

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

UNITED STATES OF AMERICA )  
 )  
 v. ) CASE NO. 1:08-cr-197-VEH-TMP  
 )  
 MAURICE LOUIS KIRBY )  
 also known as "Easy" )  
 also known as "E" )  
 also known as "Eazy" )

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**FINAL ORDER OF FORFEITURE AS TO CERTAIN PROPERTIES<sup>1</sup>**

**WHEREAS**, on February 17, 2009, this Court entered a Preliminary Order of Forfeiture ordering the defendant to forfeit certain real properties located in Calhoun County, Alabama, and

**WHEREAS** the United States published on an official internet government forfeiture site ([www.forfeiture.gov](http://www.forfeiture.gov)) notice to all persons of this action as directed in the Court's Preliminary Order of Forfeiture. The United States also provided direct written notice to persons suspected to have an interest in the properties that were the subject of the Preliminary Order of Forfeiture. Pursuant to 21 U.S.C. §

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<sup>1</sup> The United States has moved for a final order of forfeiture with respect to all properties at issue in this case (listed below and in the Preliminary Order of Forfeiture – Doc. 352), except for the real property located at 330 South Allen Avenue, Anniston, Alabama. An individual named Leona Faye McLemore, identifying herself as Defendant Kirby's mother, has asserted a claim to this property that the United States has moved to strike on procedural grounds. The United States' Motion is currently pending. (See Docs. 392, 396-97, 414, 418.)

853(n)(2), any person asserting a legal interest in the properties had 30 days from the final publication of notice, or of receipt of actual notice, whichever was earlier, to petition the Court for a hearing to adjudicate the validity of his/her alleged interest in the property;

**WHEREAS**, in or around April 2009, an individual named Larry G. Morgan contacted the United States about an alleged interest that he had in the real property located at 1323 Pine Avenue, Anniston, Alabama. Mr. Morgan asserted that he had purchased a tax-sale interest in the property for \$10,000. After Mr. Morgan provided proof of this transaction, the United States agreed to settle with him by paying him \$10,000 out of any proceeds generated from the sale of the 1323 Pine Avenue property in exchange for his consent to the forfeiture of that property;

**WHEREAS**, no timely claim has been filed, other than Mr. Morgan's; and

**WHEREAS**, the Court finds that the defendant had an interest in the properties that are subject to forfeiture;

**NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that the following is hereby forfeited to the United States of America pursuant to 21 U.S.C. § 853(a):

a. Real property located at **1323 Pine Avenue, Anniston, Calhoun County, Alabama 36201**, together with all improvements, fixtures, and appurtenances thereon, more particularly described as follows:

SEC 06 TSP 16S RNG 08E  
ANNISTON MFG COS MILL VILLAGE  
LOT 4 ANNISTON ALA S6 T16 R8

b. Real property located at **1704 McDaniel Avenue, Anniston, Calhoun County, Alabama 36201**, together with all improvements, fixtures, and appurtenances thereon, more particularly described as follows:

Parcel #: 1122010110030480000000

Legal description: SEC 01 TSP 16S RNG 07E J M WAINWRIGHTS  
REPLAT OF BLKS 44 51 52 & 65 OF WEST ANNISTON LAND  
CO BLK 52 N 20 FT OF LOT 10 & S 20 FT OF LOT 11  
ANNISTON ALA S1 T16 R7

c. Real property located at **2207 McCoy Avenue, Anniston, Calhoun County, Alabama 36201**, together with all improvements, fixtures, and appurtenances thereon, more particularly described as follows:

Parcel #: 1118093140050530000000

Legal description: SEC 31 TSP 15S RNG 08E MCMILLIAN ADDN  
BLK 19 S 46 FT LOT 14 & N 10 FT LOT 15 ANNISTON AL S31  
T15 R8 PLUS IMPROVEMENTS AS ASSESSED.

d. Real property located at **2015 McKleroy Avenue, Anniston, Calhoun County, Alabama 36201**, together with all improvements, fixtures, and appurtenances thereon, more particularly described as follows:

Parcel #: 1121030610040230000000

Legal description: SEC 06 TSP 16S RNG 08E ANNISTON CITY  
LAND CO BLK 260 S 32.5 FT OF LOT 4 ANNISTON AL S6 T16  
R8 PLUS IMPROVEMENTS AS ASSESSED.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that all right, title and interest to the real properties described above is hereby condemned, forfeited, and vested in the United States of America, and shall be disposed of according to law;

**IT IS FURTHER ORDERED** that the United States shall pay Mr. Morgan, through a check sent to his address at 1322 Pine Avenue, Anniston, Alabama 36201, the sum of \_\_\_\_\_ from any profits realized from any sale of the 1323 Pine Avenue Property—after all taxes, liens, encumbrances, environmental testing and cleanup costs, and any other expenses incurred by the United States with respect to said sale are first satisfied and/or paid—if the United States is able to sell the 1323 Pine Avenue Property.

**IT IS FURTHER ORDERED** that the United States District Court shall retain jurisdiction in the case for the purpose of enforcing this Order; and

**IT IS FURTHER ORDERED** that the Clerk of the Court shall forward four certified copies of this Order to the United States Attorney's Office,

**DONE** this the 15th day of June, 2009.



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**VIRGINIA EMERSON HOPKINS**  
United States District Judge