IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
BECKLEY

UNITED STATES OF AMERICA,

Plaintiff.

v. **CIVIL ACTION NO.: 5:23-cv-00393**

$168,849.42 SEIZED FROM FIRST COMMUNITY BANK, ACCOUNT NUMBER XX2781;
$299,604.40 SEIZED FROM FIRST COMMUNITY BANK, ACCOUNT NUMBER XX2660;
$2,333,832.28 FROZEN FROM ALLY INVESTMENT, ACCOUNT NUMBER XX-X6295-11; and
$45,000 FROZEN FROM ALLY INVESTMENT, ACCOUNT NUMBER XX-X6295-11,

Defendants *in rem*.

ORDER

Pending is the Government's Motion to Lift Stay.

I.

On December 31, 2024, the Court ordered this action stayed pending resolution of the parallel criminal proceedings in *United States of America v. Ross Bailey*, Criminal Action No. 5:24-cr-00105 and retired the matter to the inactive docket pending further order. [ECF 21]. On April 24, 2026, the Court sentenced Mr. Bailey was sentenced to Five (5) years of probation, with the first twenty-four (24) months to be served on home confinement with electronic monitoring as a special condition in the related criminal action, following his guilty plea to theft of government funds, in violation of 18 U.S.C. § 641. On April 27, 2026, the Judgment was entered. No appeal was filed.

The government now seeks a stay lift herein and reports it and Claimant Mr. Bailey have entered into a stipulated settlement agreement resolving this matter. The Government intends to submit the necessary documents for review and approval once the stay has lifted.

II.

Inasmuch as Mr. Bailey's criminal action has been resolved, the Court **GRANTS** the Government's Motion, **LIFTS** the stay, and **REINSTATES** this matter to the active docket. The Government is **DIRECTED** to file the necessary documentation respecting the parties' resolution of this matter forthwith.

The Clerk is directed to send a copy of this Order to counsel of record and to any unrepresented party.

Enter: _____.

_____
FRANK W. VOLK, CHIEF JUDGE
United States District Court