WCH:jmr

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 08-22008-CIV-HOEVELER

UNITED STATES OF AMERICA,
Plaintiff,

v.

ONE HUNDRED FIFTY SEVEN THOUSAND
FIFTY TW0 DOLLARS AND NINETY EIGHT CENTS
($157,052.98) IN UNITED STATES CURRENCY
AND ACCRUED INTEREST,

Defendant.
_____

CHARLES MCCRAY,

Claimant.
_____/

FINAL JUDGMENT OF FORFEITURE

THIS CAUSE CAME before the Court on the Plaintiff's Unopposed Motion for Final Judgement of Forfeiture. Being fully advised in the premises, the Court finds:

1. On July 15, 2008, the United States filed a Verified Complaint For Forfeiture In Rem against One Hundred Fifty Seven Thousand Fifty Two Dollars and Ninety Eight Cents ($157,052.98) in United States Currency and Accrued Interest ("defendant property"). DE# 1.

2. On July 31, 2008, the defendant property was served with a copy of the Verified Complaint For Forfeiture In Rem and copy pf the Notice of Arrest. DE# 4.

3. On July 30, 2008, a copy of the Verified Civil Complaint For Forfeiture In Rem and a copy of the Notice of Arrest was sent to known potential claimants.

4. Beginning on July 27, 2008, Notice of Civil Forfeiture was posted on an official

government internet site (www.forfeiture.gov) for at least 30 consecutive days, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules. Notice of Forfeiture also was published in the Miami Daily Business Review, a newspaper of general circulation on August 4, 2008, August 11, 2008 and August 18, 2008. Proof of Publication for both notices was filed on September 18, 2008. DE# 6.

5. On September 4, 2008, Charles McCray ("Claimant"), through counsel, filed a claim asserting his ownership interest in the defendant property. DE# 5.

6. More than thirty (60) days, have elapsed since the time of publication and service on the defendant property, and no other claims have been filed.

7. On October 15, 2008, a Stipulation, Indemnification and Hold Harmless Agreement was entered into between the United States and Claimant Charles McCray. Specifically, the parties agreed that Claimant shall forfeit to the United States one hundred forty-two thousand and fifty-two dollars and ninety-eight cents ($142,052,98) and that fifteen thousand dollars ($15,000.00) shall be returned to the Claimant in care of his attorney, Joel D. Robrish, Esquire. Each party shall bear its own costs and attorney's fees. Thus, entry of a Judgment of Forfeiture in favor of the United States in accordance with the terms of the Stipulation, Indemnification and Hold Harmless Agreement is appropriate

Based on the foregoing, it is

ORDERED and ADJUDGED that:

(1) A final judgment of forfeiture is entered in favor of the United States of America in the amount of one hundred forty-two thousand and fifty-two dollars and ninety-eight cents ($142,052,98) against the defendant property.

(3) All right, title and interest to the defendant property in the amount of one hundred forty-two thousand and fifty-two dollars and ninety-eight cents ($142,052.98) plus accrued interest

is hereby forfeited to the United States, pursuant to 21 U.S.C. § 881(a)(6).

(4) Fifteen thousand dollars ($15,000.00) is to be returned to the Claimant by a check made payable to Charles McCray, in care of the Trust Account of Joel D. Robrish, Esq. The check shall be mailed to Joel D. Robrish, Esq., 848 Brickell Avenue, Suite 800, Miami, FL 33131.

(5) Each party shall bear its own costs and attorney's fees.

(6) The forfeited property shall be disposed of in accordance with the law.

DONE AND ORDERED this 17th day of October 2008 in Chambers at Miami, Florida.

WILLIAM M. HOEVELER
UNITED STATES DISTRICT JUDGE

cc: William C. Healy (4 certified copies)
Joel D. Robrish, Esq.