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UNITED STATES DISTRICT COURT
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FOR THE MIDDLE DISTRICT OF TENNESSEE
USMS-M/TN
MAR 03 1998
NASHVILLE DIVISION
U.S. DISTRICT COURT
MID. DIST. TENN.

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	CIVIL NO. 3:96-1087
v.	)	JUDGE NIXON
	)	
226 DUKE STREET, NASHVILLE DAVIDSON COUNTY, TENNESSEE, WITH ALL APPURTENANCES AND IMPROVEMENTS THEREON,	)	
	)	
Defendant.	)	

ATTEST AND CERTIFY
A TRUE COPY
Clerk
U.S. District Court
Middle District of Tennessee
By: Deputy Clerk

DECREE OF FORFEITURE

On November 8, 1996, a Verified Complaint of Forfeiture was filed against the Defendant real property. The Complaint alleged that the Defendant 226 Duke Street, Nashville, Davidson County, Tennessee, with all appurtenances and improvements thereon, was used in violation of 18 U.S.C. § 1955 and is therefore subject to forfeiture to the United States of America pursuant to 18 U.S.C. § 1955(d).

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

That on December 18, 1996, a Summons and the Verified Complaint of Forfeiture were served on the Defendant property by a Deputy United States Marshal;

This document was entered on the docket in compliance with Rule 53 and/or Rule 79(a) FRCP on 4-13-98

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That on December 18, 1996, a Summons and the Verified Complaint of Forfeiture were served on Andrew J. Cook by a Deputy United States Marshal;

That on December 18, 1996, a Lis Pendens giving notice of the pendency of this action was recorded with the Register's Office of Davidson County, Tennessee, in Book 10293 at Page 883;

That on December 21, 1996, a Summons and the Verified Complaint of Forfeiture were served on Harold Norman by a Deputy United States Marshal;

That on February 19, 1997, Tracey Bohna of the Law Offices of Larry Williams, Esquire, accepted service by a Deputy United States Marshal of a Summons and the Verified Complaint of Forfeiture on the behalf of Jackie Brassfield;

That on November 27, December 4, and December 11, 1996, notice of said forfeiture action was published in The Tennessean newspaper;

That on February 28, 1997, the government received a letter from Jackie Brassfield's attorney, Larry R. Williams, advising that Mr. Brassfield does not intend to file a claim to the Defendant property nor file an Answer to the Complaint in this action;

That on March 3, 1997, the Plaintiff, United States of America, filed a motion for a decree of forfeiture;

That on March 13, 1997, Andrew J. Cook filed an answer to the Verified Complaint of Forfeiture and a response to the Plaintiff's motion for a decree of forfeiture;

That on January 22, 1998, this Court entered an order directing the government to reply to Andrew J. Cook's response to its motion for decree of forfeiture within thirty days of the entry of the order;

That on February 9, 1998, in compliance with the Court's order, the government filed a reply to Andrew J. Cook's response to its motion for decree of forfeiture;

That on February 27, 1998, this Court entered a Memorandum Opinion, striking Andrew J. Cook's response to the government's motion for decree of forfeiture and granting the government's motion for a decree of 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, it is hereby

ORDERED, ADJUDGED AND DECREED that probable cause exists for forfeiture of the Defendant 226 Duke Street, Nashville, 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 property shall be disposed of according to law; that the United States Marshal shall be authorized to take any action necessary to seize, secure, dispose of or protect the United States' interest in the forfeited property; that after deduction of any costs incurred by the United States Marshals Service in connection with the seizure, maintenance, forfeiture or disposition of the forfeited property, the remainder of the net proceeds of the sale of the Defendant property shall be deposited in the Asset Forfeiture Fund and further disbursed according to law.

It is further **ORDERED, ADJUDGED AND DECREED** that any tenant of the Defendant real property shall vacate the premises and surrender possession of the Defendant property to the United States Marshal within ten (10) days of the entry of this order.

The entry of this decree shall serve as the final judgment in this action.

Dated on this, the 9th day of April, 1998.

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JOHN T. NIXON, CHIEF JUDGE
United States District Court

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FELIX A. ANDERSON II REGISTER
DAVIDSON COUNTY, TN.
MAIL ENV.