

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION**

UNITED STATES OF AMERICA,

v.

Case No.: 4:22cr32-MW/MAF

**FELICIA JACKSON STANLEY,
and WILBERT JEAN STANLEY, III,**

Defendants.

_____ /

**ORDER ON AMERICAN COMMERCE BANK, N.A.’s PETITION FOR
ADJUDICATION OF INTEREST IN PROPERTY**

This Court has considered, without hearing, American Commerce Bank, N.A.’s petition for adjudication of interest in property. ECF No. 63. The Government has responded, noting that it “does not oppose waiving the [timeliness] defect based on the explanation of the Claimant contained in the petition.” ECF No. 65 at 1. Further, the Government “recognizes the claim of American Commerce Bank for the balance of the note and interest as reflected in [ECF No. 63-3].” *Id.* The Government reserves the right to object to attorney’s fees should the requested amount be unreasonable. *Id.* at 2.

Accordingly, given the Government’s recognition of the Claimant’s claim for the balance of the note and interest as reflected in ECF No. 63-3, Claimant’s petition, ECF No. 63, is **GRANTED**. This Court recognizes the continued existence and validity of Claimant’s first lien on the Property because American Commerce Bank

is an innocent owner. The Government shall pay American Commerce Bank, N.A., the unpaid principal balance, escrow advances, interest, charges, and fees on the Loan, including reasonable attorney's fees as provided in the mortgage document, from the proceeds of the sale of the Property after the expenses of preservation of the sale and before distribution to other claimants. If the parties are unable to agree as to Claimant's reasonable attorney's fees, this Court shall set the matter for a hearing.

SO ORDERED on April 5, 2023.

s/Mark E. Walker
Chief United States District Judge