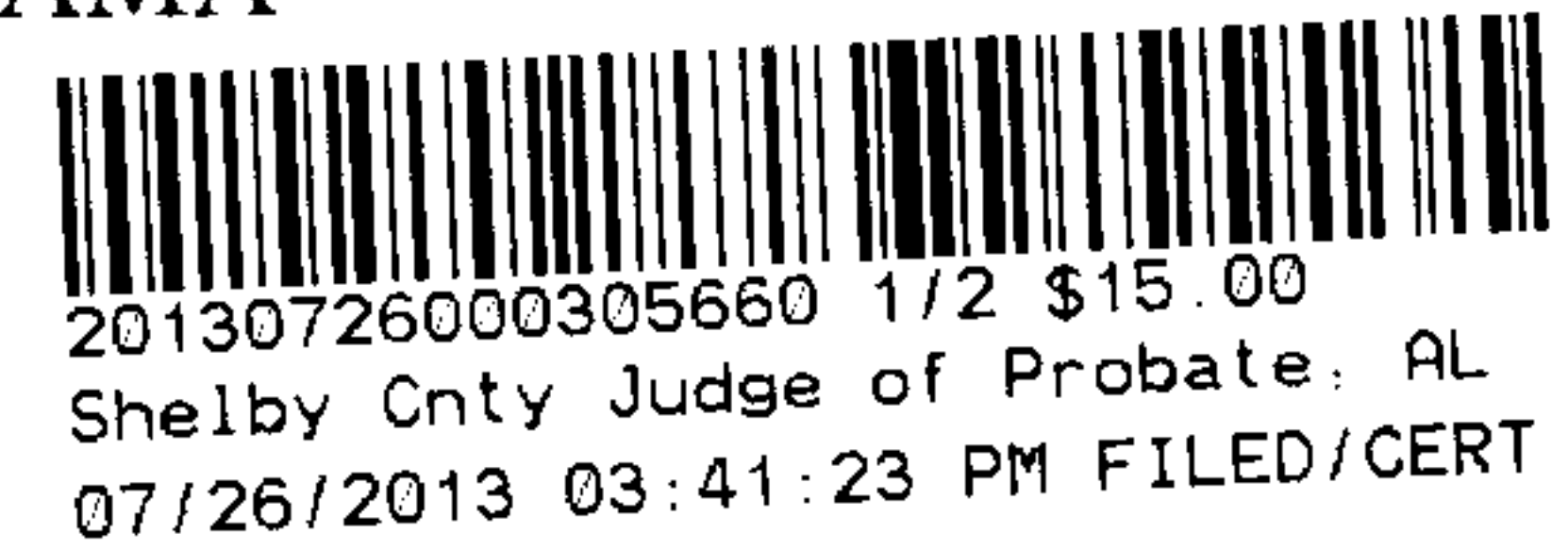


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION



UNITED STATES OF AMERICA,)
)
 v.)
)
 WILLIAM T. OWENS,)
 Defendant.)

Case No. 2:03-cr-0131-SLB

ORDER
VACATING AMENDED ORDER OF FORFEITURE

The United States has moved this Court to vacate the *Amended Order of Forfeiture* (Doc. 53), entered on June 28, 2007, which substituted certain real property located at 118 Highland View Drive, Birmingham, Alabama, to satisfy the original \$2,500,000 forfeiture judgment against defendant William T. Owens as part of the sentence imposed in the above-styled criminal action. That amended order served as a *preliminary* order of forfeiture as to the real property. The government was then required to provide notice of its intent to seek forfeiture of the subject property to any third parties who may claim an interest in that property; those third party interests are addressed by the Court in a final forfeiture order. *See* Fed. R. Crim. P. 32.2(c)(2).

As grounds for its motion, the government states that the time the amended order was entered in 2007, this real property was subject to three existing tax or judgment liens which, combined, greatly exceeded the current value of the real property. Counsel for the government then attempted, without success, to structure a compromise settlement of these three existing liens in order to accomplish the forfeiture.

The government also states that the delay in resolving this matter has resulted in a significant deterioration of the real property which, in turn, has had a negative impact on the


surrounding Highland Lakes neighborhood. For these reasons, the government submits that it is no longer in the best interests of the United States, the lien holders, or the Highland Lakes community to seek a final forfeiture order of the subject real property.

Upon consideration of the government's motion and for good cause shown, the Court finds that the entry of a final order of forfeiture against the subject real property at this time would fail to satisfy any of the forfeiture judgment and would further delay the lien holders from a final resolution of their outstanding liens through other legal process. Accordingly, the Court hereby VACATES its *Amended Order of Forfeiture* of June 28, 2007, which forfeited the defendant's interest in certain real property located at 118 Highland View Drive, Birmingham, Alabama, more particularly described as follows:

Lot 403-A, according to a Resurvey of Lots 402 and 403, Highland Lakes, 4th Sector, Phase 1, an Eddleman Community, as recorded in May Book 21, Page 44 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama. Mineral and mining rights excepted.

The forfeiture judgment entered against defendant William T. Owens in the amount of \$2,500,000.00 remains in full force and effect until satisfied in full. The United States may seek the forfeiture of any other property permissible under federal law in this case to satisfy the forfeiture judgment amount.

Done this 1st day of August, 2011.


SHARON LOVELACE BLACKBURN
Chief United States District Judge



TRUE COPY:
By: 

