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UNITED STATES DISTRICT COURT

FOR THE MIDDLE DISTRICT OF TENNESSEE

NASHVILLE DIVISION

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AUG 15 1996
U.S. DISTRICT COURT
MID. DIST. TENN.

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	
v.	:	CIVIL NO. 3:93-1049
	:	JUDGE WISEMAN
REAL PROPERTY KNOWN AS 4508 STONEVIEW DRIVE, ANTIOCH, DAVIDSON COUNTY, TENNESSEE, WITH ALL APPURTENANCES AND IMPROVEMENTS THEREON,	:	
	:	
Defendant.	:	

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DECREE OF FORFEITURE

On December 27, 1993, a Verified Complaint of Forfeiture was filed against the Defendant real property. The Complaint alleged that the Defendant Real Property Known as 4508 Stoneview Drive, Antioch, Davidson County, Tennessee, with all appurtenances and improvements thereon, is real property which was used or intended to be used to facilitate a violation of Title 21 U.S.C. §§ 801 et seq. and is therefore subject to forfeiture to the United States of America pursuant to Title 21 U.S.C. § 881(a)(7). The Complaint also alleged that the Defendant real property was used to facilitate a violation of Title 18 U.S.C. § 1956 and is therefore subject to forfeiture to the United States of America pursuant to Title 18 U.S.C. § 981.

This document was entered on the docket in compliance with Rule 53 and/or Rule 79(a) FRCP, on 8-19-96 BY

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

That on January 1, 19, and 26, 1994, notice of said forfeiture action was published in The Tennessean newspaper;

That on January 3, 1994, Summons were issued to Page G. Stuart and Dennis Stuart;

That on January 6, 1994, Page G. Stewart received personal service by the United States Marshals Service of the Summons and Verified Complaint of Forfeiture;

That on January 7, 1994, Dennis K. Stuart received personal service by the United States Marshals Service of the Summons and Verified Complaint of Forfeiture;

That on January 7, 1994, a Lis Pendens giving notice of the pendency of this action was recorded with the Register's Office of Davidson County, Tennessee, in Book 9214 at Page 124;

That on January 12, 1994, Page G. Stuart filed a Claim to the Defendant property;

That on January 13, 1994, Dennis K. Stuart filed a Claim to the Defendant property;

That on February 3, 1994, this matter was stayed pending the outcome of related criminal cases;

That on February 21, 1995, the stay of proceedings was vacated following the resolution of related criminal cases;

That on April 28, 1995, Page G. Stuart filed an Answer to the Verified Complaint of Forfeiture;

That on July 14, 1995, Dennis K. Stuart filed an Answer to the Verified Complaint of Forfeiture;

That on January 26, 1996, Plaintiff United States of America filed a Motion for Summary Judgment, supporting Memorandum and a Statement of Facts;

That on February 15, 1996, Claimants Page Stuart and Dennis Stuart filed a Motion for Summary Judgment, supporting Memorandum and a Statement of Facts;

That on February 28, 1996, Plaintiff United States of America filed a response to Claimants' Motion for Summary Judgment;

That on August 13, 1996, this Court granted the United States' Motion for Summary Judgment and ordered the Defendant property subject to forfeiture;

That no claim has been filed by or on behalf of any other person or entity, and the time within which to do so has expired;

Now, therefore, upon motion of Plaintiff United States of America for Decree of Forfeiture, it is hereby

ORDERED, ADJUDGED AND DECREED that probable cause exists for forfeiture of the Defendant Real Property Known as 4508 Stoneview Drive, Antioch, Davidson County, Tennessee, with all appurtenances and improvements thereon, that the Defendant real property shall be forfeited to the United States with no right, title or interest existing in any other party, that the Defendant real property shall be disposed of according to law, that after deduction of any costs incurred by the United States Marshals Service in connection with the seizure, forfeiture or disposition of the forfeited property, the remainder of the net proceeds from

sale shall be deposited in the Asset Forfeiture Fund and further disbursed according to law. The entry of this decree shall serve as the final judgment in this action.

Dated on this, the 16th day of Aug, 1996.

THOMAS A. WISEMAN, JR.
Senior United States District Judge

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IDENTIFICATION REFERENCE

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FELIX Z. WILSON II, REGISTER
DAVIDSON COUNTY, TN.

MAIL ENV.

ATTEST AND CERTIFIED
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