

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

DONNA J. CLARK,

Defendant.

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No. 1:21-CR-69

JUDGES ATCHLEY/STEGER

NOTICE OF FORFEITURE

Notice is hereby given that the Honorable Charles E. Atchley, Jr. United States District Judge for the Eastern District of Tennessee, entered an Agreed Preliminary Order of Forfeiture (Doc. 24) against Defendant, Donna J. Clark, on January 25, 2022, condemning and forfeiting her interest in the following properties to the United States:

- a. \$460.00 U.S. currency seized from the residence of Donna J. Clark on July 19, 2021;
- b. \$20,000.00 official check (#1003749082) from BB&T payable to Donna Clark dated July 17, 2021;
- c. Funds up to the amount of \$53,038.13 in BB&T Bank account number 1430001294316 held in the name of Donna J. Clark; and
- d. Funds up to the amount of \$15,000.00 in First Volunteer Bank account number 2000294039 held in the name of Donna J. Clark.

(hereinafter, the “properties”)

You are hereby notified that the United States intends to dispose of the properties in such manner as the United States Attorney General may direct.

Pursuant to 21 U.S.C. § 853(n), as incorporated by 18 U.S.C. § 982(b)(1), if you have a legal interest in the properties, within THIRTY (30) DAYS of the final publication of this notice or receipt of written notice, whichever is earlier, you must petition the United States District Court for the Eastern District of Tennessee for a hearing to adjudicate the validity of your alleged legal

interest in the properties. If a hearing is requested, it shall be held before the Court alone, without a jury.

The petition must be signed by the petitioner under penalty of perjury, as established in 28 U.S.C. § 1746, and shall set forth the nature and extent of your right, title, or interest in the properties, the time and circumstances of your acquisition of the right, title, or interest in the properties, and any additional facts supporting your claim and the relief sought.

Pursuant to 21 U.S.C. § 853(n)(2), as incorporated by 18 U.S.C. § 982(b)(1), neither a defendant in the above-styled case nor their agent is entitled to file a petition.

Any hearing on your petition shall, to the extent practicable and consistent with the interests of justice, be held within thirty (30) days of the filing of your petition. The Court may consolidate your hearing on the petition with any other hearings requested by any other person other than Defendant named above.

You have the right at the hearing to testify and present evidence and witnesses on your own behalf, and to cross-examine witnesses who appear at the hearing.

If you fail to file a petition to assert your right, title, or interest in the above-described properties, within thirty (30) days of this notice, your right, title, and interest in the properties shall be lost and forfeited to the United States. The United States then shall have clear title to the properties herein described and may warrant good title to any subsequent purchaser or transferee.

The petition shall be filed with the United States District Court for the Eastern District of Tennessee at 900 Georgia Avenue, Chattanooga, Tennessee, 37402. A copy of this petition also shall be served upon the United States to the attention of Gretchen Mohr, Assistant United States Attorney, 800 Market Street, Suite 211, Knoxville, Tennessee 37902.

Please check www.forfeiture.gov for a listing of all judicial forfeiture notices.

Respectfully submitted,

FRANCIS M. HAMILTON III
UNITED STATES ATTORNEY

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