

**BLANK HEADER FOR
RECORDING PURPOSES**

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA,	:	Civil No. 1:08CV00039
Plaintiff,	:	
	:	
v.	:	
	:	
705 SMITH AVENUE, LEXINGTON	:	
TOWNSHIP, DAVIDSON COUNTY, NORTH	:	
CAROLINA, AS MORE PARTICULARLY	:	
DESCRIBED IN BOOK 552, PAGE 565,	:	
OF THE DAVIDSON COUNTY REGISTRY	:	
OF DEEDS, WITH ALL APPURTENANCES	:	
AND IMPROVEMENTS THEREON,	:	
Defendant.	:	

DECREE AND JUDGMENT OF FORFEITURE

On January 15, 2008, a Verified Complaint of Forfeiture against the defendant property was filed on behalf of the plaintiff, United States of America.

It appearing that process was fully issued in this action and returned according to law:

The United States Marshal Service posted the defendant real property on July

1, 2008. Notice of said forfeiture action was published on July 10, July 17, and July 24, 2008, in *The Dispatch*, a newspaper published in Davidson County, North Carolina; notice of said forfeiture action was also published from March 1, 2008 through March 30, 2008 in an official internet government forfeiture site;

On January 31, 2008, the Davidson County Tax Department was served via certified mail with copies of the Verified Complaint of Forfeiture, Lis Pendens, and Legal Notice;

On January 31, 2008, L'Tanya Lopp Nelson was served via certified mail with copies of the Verified Complaint of Forfeiture, Lis Pendens, and Legal Notice;

On February 1, 2008, Shirley Lopp was served via certified mail with copies of the Verified Complaint of Forfeiture, Lis Pendens, and Legal Notice;

On February 4, 2008, the North Carolina Department of Revenue was served via certified mail with copies of the Verified Complaint of Forfeiture, Lis Pendens, and Legal Notice;

On February 8, 2008, Rancher Zanobia Lopp was served via certified mail with copies of the Verified Complaint of Forfeiture, Lis Pendens, and Legal Notice;

On March 4, 2008, Shirley Lopp filed a Claim to the defendant property;

On March 4, 2008, Rancher Zanobia Lopp filed a Claim to the defendant property;

On March 20, 2008, Robert Broadie, Esquire filed a Motion for Extension of

Time to file an Answer on behalf of Claimant, Rancher Zanobia Lopp, which was granted on March 25, 2008;

On March 20, 2008, Charles Harp, Esquire filed a Motion for Extension of Time to file an Answer on behalf of Claimant, Shirley Lopp, which was granted on March 25, 2008;

On October 1, 2008, Plaintiff filed a Motion to Compel Response to Discovery as to Shirley Lopp, which was granted on November 5, 2008;

On November 18, 2008 Plaintiff filed a Motion to Strike the Claim of Shirley Lopp, which was granted on March 13, 2009;

On January 12, 2009, a Notice of Settlement with Rancher Zanobia Lopp was filed;

On January 13, 2009, all persons and entities having an interest in the defendant property, except Shirley Lopp and Rancher Zanobia Lopp, were defaulted for failure to file a claim or answer or otherwise defend as provided for in Rule G of the Supplemental Rules for Admiralty or Maritime and Asset Forfeiture Claims;

NOW, THEREFORE, on motion of the plaintiff, United States of America, for a Decree and Judgment of Forfeiture, it is hereby

ORDERED, ADJUDGED AND DECREED that pursuant to Rule 54, Federal Rules of Civil Procedure, the defendant property shall be forfeited to the United States of America and no right, title or interest in the property shall exist in any other party,

except as set forth in the Settlement Agreement with Rancher Zanobia Lopp.

IT IS FURTHER ORDERED that the Clerk of the Court shall forward two (2) certified copies of this Order to the United States Attorney's Office, Middle District of North Carolina, Attention: Assistant U.S. Attorney Lynne P. Klauer.

This the day of July 17, 2009

/s/ N. Carlton Tilley, Jr.
Senior United States District Judge