

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Civil No.
)	
Forty Six Thousand Dollars (\$46,000.00))	JURY TRIAL REQUESTED
in U.S. Currency, more or less, seized from)	
Alex Temple,)	
)	
Defendant <i>in rem</i>)	
_____)	

**VERIFIED COMPLAINT FOR FORFEITURE IN REM FOR PROPERTY
WITHIN THE UNITED STATES' POSSESSION, CUSTODY OR CONTROL,
PURSUANT TO SUPPLEMENTAL RULE G**

Plaintiff, United States of America, brings this complaint in accord with Supplemental Rule G(2) of the Supplemental Rules for Certain Admiralty and Maritime Claims and Asset Forfeiture Actions, and alleges as follows:

NATURE OF THE ACTION

This is an action to forfeit and condemn to the use and benefit of the United States of America the following property: Forty Six Thousand Dollars (\$46,000.00) in U.S. Currency, more or less, seized from Alex Temple, for violations of 21 U.S.C. § 881(a)(6).

JURISDICTION AND VENUE

The United States brings this action *in rem* in its own right to forfeit and condemn the defendant property pursuant to 21 U.S.C. § 881(a)(6). The Court has jurisdiction over this action under 28 U.S.C. §§ 1345 & 1355.

The Court has *in rem* jurisdiction over the property under 28 U.S.C. § 1355(b). Upon the filing of this Verified Complaint, the United States requests that the Clerk of Court issue an

arrest warrant *in rem* pursuant to Supplemental Rule G(3)(b)(i), which the United States will execute upon the property pursuant to 28 U.S.C. § 1355(d) and Supplemental Rule G(3)(c).

THE DEFENDANT IN REM

The defendant *in rem* consists of the following property: Forty Six Thousand Dollars (\$46,000.00) in U.S. Currency, more or less, seized from Alex Temple. The defendant *in rem* is presently in the custody of United States Department of Homeland Security.

FACTS

1. On October 3, 2016, at approximately 7:40 PM, a New Hampshire State Police trooper patrolling Interstate 95 in Greenland, New Hampshire, conducted a traffic stop of a rental car driven by Alexander (“Alex”) Temple, of Portland, ME, (“Temple”) for two moving violations.

2. Temple told the trooper that he was returning from a day trip to Abington, Massachusetts where he helped his sister move some items at her residence. He said that he had spent about 15 – 20 minutes helping his sister. Temple said that he had rented the car and left Portland, Maine at approximately 1:00 PM that afternoon and traveled directly to Abington, Massachusetts. He said that he immediately began his return trip to Portland after helping his sister, and drove continuously until the traffic stop at 7:40 PM, making no stops along the way. Temple’s description of his travel activities that day left approximately 2 ½ hours for which he could not account.

3. During this conversation with the trooper, Temple was speaking in a fast manner, and was required to clear his throat and swallow hard, creating a loud audible sound on multiple

occasions. His hands and body were visibly trembling, and he was breathing in a shallow rapid manner. He exhibited this and other behavior indicative of a hyperarousal/acute stress response.

4. The trooper requested Temple's consent to search the vehicle. Temple agreed, and signed a "Written Consent For Search" form. Temple then asked the trooper if he intended to search the glove compartment and trunk. The trooper explained that it was his intention to search the entire car. Temple responded that the trooper could search the car, except for the trunk. During further discussion, Temple told the trooper that he had \$4,000 in currency in the trunk of the car. The trooper explained that in the absence of Temple's consent to search the trunk, he would assume that it contained more than \$4,000. After reconsideration, Temple told the trooper that he could proceed with a search of the entire car, despite his momentary revocation of consent for a search of the trunk.

5. During the search, the trooper found a large Whole Foods paper shopping bag, which contained a knotted plastic grocery bag and \$46,000 in U.S Currency in the trunk of the vehicle. Exhibit A. The money was in five stacks of \$20 bills secured together with various rubber bands and then bundled collectively with various larger rubber bands. Exhibits B and C.

6. During the search of the vehicle's passenger compartment, the trooper found a large canvas backpack that contained a large zipped lock bag, inside of which was a spoon and three separate baggies that contained an unknown green powder. On the outside of the baggies were hand-labeled: "Red Hot Hippo Not For Human Consumption," "Maeng Da Elite Green Raw Powder," "belix redx indagreenxsleep."

7. The trooper also found an MMP (Maine Medicinal Use of Marijuana Program) Certification DHHS Division of Licensing and Regulatory Services card listing Alexander A. Temple as a patient, along with his provider's name.

