

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
MIDDLE DIVISION**

**UNITED STATES OF AMERICA,** )

**Plaintiff,** )

**v.** )

**4:08-CV-02026-VEH**

**CERTAIN REAL PROPERTY )  
LOCATED AT 811 CREST )  
AVENUE, GADSDEN, ALABAMA, )  
TOGETHER WITH ALL )  
IMPROVEMENTS, FIXTURES, )  
AND APPURTENANCES )  
THEREON;** )

**CERTAIN REAL PROPERTY )  
LOCATED AT 920 AVENUE A, )  
GADSDEN, ALABAMA, )  
TOGETHER WITH ALL )  
IMPROVEMENTS, FIXTURES, )  
AND APPURTENANCES )  
THEREON;** )

**CERTAIN REAL PROPERTY )  
LOCATED AT 415 NORTH 11TH )  
STREET, GADSDEN, ALABAMA, )  
TOGETHER WITH ALL )  
IMPROVEMENTS, FIXTURES, )  
AND APPURTENANCES )  
THEREON;** )

**CERTAIN REAL PROPERTY )  
LOCATED AT 813 CREST )  
AVENUE, GADSDEN, ALABAMA, )  
TOGETHER WITH ALL )  
IMPROVEMENTS, FIXTURES,** )

AND APPURTENANCES )  
THEREON; )

CERTAIN REAL PROPERTY )  
LOCATED AT 1426 WALNUT )  
STREET, GADSDEN, ALABAMA, )  
TOGETHER WITH ALL )  
IMPROVEMENTS, FIXTURES, )  
AND APPURTENANCES )  
THEREON; )

CERTAIN REAL PROPERTY )  
LOCATED AT 3508 HIGHLAND )  
AVENUE, NIAGARA FALLS, )  
NEW YORK, TOGETHER WITH )  
ALL IMPROVEMENTS, )  
FIXTURES, AND )  
APPURTENANCES THEREON; )

CERTAIN REAL PROPERTY )  
LOCATED AT 3615 HIGHLAND )  
AVENUE, NIAGARA FALLS, )  
NEW YORK, TOGETHER WITH )  
ALL IMPROVEMENTS, )  
FIXTURES, AND )  
APPURTENANCES THEREON; )

and )

UNITED STATES )  
CURRENCY; )

Defendants. )

**DEFAULT JUDGMENT OF FORFEITURE**

The United States of America filed the above-styled civil action, pursuant to 21 U.S.C. § 881(a)(6) and (7), seeking the civil forfeiture in rem of the following Defendant Properties (hereafter referred to as “the Defendant Properties” and, with respect to the Defendant Real Properties, more particularly described in **Exhibit A** of this Order), together with all improvements, fixtures, and appurtenances:

- Certain Real Property located at 811 Crest Avenue, Gadsden, Alabama 35901;
- Certain Real Property located at 920 Avenue A, Gadsden, Alabama 35901;
- Certain Real Property located at 415 North 11<sup>th</sup> Street, Gadsden, Alabama 35901;
- Certain Real Property located at 813 Crest Avenue, Gadsden, Alabama 35901;
- Certain Real Property located at 1426 Walnut Street, Gadsden, Alabama 35901;
- Certain Real Property located at 3508 Highland Avenue, Niagra Falls, New York 14305;

- Certain Real Property located at 3615 Highland Avenue, Niagra Falls, New York 14305; and
- United States Currency.

Plaintiff has now moved this Court, pursuant to Fed. R. Civ. P. 55(b)(2), for entry of a judgment by default against the Defendant Properties.

The Court, being fully advised of the premises, finds that the United States has furnished due and legal notice of this proceeding as required by statute, that all persons known to the plaintiff with a possible interest in the Defendant Properties received personal service of the Complaint for Forfeiture in Rem and Notice, and that the plaintiff caused public notice of the action and arrest to be given by publishing a Legal Advertisement and Notice, for thirty (30) consecutive days beginning February 10, 2009, on an official government internet site ([www.forfeiture.gov](http://www.forfeiture.gov)) as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions. However, no claims or answers have been filed, and the time for filing claims and answers has now expired. There being no just reason for delay in entering a final order,

**IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED:**


1. That all right, title, and interest in the Defendant Properties is hereby **FORFEITED** to and fully vested in the United States of America pursuant to 21

U.S.C. § 881(a)(6), and shall be disposed of by the United States Marshal in accordance with law. Additionally, the Defendant Properties located at 811 Crest Avenue and 920 Avenue A are also subject to forfeiture under 21 U.S.C. § 881(a)(7).

2. That each party shall bear its own expenses incurred herein.

3. That the United States shall be entitled to a certificate of reasonable cause in this action, in accordance with 28 U.S.C. § 2465.

**DONE** this the 8th day of June, 2009.

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**VIRGINIA EMERSON HOPKINS**  
United States District Judge