursuant to 21 U.S.C. § 853(n)(7), that no third-party petitions were filed and that the United States of America has clear title to the above-described property that is the subject of the Order of Forfeiture filed on April 4, 2008, namely:

**Real property located at 6915 West Main Street, Belleville, Illinois, and all attachments, appurtenances, and improvements thereon, more fully described as follows:**

**All of Lots 6, 7 and the Southeasterly 15 feet of Lot 8 in Block 1 of "OGLEDALE"; reference being had to the plat thereof recorded in the Recorder's Office of St. Clair County, Illinois in Book of Plats W on Page 10. Parcel No. 07-01-0-418-039.**

The United States Marshal shall dispose of the property according to law.

DATE: March 5, 2009

*/s/ David R. Herndon*

DAVID R. HERNDON  
Chief Judge  
United States District Court