

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	Case No. 07-20027-01-CM
v.)	
)	
SAMUEL KUONEN,)	
)	
Defendant.)	
)	
_____)	

MOTION OF THE UNITED STATES FOR A FINAL ORDER OF FORFEITURE

COMES NOW the United States of America, by and through its counsel, Eric F. Melgren, United States Attorney for the District of Kansas, and Annette B. Gurney, Assistant United States Attorney, to respectfully move this Court for a Final Order of Forfeiture in the above-styled case, and in support thereof represent to the Court the following facts:

1. The United States hereby incorporates by reference, as though fully set forth herein, all of its averments contained in its Motion for Preliminary Forfeiture Order filed on April 18, 2007.

2. On May 1, 2007, the Court entered a Preliminary Order of Forfeiture which forfeited to the United States the defendant Samuel Kuonen's interest in the following property:

- a. Compaq Deskpro Computer;
- b. Asus Computer;
- c. Three computer hard drives;
- d. Approximately 320 CD Roms and Floppy Disks
- e. Computer Raid Cabinet; and
- f. Miscellaneous Documentation.

3. Pursuant to 21 U.S.C. § 853(n), third parties asserting a legal interest in the above-described forfeited properties are entitled to a judicial determination of the validity of the legal claims or interests they assert.

4. The United States published notification of the Court's Preliminary Order of Forfeiture in a newspaper of general circulation, namely the Leavenworth Times on May 11, 2007, May 18, 2007 and May 25, 2007. Said published notice advised all third parties of their right to petition the court within thirty (30) days of the publication date for a hearing to adjudicate the validity of their alleged legal interest in the forfeited property.

5. No third party has made any claims to or declared any interest in the above-described forfeited property.

WHEREFORE, the United States moves this Court for a Final Order of Forfeiture declaring the property forfeited as to all persons and vesting full right, title and interest to the property in the United States and directing the United States Marshals Service to dispose of the property according to law.

Respectfully Submitted,

ERIC F. MELGREN

United States Attorney

s/ Annette B. Gurney
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CERTIFICATE OF SERVICE

This is to certify that on September 13, 2007, I electronically filed the foregoing with the clerk of the court by using the CM/ECF system which will send a notice of electronic filing to the following: David J. Phillips, Attorney for the Defendant.

s/Annette B. Gurney
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