

**SAMPLE
LIBEL OF INFORMATION**

PREPAYMENT OF COSTS WAIVED

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION

DISTRICT OF COLUMBIA

LIBELLANT

v.

Civil Action No. 05-000 [REDACTED]

ONE (1) 1995 HONDA ACCORD Libel
4-DOOR AUTOMOBILE
V.I.N. [REDACTED]

RESPONDENT

LIBEL OF INFORMATION

The District of Columbia ("the District"), by the Office of the Corporation Counsel, its attorneys, pursuant to Sup. Ct. Civ. R. 71A-I and D.C. Official Code § 48-904.02(2001), files the instant Libel of Information for *in rem* civil forfeiture of a 1995 Honda Accord 4-door automobile, Vehicle Identification Number JHMCD5637SC062365 for breach of the District of Columbia Controlled Substance Laws, D.C. Official Code § 48-904.02 (2001) as follows:

1. On or about March 31, [REDACTED] in the 5200 block of E Street, SE in Washington, D.C., members of the Metropolitan Police Department, ("MPD") observed [REDACTED] selling drugs from the above listed vehicle to an undercover MPD officer. [REDACTED] gave the officers two (2) green ziplock bags, each with green weed inside, from a white styrofoam cup that he was holding. The officer ask [REDACTED] to exit the vehicle. Recovered from under the passenger side floor board of the vehicle was a styrofoam cup containing twelve (12) green ziplock bags of green weed. A

portion of the green weed substance field tested positive for marijuana.

2. [REDACTED] was arrested and charged with transportation of marijuana. MPD seized the vehicle.

3. D.C. Official Code § 48-905.02 (b) provides, in pertinent part, that the following are subject to forfeiture:

(b) All conveyances, including . . . vehicles, . . . which are used, or intended for use, to transport in any manner to facilitate the transportation, for the purpose of sale or receipt of illegal controlled substances...

4. It is believed and therefore averred that the vehicle was used or was intended for use to facilitate the transportation and sale or receipt of an illegal controlled substance within the District of Columbia, in violation of the controlled substance chapter of D.C. Official Code, § 48-905.02.

5. The vehicle is in the custody of the delegated agent of the Mayor, the Evidence Control Department of the Metropolitan Police Department, 2235 Shannon Place, SE, Washington, D.C.

WHEREFORE, the District of Columbia respectfully requests that this Honorable Court enter an Order:

- a) Issuing process to bring the above-described vehicle within the Court's jurisdiction;
- b) Directing the issuance of a warrant of arrest with a return date addressed to the United States Marshal directing the Marshal to seize the above-described vehicle as notice to all parties in interest to file an answer by said return date;

- c) Directing the Marshal upon seizure of the above-described vehicle to cause public notice thereof and of the time assigned for return of such process to be published pursuant to Superior Court Civil Rule 71A-I;
- d) Decreeing the condemnation and forfeiture of the vehicle to the District of Columbia and disposal according to law, following proceedings thereon; and
- e) Granting such other and further relief as the nature of this cause requires.

Respectfully submitted this 4th day of May, [REDACTED]

ROBERT J. SPAGNOLETTI
Corporation Counsel

DAVID M. RUBENSTEIN
Deputy Corporation Counsel
Public Safety Division

[REDACTED]
[REDACTED]
[REDACTED] Street, [REDACTED]
[REDACTED] Washington, D.C. [REDACTED] 50

Schedule "A"

Property Seized: One (1) 1995 Honda Accord
4-door Automobile

V.I.N.:

[REDACTED]

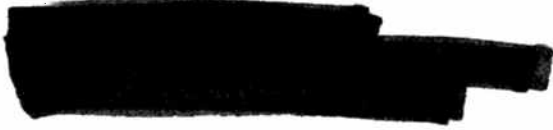
Seized From:

[REDACTED]

MPD Property Control No: X

[REDACTED]

Copies of Libel of Information and warrant to be Sent to:



B

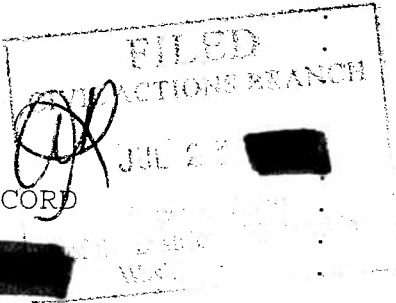
SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION

DISTRICT OF COLUMBIA

LIBELLANT

v.

