

FILED

DE SOTO CO. *me*
Nov 8 9 43 AM '02 *me*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION

NOV 04 2002
ARLEN B. COYLE, CLERK
By *Arden B. Coyle*
Deputy

BK 432 PG 9
W.E. DAVIS CH. CLK.

UNITED STATES OF AMERICA

PLAINTIFF

vs.

CIVIL NO. 2:02CV27-M-B

PARCEL OF REAL PROPERTY SITUATED
IN SECTION 22, TOWNSHIP 1 SOUTH, RANGE 6 WEST,
DESOTO COUNTY, MISSISSIPPI, AND
ALL APPURTENANCES AND IMPROVEMENTS
THEREON AND ALL PROCEEDS THEREOF
STATE MS.-DESOTO CO.

DEFENDANT

Nov 8 9 43 AM '02

CERTIFYING STAMP
I hereby certify that the foregoing is
a true copy of the original thereof
Arden B. Coyle, Clerk
Arden B. Coyle DC

JUDGMENT OF FORFEITURE

BK 10 PG 10
W.E. DAVIS CH. CLK.

On February 8, 2002, a Verified Complaint For Forfeiture In Rem against the Defendant real property was filed on behalf of the Plaintiff, United States of America. The Verified Complaint alleges that the Defendant real property, situated in Section 22, Township 1 South, Range 6 West, DeSoto County, Mississippi, has been used to commit or to facilitate the commission of a violation of Title 18 of the United States Code, and is forfeitable to the United States pursuant to 18 U.S.C. § 1955(d).

The Court upon review of this matter finds as follows:

1. That all interested parties were notified and that process was fully issued in this action and returned according to law;

CIVIL ORDER BOOK
BOOK 37 PAGE(S) 108-112
ENTRY DATE 11/4/02

2. That the United States Marshal for this District served the Defendant real property with a Notice Of Verified Complaint For Forfeiture Against Real Property and a copy of the Verified Complaint For Forfeiture In Rem on June 6, 2002. The United States Marshal also posted the Defendant real property with a Notice Of Posting Of Forfeiture Action on June 6, 2002.

3. Pursuant to the Order For Notice By Publication entered by the Court on May 30, 2002, a Legal Notice was published three (3) times a week for two (2) consecutive weeks in the **DeSoto Times Today** of Hernando, Mississippi, a newspaper which the Court finds to have a general circulation in this district. The Legal Notice provided that any person claiming an interest in the Defendant real property may file with the Clerk of this Court a claim in the manner set forth in Rule C(6) of the Supplemental Rules for Certain Admiralty and Maritime Claims, except that such claim may be filed not later than 30 days after the date of the final publication of notice. In addition, the Legal Notice also stated that any person having filed such a claim shall also file an answer to the complaint not later than 20 days after the filing of the claim. This Legal Notice was published in the **DeSoto Times Today** of Hernando, Mississippi, on July 24, 25, 26, 31, August 1 and 2, 2002. Proof of the publication of said Legal Notice by Lisa Fuller, Clerk of the **DeSoto Times Today** is on file in the office of the Clerk of this Court in this cause.

4. As provided by the Legal Notice all persons interested in the Defendant real property were required to file their claims

with the Clerk of the Court within thirty (30) days of the final date of publication, which occurred on August 2, 2002.

5. On June 6, 2002, Phillip N. McKnatt, one of the record owners of the Defendant property, received service by the United States Marshal for the Northern District of Mississippi of the Notice Of Verified Complaint For Forfeiture Against Real Property and also a copy of the Verified Complaint For Forfeiture In Rem concerning the Defendant real property.

6. On June 7, 2002, Judy A. McKnatt, one of the record owners of the Defendant property, received service by the United States Marshal for the Northern District of Mississippi of the Notice Of Verified Complaint For Forfeiture Against Real Property and also a copy of the Verified Complaint For Forfeiture In Rem concerning the Defendant real property.

7. According to the Civil Docket for this case, as of September 20, 2002, no claim or answer has been filed by anyone.

10. That on September 20, 2002, the Clerk of the Court properly entered a Default as no claim, answer or defense was filed by said date or within the time permitted by Rule C of the Supplemental Rules for Certain Admiralty and Maritime Claims. The Court finds that forfeiture of the Defendant real property to the United States is proper and shall be granted. It is, therefore

ORDERED AND ADJUDGED that the Defendant real property, which includes all appurtenances and hereditaments thereto, and all improvements, buildings, structures and fixtures thereon, and any proceeds therefrom, located in DeSoto County, Mississippi, to-wit:

Lot 140, Phase I, Section "C", The Plantation, situated in Section 22, Township 1 South, Range 6 West, City of Olive Branch, DeSoto County, Mississippi, as per plat recorded in Plat Book 38, Page 36, in the Office of the Chancery Clerk of DeSoto County, Mississippi

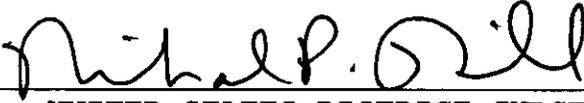
is hereby and shall be forfeited to the United States of America and no right, title or interest in the above described Defendant real property shall exist in any other person or party other than recognition of the interest of the lien of First Tennessee Bank National Association.

IT IS FURTHER ORDERED AND ADJUDGED that the United States Marshals Service is commanded to arrest the Defendant real property, and take same into its possession. The United States Marshal, or any of his deputies, shall have the right at any time to enter the Defendant real property to do any and all acts required in the arrest, management, preservation and sale of this real property.

IT IS FURTHER ORDERED AND ADJUDGED that the Defendant real property shall be disposed of according to law with the United States recognizing the lien of First Tennessee Bank National Association to the extent of its interest. The United States Marshals Service is hereby authorized to pay any and all expenses

attributable to the seizure, maintenance, forfeiture and disposition of the Defendant real property.

SO ORDERED AND ADJUDGED this the 4th day of November, 2002.


UNITED STATES DISTRICT JUDGE