

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

FILED
U.S. DISTRICT COURT
MIDDLE GEORGIA

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UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
\$3,107.90 IN UNITED STATES)
CURRENCY, MORE OR LESS,)
ASSET I.D. NO. 03-FBI-001190,)
)
First-Named Defendant Property,)
)
\$289,303.71 IN UNITED STATES)
CURRENCY, MORE OR LESS,)
ASSET I.D. NO. 03-FBI-001191,)
)
Second-Named Defendant Property,)
)
\$121,803.53 IN UNITED STATES)
CURRENCY, MORE OR LESS,)
ASSET I.D. NO. 03-FBI-001192,)
)
Third-Named Defendant Property,)
)
\$9,954.22 IN UNITED STATES)
CURRENCY, MORE OR LESS,)
ASSET I.D. NO. 03-FBI-002141,)
)
Fourth-Named Defendant Property,)
)
\$14.00 IN UNITED STATES)
CURRENCY, MORE OR LESS,)
ASSET I.D. NO. 03-FBI-002142,)
)
Fifth-Named Defendant Property,)
)
\$6,101.71 IN UNITED STATES)
CURRENCY, MORE OR LESS,)
ASSET I.D. NO. 03-FBI-002145,)
)
Sixth-Named Defendant Property,)

Case No. 5:03-CV-0236-2

ITEM OF JEWELRY,)
 ASSET I.D. NO. 03-FBI-002171,)
)
 Seventh-Named Defendant Property,)
)
 ALL THAT TRACT OR PARCEL OF)
 LAND CONSISTING OF 444 ACRES,)
 MORE OR LESS, COMMONLY KNOWN)
 AS 404 SHADY DALE ROAD,)
 EATONTON, PUTNAM COUNTY,)
 GEORGIA, AND ANY AND ALL)
 APPURTENANCES AND)
 IMPROVEMENTS THEREON,)
)
 Eighth-Named Defendant Property,)
)
 ALL THAT TRACT OR PARCEL OF)
 LAND MORE COMMONLY KNOWN)
 AS 155 MANSFIELD COURT, ATHENS,)
 CLARKE COUNTY, GEORGIA, AND)
 ANY AND ALL APPURTENANCES)
 AND IMPROVEMENTS THEREON,)
)
 Ninth-Named Defendant Property,)
)

**ANSWER TO GOVERNMENT’S COMPLAINT FOR FORFEITURE
AND DEFENSES**

NOW COMES Anthony Evans, Patrice Evans, and Ethel Richardson, the respondent parties-in-interest, on behalf of the Eighth-Named Defendant Property, commonly known as 404 Shady Dale Road, by and through the undersigned counsel, and represent that they are the legal owners of that property, and in answer to the verified complaint of the plaintiff, respectfully state:

Forfeiture Count One

The Respondents are without sufficient information to admit or deny any of the allegations listed in forfeiture count one as they are not the owners of any of the personal property identified therein.

Forfeiture Count Two

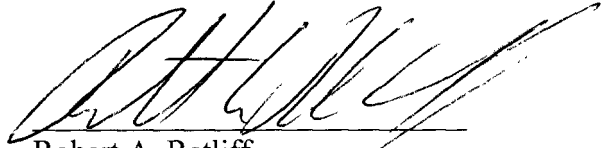
1. Paragraph one is admitted.
2. Paragraph two is admitted.
3. Paragraph three is admitted in part, but denied in so far that it alleges that the real property identified therein is subject to forfeiture.
4. The Respondents are without sufficient information to admit or deny the allegations of paragraph four, as they are not the owners of the real property identified therein.
5. The Respondents are without sufficient information to admit or deny the allegations of paragraph five, as they are not the owners of the real property identified therein. The Respondents would submit however, that 155 Mansfield, does not contain 444 acres of land.
6. The Respondents are without sufficient information to admit or deny the allegations of paragraph six, as they are not the owners of the real property identified therein.
7. The Respondents are without sufficient information to admit or deny the allegations of paragraph seven, as they did not own the eighth-named defendant property at the time it was allegedly used or was intended to be used to commit, and to facilitate the commission of, violations of federal law. The violations of federal law in question are alleged to have

been committed by a previous owner of the eighth-named defendant property, Dwight York. The Respondents were unaware of any violations of federal law relating to the eighth-named defendant property at the time they took possession of the property, and deny that any violations of federal law relating to the eighth-named defendant property have occurred since they took possession of the property. The Respondents assert that they are innocent owners of the eighth-named defendant property. Therefore, the Respondents deny that the eighth-named defendant property is subject to seizure and forfeiture pursuant to 18 U.S.C. §§ 985 and 2254(a)(2). The Respondents are without sufficient information to admit or deny the allegations of paragraph seven relating to the ninth-named defendant property, as they are not the owners of that property.

8. Paragraph eight is admitted in part, but denied in so far that it alleges that the seizure and forfeiture of the eighth-named defendant property is supported by probable cause.
9. Paragraph nine is admitted.

WHEREFORE, in consideration of the foregoing, the Respondents pray that this answer be deemed good and sufficient. That after due proceedings, the complaint of the government pertaining to the eighth-named defendant property be dismissed with costs to the government, and that the eighth-named defendant property be restored to the rightful ownership of the Respondents. The Respondents further pray for all orders and decrees necessary, and for full, general and equitable relief.

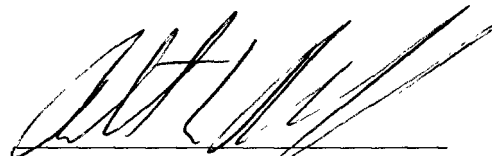
Respectfully submitted,



Robert A. Ratliff
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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was sent this 12 day of September, 2003, by regular U.S. mail with sufficient postage affixed to insure delivery to the Assistant United States Attorney, Verda M. Colvin, P.O. Box 1702, Macon, Georgia, 31202-1702.



Robert A. Ratliff
Attorney for the Respondents