8. The trooper noted that the mileage on the vehicle's odometer was 37,932. According to the rental agreement signed that day, the starting mileage was 37,768, indicating that Temple had driven the vehicle 164 miles. According to Temple's account of his travel route, the mileage for his trip should have been 205 miles.

9. The trooper asked Temple if he held a permit for medical marijuana. He said that he did not. After the trooper told Temple that he had found his medical marijuana card in his wallet, Temple admitted to being a medical marijuana patient.

10. The trooper questioned Temple about the packages of green powder found in the canvas backpack. Temple identified the substance as Kratom, a plant-derived recreational drug. Although banned in some states and localities, Kratom is not currently listed as a scheduled controlled substance by the federal government.

11. When the trooper questioned Temple about the quantity of currency in the bag, Temple reiterated that it contained \$4,000. The officer then asked him if he meant \$4,300. Temple replied, "Yeah, yeah, yeah . . . forty . . . forty-three hundred dollars." The officer then explained that he estimated there was at least \$43,000 in the bag. Temple responded, "Oh, okay." Temple added that there was \$40,000 in the car. When asked how he had obtained the currency, he told the officer that his sister had given it to him in repayment for a loan that he made to her about two years ago. Temple explained that the money he had loaned his sister represented his savings from working in the restaurant industry.

12. Temple told the trooper that he had arranged that morning, by text messages, to visit his sister. He agreed to show the text message thread to the trooper, but after checking his cell phone, he could not find it.

13. A second New Hampshire State Police trooper, who is a certified canine handler, arrived on the scene shortly after the traffic stop. The second trooper also interviewed Temple about the currency. Temple said that he had previously given his sister a loan with money that he had received through an inheritance from an uncle. Temple said that his sister had given him the money that day to repay a loan, and that he had placed the money in the trunk of his car without counting it. He also said that he works at a bar in Portland, Maine. He has a medical marijuana card, and recently used marijuana. The canvas backpack found in the car recently contained marijuana.

14. The second trooper is the handler of K-9 "Gauge," a patrol and narcotics detection dog of the New Hampshire State Police Canine Unit. The trooper received his specialized training during a nine-week course in 2015. At the same time, K-9 Gauge was certified for drug detection in accordance with New England State Police Administrator Conference standards. Gauge is trained to detect the odors of marijuana, cocaine, heroin, ecstasy, methamphetamine, as well as their derivatives. He is trained to alert when he detects the odor of these substances.

15. The backpack was removed from the passenger compartment of Temple's car. The Whole Foods bag containing the currency was placed in the backseat of the car. K-9 Gauge entered the car and began to search. When K-9 Gauge searched the rear of the vehicle, he sniffed rapidly at the bag, then stuck his nose deep into the bag and began to scratch at it, indicating the signature odor of one of the controlled substances to which he is trained to alert.

16. The Troopers contacted two Homeland Security Investigations (HSI) agents who participate in an active Joint Task Force Partnership with the New Hampshire State Police. The agents also interviewed Temple about the currency.

17. Temple told the agents that approximately seven years ago, his father, Steven Temple, had given him \$50,000 in currency, which was an inheritance from Steven Temple's deceased brother, Peter. Alex Temple said that he had kept the money in a safe until two years ago, at which time he loaned \$43,000 to his sister, Christa. Prior to leaving his sister today, she gave him the paper bag that contained the money. She did not tell him what was in the bag, but Temple assumed that it was money to repay the loan. He also assumed that it was repayment of the full amount of the \$43,000 loan. Temple told the agents that he had spent approximately an hour with his sister. He then drove from his sister's residence to his parents' home in Abington, Massachusetts, but only stayed for a few minutes before making the return trip to Maine. The agents requested that Temple provide phone numbers for his sister Christa and his father Steven. After Temple refused, the agents' obtained contact information for Christa Temple from a database. Christa Temple provided contact information for her father Steven.

18. The agents called Christa Temple. She told law enforcement officers that she had not seen her brother that day, and she did not give him a bag with a significant amount of money in it. She denied receiving a \$43,000 loan from him. She had no knowledge of his whereabouts that day. She could not think of a reason why he would have more than \$40,000 in cash in his possession.

19. Agents also spoke with Alex Temple's father, Stephen Temple. Stephen Temple stated that his son had not visited him earlier that day. He said he has not seen him for quite a

while and does not have regular contact with his son, Alex. He denied giving Alex \$50,000 in cash after his brother, Peter's death. He could not think of any reason why Alex would have more than \$40,000 in cash in his possession.

20. After completing their investigation at the scene, HSI agents took the currency into custody. A count of the currency found that it totaled exactly \$46,000.