ONE (1) 1995 HONDA ACCORD
4-DOOR AUTOMOBILE
V.I.N. [REDACTED]



Civil Action No. [REDACTED]

Libel [REDACTED]

RESPONDENT

ORDER FOR ISSUANCE OF WARRANT
AND ADVERTISING OF SEIZURE

On the averments set forth in the Libel of Information filed by the District of Columbia in this action, it is this 22nd day of July [REDACTED]

ORDERED: That the warrant issue and be answered by the 19th day of OCTOBER [REDACTED] and it is

FURTHER ORDERED: That upon seizure of the herein libelled vehicle, the United States Marshal for the District of Columbia shall in accordance with Superior Court Civil Rule 71A-I cause notice thereof and of the date and place assigned for the return of process to be published in The Washington Law Reporter and The Washington Times no later than the 29th day of SEPTEMBER [REDACTED]

[Signature]

JUDGE

B. Mendez

RECORDED JUL 28 [REDACTED]

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION

DISTRICT OF COLUMBIA

LIBELLANT

v.

ONE (1) 1995 HONDA ACCORD
4-DOOR AUTOMOBILE
V.I.N. [REDACTED]

RESPONDENT

Civil Action No.

Libel [REDACTED]

TO THE MARSHAL FOR THE DISTRICT OF COLUMBIA:

GREETINGS: Pursuant to the Attached Order for Issuance of Warrant and Advertising of Seizure and for the reasons stated in the Libel of Information filed by the District of Columbia in the within-captioned action, you are hereby commanded to:

1. Arrest the vehicle listed on the attached "Schedule A" and to detain the same until further Order of the Court;

2. Warn all persons having any claim or interest therein to intervene and file an answer by the return date of 19TH OCTOBER [REDACTED] and that in the event that said interested person fails to file an answer by the return date, the Court shall determine the cause and issue any appropriate Order.

PROVIDED: That after the seizure of the aforementioned vehicle, it shall be subject to use by the Corporation Counsel, and/or the United States Attorney for the District of Columbia in any proceeding.

WITNESS, the Honorable Chief Judge of this Court,

this 1st day of August

151 Duane B. Delaney
CLERK

[Redacted] [Redacted]
DEPUTY CLERK

SAMPLE
DEFAULT DECREE OF CONDEMNATION

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION**

DISTRICT OF COLUMBIA	:	
	:	
Libellant,	:	
	:	
v.	:	Civil Action No.
	:	
	:	Libel
	:	
()	:	
	:	
Respondent.	:	
	:	

DEFAULT DECREE OF CONDEMNATION

On June 2, 2004, a Libel of Information against the monies set forth in the Schedule "A" attached thereto that was filed in this Court on behalf of the District of Columbia by its attorneys, the Office of the Attorney General for the District of Columbia. The Libel alleges that the monies proceeded against were used or intended for use in violation of the District of Columbia Gambling Laws, D.C. Code, Title 22, chapter 17.

Pursuant to Superior Court Civil Rule 71A-I, a copy of the Libel of Information and the Warrant issued thereon was sent to the last known address of each person known to have an interest in the monies involved as indicated in the Libel. Additionally, pursuant to order of the Court, the United States Marshal for the District of Columbia published notice of the libel and seizure in The Washington Times and The Daily Washington Law Reporter, warning all persons having any interest in said monies to file an answer in the Superior Court on or before the 20th day of September, 2004. Proofs of such publication are filed herein as Libellant's Exhibit 1.

Respondent did not file an answer or response to this Libel of Information.

Therefore, it appearing to the Court uncontroverted that said monies were used or to be used in violation of the aforementioned District of Columbia Gambling Laws, and it further appearing to the Court that said monies at the time of filing of said Libel, are being held in the District of Columbia and are in the custody and possession of the Mayor or his delegated agent, the Evidence Control Clerk of the Metropolitan Police Department, 2235 Shannon Place, S.E., in the District of Columbia.

It is, by the Court this _____ day of _____, 2005.

ORDERED, ADJUDGED and DECREED: That the monies identified in the attached Schedule "B" were used or intended to be used, within the meaning and in violation of the District of Columbia Gambling Laws, D.C. Code Title 22, Chapter 17, and are hereby condemned and forfeited to the District of Columbia; and it is

FURTHER ORDERED: That the United States Marshal for the District of Columbia be, and is, directed to turn over and deliver the monies identified herein as forfeited to the District of Columbia, to the Evidence Control Clerk, Metropolitan Police Department, D.C., or his authorized representative.

JUDGE

Schedule "A"

Property Seized:

MPD Property Control Number:

Seized from:

Schedule "B"

Property Seized:

MPD Property Control Number:

Seized from:

Copies to: