

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

CASE NO. 8:13-CV-1601-T-17TBM

APPROXIMATELY \$87,000 IN FUNDS  
CURRENTLY HELD IN SYNOVUS  
BANK ACCOUNT NUMBER 100-118-0932,

Defendant.

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DEFAULT JUDGMENT OF FORFEITURE

THIS CAUSE comes before the Court upon the United States' Motion for entry of a Default Judgment of Forfeiture (Dkt. 19) for approximately \$87,000.00 in funds held in Synovus Bank Account Number 100-118-0932, in the name of "HARC Endowment" (Defendant Funds), pursuant to Federal Rule of Civil Procedure 55(b)(2), and Local Rule 7.03(i)(1).

Being fully advised of the relevant facts, the Court hereby finds that:

On June 19, 2013, the United States filed a Verified Complaint for Forfeiture in Rem, pursuant to violation of 18 U.S.C. § 641, seeking forfeiture of the Defendant Funds, alleging that the Defendant Funds represented proceeds of the theft of government property. Doc. 1.

The Defendant Funds have since been seized pursuant to a Warrant of Arrest in Rem issued by this Court, as required by Supplemental Rule G(3)(b) & (c). Doc. 12.

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On June 21, 2013, the United States commenced publication of the civil forfeiture action on its official website, [www.forfeiture.gov](http://www.forfeiture.gov), which it continued for a period of 30 consecutive days, through and including July 20, 2013, as required by Supplemental Rule G(4)(a)(i) & (iv)(C). Doc. 10.

On June 27, 2013, the United States sent notice packages regarding this forfeiture action, via certified United States mail, first class mail, and email to the known potential claimants: Synovus Bank, HARC, and Wells Fargo Bank, in accordance with the requirements of Supplemental Rule G(4)(b). The package included: (1) a Notice of Complaint for Forfeiture in Rem, (2) a copy of the Verified Complaint for Forfeiture in Rem and Warrant of Arrest in Rem, (3) an Acknowledgment of Receipt of Notice of Verified Complaint for Forfeiture, and (4) the Notice of Designation Under Local Rule 3.05. The Notice of Forfeiture directed the recipient to file a Statement of Right or Interest with the Clerk of Court within 35 days after receipt of the notice.

The Notice of Forfeiture specifically advised the recipient that, in order to contest the United States' civil forfeiture complaint, it was required to: (a) file a Statement of Right or Interest within 35 days after receipt of the notice; and (b) file an Answer within 21 days after filing the Statement of Right or Interest. The notice further instructed the potential claimant to file his Statement of Right or Interest and Answer with the Office of the Clerk, United States District Court, Sam Gibbons Federal Courthouse, 2nd Floor, 801 North Florida Avenue, Tampa, Florida 33602. Finally, the notice advised that the "[f]ailure to follow the requirements set forth above may result in judgment by default taken against you for relief demanded in the Complaint. You may wish to seek legal advice to protect your interests."

The United States has thus fulfilled its duties of notice under Local Rule 7.03 and Synovus Bank, HARC, and Wells Fargo Bank have failed to timely file a statement of right or interest. The time for these entities to file a claim or otherwise contest the

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forfeiture of the Defendant Funds has expired.

On September 10, 2013, pursuant to the United States' motion, the Clerk entered a Default against Synovus Bank, HARC, and Wells Fargo Bank. Doc. 18.

As no person or entity has filed either a claim or an answer to the complaint for forfeiture, and the time to do so has expired, it is accordingly, hereby:

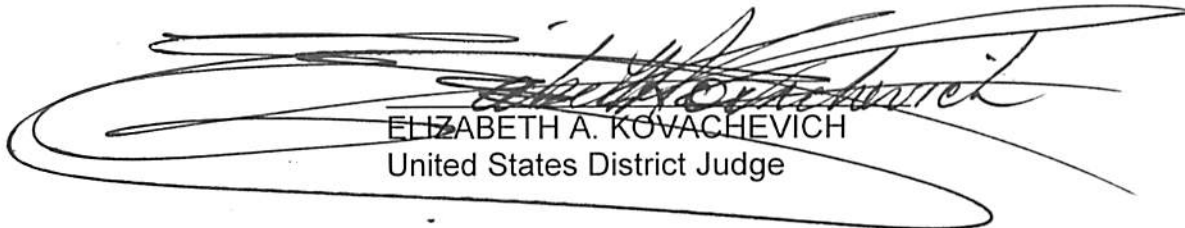
**ORDERED, ADJUDGED and DECREED** that the United States' Motion for Default Judgment (Dkt. 19) is **granted**.

It is **FURTHER ORDERED** that pursuant to Federal Rule of Civil Procedure 55(b)(2) and Local Rule 7.03(i)(1), judgment of default is hereby entered against Synovus Bank, HARC, and Wells Fargo Bank, for failure to file a claim within 35 days from the receipt of notice of the forfeiture, as required under Supplemental Rule G(5)(a)(ii)(A). Any further claims or statements of interest are time-barred.

It is **FURTHER ORDERED** that all right, title, and interest in the Defendant Funds are hereby forfeited to the United States of America, pursuant to 18 U.S.C. Sec. 981(a)(1)(C), Federal Rule of Civil Procedure 55(b)(2), and Local Rule 7.03(i)(1), and clear title to the Defendant Funds is vested in the United States of America for disposition according to law.

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**DONE and ORDERED** in Tampa, Florida, on this 30th day of September, 2013.



ELIZABETH A. KOVACHEVICH  
United States District Judge

Copies to:  
Natalie Hirt Adams