CLAIM FOR FORFEITURE

21. The allegations contained in paragraphs 1 through 20 of this Verified Complaint for Forfeiture in Rem are hereby incorporated by reference.

22. Title 21, U.S.C. § 881(a)(6) subjects to forfeiture "all moneys ... or other things of value furnished or intended to be furnished by any person in exchange for a controlled substance or ... all proceeds traceable to such an exchange and all moneys ... used or intended to be used to facilitate any violation of" the Controlled Substances Act.

23. The defendant *in rem*, Forty Six Thousand Dollars (\$46,000.00) in U.S. Currency was furnished or intended to be furnished in exchange for a controlled substance, in violation of the Controlled Substances Act, 21 U.S.C. § 801, *et seq.*, or represents proceeds traceable to such exchanges, or money used or intended to be used to facilitate violations of the Act.¹⁹ As a result, the defendant *in rem* is liable for condemnation and forfeiture to the United States for its use in accordance with 21 U.S.C. § 881(a)(6).

RELIEF REQUESTED

Therefore, the United States requests that:

(a) the Clerk of Court issue a Warrant of Arrest in Rem, in the form submitted with this Verified Complaint, to the United States Department of Homeland Security, commanding

him to arrest the defendant *in rem*;

- (b) this matter be scheduled for a jury trial;
- (c) judgment of forfeiture be entered against the defendant *in rem*;
- (d) the defendant *in rem* be disposed of according to law; and
- (e) this Court grant the United States its costs and whatever other relief to which it

may be entitled.

Respectfully submitted,

JOHN J. FARLEY
Acting United States Attorney

Dated: July 24, 2017

By: /s/ Robert J. Rabuck
Robert J. Rabuck
NH Bar No. 2087
U.S. Attorney's Office
53 Pleasant Street, Fourth Floor
Concord, NH 03301-3904
603-225-1552
rob.rabuck@usdoj.gov

VERIFICATION

I, Derek Dunn, being duly sworn, depose and say that I am a Special Agent with the United States Department of Homeland Security, Homeland Security Investigations, and as such have responsibility for the within action, that I have read the contents of the foregoing Verified Complaint for Forfeiture in Rem and know the contents therein, and that the same is true to the best of my knowledge, information and belief.

The sources of my information and the grounds of my belief are official records and files of the United States and the State of New Hampshire, and information obtained by me and other law enforcement officers during an investigation of alleged violations of the laws of the State of New Hampshire and of the United States.

/s/ Derek Dunn
Derek Dunn

STATE OF NEW HAMPSHIRE
COUNTY OF MERRIMACK

Subscribed and sworn to before me this 24th day of July, 2017.

