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U.S. DISTRICT COURT
MID. DIST. TENN.

SAMK/mst 3/9/04

UNITED STATES DISTRICT COURT

FOR THE MIDDLE DISTRICT OF TENNESSEE

NASHVILLE DIVISION

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

UNITED STATES OF AMERICA	)	
	)	
v.	)	3:02-00067
	)	Judge Echols
REGINALD D. KING	)	
BARBARA SHANTELL WARFIELD	)	

RULE 36 ORDER TO CORRECT CLERICAL ERROR

Upon consideration of the motion of the United States to correct a clerical error of oversight contained in the Final Order of Forfeiture, the Court finding such motion is well taken and that the correction does not substantively affect or change the forfeiture, pursuant to Rule 36, F.R.Crim.P.,

IT IS HEREBY ORDERED THAT:

1. References to "21 U.S.C. § 853" shall be stricken and replaced with the statutory cite of "18 U.S.C. § 982" wherever it appears in the Final Order of Forfeiture entered by this Court on February 20, 2004, at Docket Number 94. The Final Order of Forfeiture is incorporated herein by reference and is attached hereto as Attachment A for the convenience of interested parties.

2. Thus, the Court finds that the defendants had an interest in the real property described in the Final Order of Forfeiture which is subject to forfeiture pursuant to 18 U.S.C. § 982.

Davidson County ORDER
Recvd: 04/01/04 15:00 6pgs
Fees:32.00 Taxes:0.00
20040401-0036877

PICK-UP

This document was entered on the docket in compliance with Rule 55, FRCrimP, on 3-17-04 By:

97

3. IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the real property described in the Final Order of Forfeiture is hereby forfeited to the United States of America pursuant to 18 U.S.C. § 982.

IT IS SO ORDERED on this 15th day of March, 2004.

JUDGE ROBERT L. ECHOLS
United States District Court

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U.S. DISTRICT COURT
MID. DIST. TENN.

ATTACHMENT A

Final Order of Forfeiture

Docket Number 94

Entry Date February 23, 2004

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FEB 17 2004

U.S. DISTRICT COURT
MID. DIST. TENN.

SAMK/mst January 29, 2004

UNITED STATES DISTRICT COURT

FOR THE MIDDLE DISTRICT OF TENNESSEE

NASHVILLE DIVISION

UNITED STATES OF AMERICA	)	
	)	
v.	)	No. 3:02-00067
	)	Judge Echols
REGINALD D. KING	)	
BARBARA SHANTELL WARFIELD	)	
	)	
IN RE: FORFEITURE OF REAL PROPERTY	)	
AND PREMISES KNOWN AS	)	
3521 COUNTRY WAY ROAD, ANTIOCH,	)	
DAVIDSON COUNTY, TENNESSEE	)	

FINAL ORDER OF FORFEITURE

WHEREAS, on July 25, 2003, this Court entered a Preliminary Order of Forfeiture as to Reginald D. King and Barbara Shantell Warfield ordering the defendants to forfeit to the United States of America real property and premises known as 3521 Country Way Road, Antioch, Davidson County, Tennessee, and more particulary described as follows:

> LAND in Davidson County, Tennessee, being Lot No. 420, on the Plan of Towne Village of the Country, Section Five, as of record in Book 6250, pages 783 and 784, amended in Book 7184, page 652, Register's Office for said County, to which plan specific reference is hereby made for a more particular description.
>
> SAID conveyance is subject to any and all restrictions, easements, setback lines, conditions, plat of record, and encumbrances of record in Register's Office for the aforesaid County.

This document was entered on the docket in compliance with Rule 55, FRCrimp, on 2/23/04, By: RM.

94

SAID property having a physical address of: 3521 County Way Road, Antioch, Tennessee 37013.

BEING the same property conveyed to Barbara Warfield by Warranty Deed dated June 7, 2001, and recorded under instrument number 20010607-0060325 with aforesaid Register's Office.

hereinafter referred to as the "Subject Property", and

WHEREAS, the United States caused to be published in *The City Paper*, a newspaper of general circulation, notice of this forfeiture action and of the intent of the United States to dispose of the Subject Property in accordance with the law and as specified in the Preliminary Order, and further notifying all third parties of their right to petition the Court within thirty (30) days for a hearing to adjudicate the validity of their alleged legal interest in the property; and

WHEREAS, Deutsche Bank Trust Company Americas, *formerly known as* Banker's Trust Company, as Trustee and Custodian (hereinafter, the "Bank"), filed a timely petition asserting an interest in the Subject Property; and

WHEREAS, Susan Schmidt (hereinafter, "Schmidt") filed a timely petition asserting an interest in the Subject Property; and

WHEREAS, on January 15, 2004, this Court entered an Expedited Settlement Agreement between the United States and the Bank stipulating to compromise and settle the interest of the parties in the Subject Property; and

WHEREAS, on January 15, 2004, this Court entered an Expedited Settlement Agreement between the United States and Schmidt stipulating to compromise and settle the interest of the parties in the Subject Property; and

WHEREAS, no other timely petition has been filed; and

WHEREAS, the Court finds that the defendants had an interest in the Subject Property which is subject to forfeiture pursuant to 21 U.S.C. § 853;

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Subject Property is hereby forfeited to the United States of America pursuant to 21 U.S.C. § 853; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all right, title and interest to the Subject Property, subject to the terms of the Expedited Settlement Agreements approved by the Court, is hereby condemned, forfeited and vested in the United States of America, and shall be disposed of according to law; and

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

IT IS SO ORDERED on this 20th day of February, 2004.

Robert L. Echols

JUDGE ROBERT L. ECHOLS
United States District Judge