

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**CRIMINAL NO. 12-30315**

**ALAN L. MITCHELL,**

**Defendant.**

**ORDER OF FINDING OF NO THIRD-PARTY INTERESTS  
(FINAL ORDER OF FORFEITURE)**

**HERNDON, Chief Judge:**

On May 29, 2013, this court entered an order for forfeiture against defendant Alan L. Mitchell for the following property which had been seized from the defendant:

**One Seagate 320GB HDD, bearing serial number 5QF08H2J;**

**One Western Digital 160GB HDD, bearing serial number WX60A89J4356;**

**One Fujitsu 60GB HDD, bearing serial number NN3LT39134WM;**

**One Toshiba 60GB HDD, bearing serial number Y4K09145S;**

**One generic black/red desktop computer, bearing no visible serial number;**

**One Compaq Presario CQ61 laptop computer, bearing serial number CNF9364TQW;**

**One HP Pavillion zd7000 laptop computer, bearing serial number CNF3401LJ9; and**

**One Compaq Presario laptop computer, bearing serial number CND4500V6Q.**

The order further provided that the government would provide an opportunity for persons to claim a legal interest in the property pursuant to 21 U.S.C. § 853(n)(1).

The court notes that notice was published by the government on an official government website, [www.forfeiture.gov](http://www.forfeiture.gov), for 30 consecutive days beginning May 31, 2013, and ending June 29, 2013, and that no third party filed a petition within 30 days after the last date of the publication to allege an interest in the property.

The Court further notes that on October 4, 2013, Janet Mitchell filed a verified petition claiming an interest in the above-described property. Subsequently Ms. Mitchell provided the United States with a *Notice of Withdrawal of Verified Petition* [Doc. 50, Exhibit A] wherein Ms. Mitchell withdrew her claims to, and consented to the forfeiture of, the subject-matter property.

Consequently, the court hereby finds, pursuant to 21 U.S.C. § 853(n)(7), that no third-party petitions were filed and that the United States of America has clear title to the above-described property that is the subject of the Order of Forfeiture filed on May 29, 2013, namely:

**One Seagate 320GB HDD, bearing serial number 5QF08H2J;**

**One Western Digital 160GB HDD, bearing serial number WX60A89J4356;**

**One Fujitsu 60GB HDD, bearing serial number NN3LT39134WM;**

**One Toshiba 60GB HDD, bearing serial number Y4K09145S;**

**One generic black/red desktop computer, bearing no visible serial number;**

**One Compaq Presario CQ61 laptop computer, bearing serial number CNF9364TQW;**

**One HP Pavillion zd7000 laptop computer, bearing serial number CNF3401LJ9; and**

**One Compaq Presario laptop computer, bearing serial number CND4500V6Q.**

The property custodian for the United States Secret Service or the United States Marshal shall dispose of the property according to law. The disposal may, at the discretion of the United States, include the destruction of the property. The destruction may be done at such time and location and by such persons as designated by the United States Secret Service or the United States Marshal.

**IT IS SO ORDERED.**

Signed this 30th day of January, 2014.

Digitally signed by  
David R. Herndon  
Date: 2014.01.30  
14:47:33 -06'00'



**Chief Judge  
United States District court**