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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION
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ADMINISTRATIVE SECTION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 6209 SOUTH WOLCOTT,)
 CHICAGO, ILLINOIS; and)
)
 6001 SOUTH HONORE,)
 CHICAGO, ILLINOIS)
 Defendants.)

No. 09 C 6542
Judge Wayne R. Andersen

DEFAULT DECREE OF FORFEITURE

This cause coming before the court on the United States of America's motion for the entry of a default decree of forfeiture, and due notice having been given, and the court, having been fully advised, finds as follows:

(a) This *in rem* civil forfeiture case was commenced on October 16, 2009, by the filing of a verified complaint;

(b) Process was duly served and notice was published by the United States as required by Rule G(4)(a), Supplemental Rules for Admiralty and Maritime Claims and Asset Forfeiture Actions;

(c) Pursuant to Rule G(4)(a) of the Supplemental Rules for Admiralty and Maritime Claims and Asset for Forfeiture Actions, notice of the civil judicial forfeiture proceeding was posted on an official government internet site for at least 30 consecutive days beginning on October 21, 2009;

(d) To date, no claim or answer has been filed for the defendant properties and the time for filing such a claim, answer or other responsive pleading has since expired under applicable law;

(e) The potential claimants John Brown, Latrice Wiggins and Patrice Humphrey have attained majority. Moreover, there is no information to indicate that the potential claimants John Brown, Latrice Wiggins and Patrice Humphrey are incompetent or in any branch of the military service;

(f) Based on the verified complaint for forfeiture and the attached affidavit of Special Agent Christopher Labno of the Bureau of Alcohol Tobacco Firearms and Explosives, the United States has established that the real properties were furnished and intended to be furnished in exchange for a controlled substance, are the proceeds from the sale of a controlled substance, and were monies used and intended to be used to facilitate narcotics trafficking, in violation of 21 U.S.C. § 801, *et seq.* In addition, the United States has established that the real properties, represent the proceeds of the specified unlawful activity, were involved in financial transactions with the intent to conceal or disguise the nature, location, ownership, or control of the real properties, in violation of 18 U.S.C. § 1956(a)(1)(B)(i). Therefore, the real properties are subject to forfeiture and condemnation pursuant to 21 U.S.C. § 881(a)(6) and 18 U.S.C. § 981(a)(1)(A).

Accordingly, it is hereby ORDERED, ADJUDGED and DECREED that:

1. A judgment of forfeiture is hereby entered against the following real properties:

(a) the real property commonly known as 6209 South Wolcott, Chicago, Illinois

and legally described as:

LOT 475 IN E.A. CUMMINGS AND COMPANY'S 63RD STREET
SUBDIVISION OF THE WEST ½ OF THE SOUTHEAST ¼ OF
SECTION 18, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD

PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Real Estate Index Number: 20-18-426-003-0000; and

(b) the real property commonly known as 6001 South Honore, Chicago, Illinois and legally described as:

LOT 606 IN E.A. CUMMINGS AND COMPANY'S 63RD STREET SUBDIVISION OF THE WEST ½ OF THE SOUTHEAST ¼ OF SECTION 18, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Real Estate Index Number: 20-18-411-001-0000.

It is further ordered,

2. That, all persons or entities, claiming right, title or interest in the aforementioned defendant real properties are held in default. It is further ordered,

3. That, the defendant real properties are hereby forfeit to the United States of America pursuant to 21 U.S.C. § 881(a)(6) and 18 U.S.C. § 981(a)(1)(A) and shall be disposed of by the United States Marshal according to law. It is further ordered,

4. That, upon entry of this decree, the defendant real properties shall be seized by the United States Marshal Service. In addition, the United States Marshals Service shall have the right to custody of the real properties, and any current occupants of the properties may remain only upon their entry into a written occupancy agreement with the United States Marshals Service and that the United States Marshals Service shall dispose of the defendant real properties in accordance with the law. It is further ordered,


5. That, upon the sale of the defendant real properties, the proceeds shall be distributed as follows:

- (a) Any mortgage(s) due and owing to the verified mortgage lender, including the principal balance(s) and interest due on the note(s) rate;
- (b) Any outstanding state, county, city or school taxes and any unpaid real estate taxes due and owing to the Cook County Treasurer, as documented at the date of closing on the defendant real properties, shall be paid;
- (c) The United States Marshals Service may incur certain costs and shall be permitted to deduct from the proceeds of the sale of the defendant real properties any reasonable and necessary costs incurred to effectuate the sale of the defendant real properties, and costs incurred to maintain the defendant real properties, if any, pending sale; and
- (d) The net proceeds remaining to the United States of America which shall be forfeited to the United States and disposed of according to law.

It is further ordered,

6. That, this court shall retain jurisdiction over this matter to take additional action and enter further orders as necessary to implement this order.

ENTERED:


WAYNE ANDERSEN
United States District Court Judge

DATED: January 21, 2010