

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 3 :11CV00090
)	JUDGE HAYNES
2010 CHEVROLET CAMARO 2SS COUPE)	
BEARING VIN 2G1FT1EW0A9145379; et al)	
)	
)	
Defendants.)	
)	

**UNITED STATES' MOTION FOR INTERLOCUTORY
PRIVATE JUDICIAL SALE OF DEFENDANT VEHICLES ONLY**

COMES NOW the United States of America, by and through Jerry E. Martin, United States Attorney for the Middle District of Tennessee, and Debra T. Phillips, Assistant United States Attorney, pursuant to Rule G (7)(b) of the Federal Rules of Civil Procedure, Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions and moves the court to order an interlocutory sale of the following two vehicles:

- a. 2010 Chevrolet Camaro 2SS Coupe bearing VIN 2G1FT1EW0A9145379, and
- b. 2005 Harley Davidson Road King Motorcycle bearing VIN 1HD1FXV185Y67771.

(Collectively "Defendant Property").

For good cause shown and in support thereof, the United States asserts pursuant to Rule G (7)(b)(i)(B) of the Federal Rules of Civil Procedure, Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions that the expense of keeping the Defendant Property is excessive or is disproportionate to its fair market value and that the value of vehicles deteriorates the longer

they are not used. Specifically, storage fees have accrued monthly since at least November 3, 2010 and will continue to accrue monthly until the conclusion of this matter further diminishing its net value. Any net proceeds from the sale of the Defendant Property will be placed in an interest bearing account pending the resolution of this forfeiture action thus preserving the value of the Defendant Property so that victims of the approximate 2.5 million dollar fraud scheme, which led to the filing of the *In Rem* Complaint of forfeiture in regard to said Defendant Property, may be reimbursed from forfeited funds if this forfeiture action is successful.

A memorandum of law and facts in support of this Motion is filed simultaneously herewith. Additionally, a proposed order is attached hereto for the court's convenience.

Respectfully submitted,

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United States Attorney

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CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of May, 2012, a copy of the foregoing Motion for an Interlocutory Private Sale was filed electronically. Notice of this filing will be sent to the following, if registered, by operation of the Court's electronic filing system. If not registered, notice was mailed by regular U.S. mail to:

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