/s/ Francine Doucette Conrad
Notary Public
My commission expires: April 23, 2019

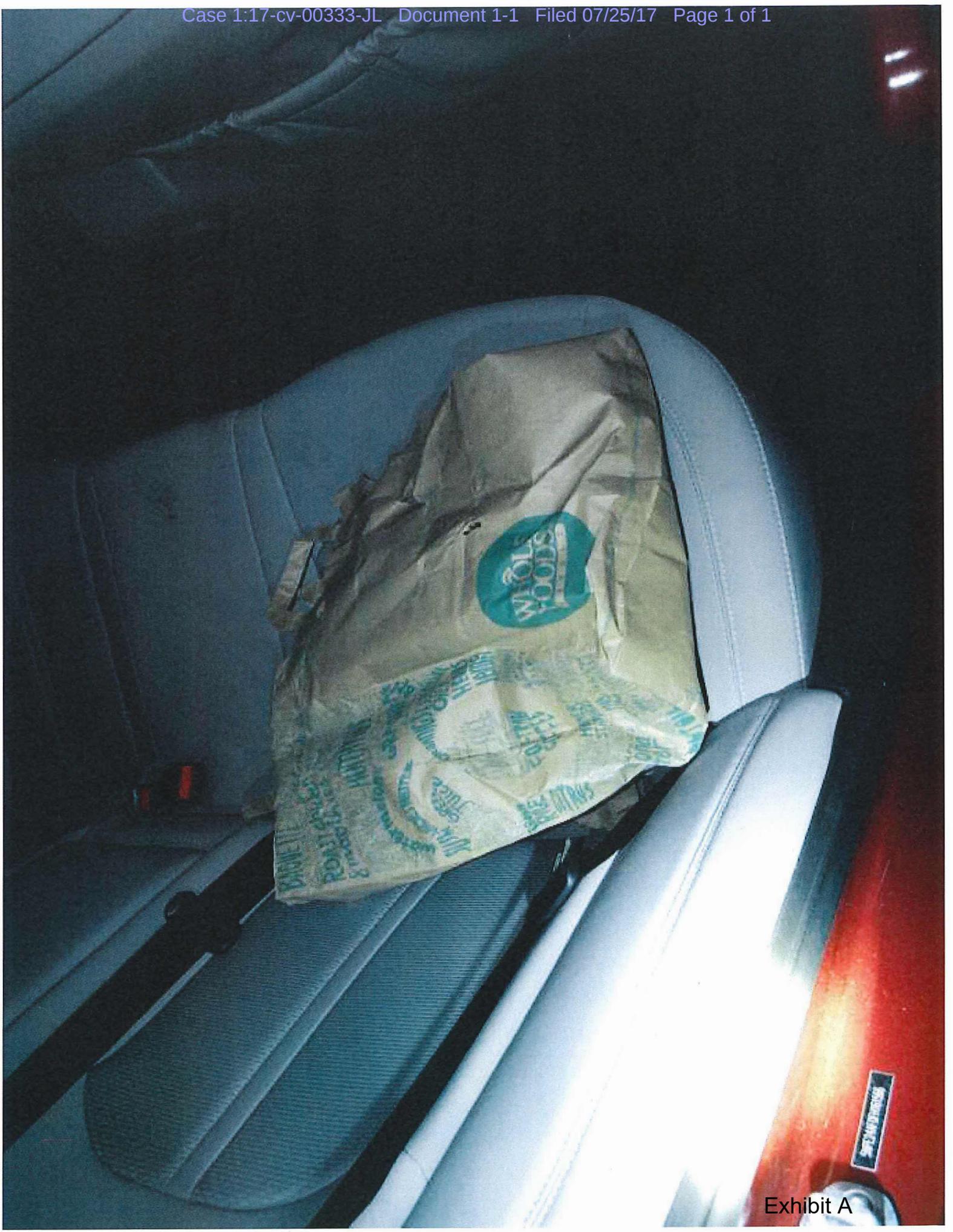


Exhibit A



Exhibit B



Exhibit C

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

(b) County of Residence of First Listed Plaintiff _____
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

DEFENDANTS

County of Residence of First Listed Defendant _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
- 2 U.S. Government Defendant
- 3 Federal Question (U.S. Government Not a Party)
- 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS			
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement		FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from Another District (specify)
- 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Brief description of cause:

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$

CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE _____ DOCKET NUMBER _____

DATE _____ SIGNATURE OF ATTORNEY OF RECORD _____

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
 United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerk(s) in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.
- V. Origin.** Place an "X" in one of the six boxes.
 Original Proceedings. (1) Cases which originate in the United States district courts.
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.
- Date and Attorney Signature.** Date and sign the civil cover sheet.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
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v.)	Civil No.
)	
Forty Six Thousand Dollars (\$46,000.00))	
in U.S. Currency, more or less, seized from)	
Alex Temple,)	
)	
Defendant <i>in rem</i>)	
_____)	

**SUMMONS AND WARRANT OF ARREST *IN REM*
FOR ISSUANCE BY THE CLERK OF COURT FOR PROPERTY
WITHIN THE UNITED STATES' POSSESSION, CUSTODY OR CONTROL
PURSUANT TO SUPPLEMENTAL RULE G(3)(b)(i)**

To the Department of Homeland Security, United States Immigration and Customs Enforcement or any duly authorized Federal Law Enforcement Officer for the District of New Hampshire:

Pursuant to Rule G(3)(b)(i) of the Supplemental Rules for Certain Admiralty and Maritime Claims, a Verified Complaint for Forfeiture *in rem* has been filed on July 24, 2017, in the U.S. District Court for the District of New Hampshire, alleging that the following property is subject to forfeiture to the United States on the following grounds: Forty Six Thousand Dollars (\$46,000.00) in U.S. Currency, more or less, seized from Alex Temple, as property furnished or intended to be furnished in exchange for a controlled substance, in violation of Title II of the Controlled Substances Act, 21 U.S.C. §§ 801, et seq., or proceeds traceable to such an exchange, or money used or intended to be used to facilitate violations of the Act, or property used or intended for use, to transport or facilitate the transportation, sale, receipt, possession and

concealment of a controlled substance, and therefore liable to condemnation and forfeiture to the United States pursuant to 21 U.S.C. § 881(a)(6).

YOU ARE, THEREFORE, COMMANDED to seize the captioned defendant *in rem* item of personal property, and use discretion and whatever means appropriate to protect and maintain the property pending the outcome of this action;

IT IS FURTHER ORDERED that the Department of Homeland Security, United States Immigration and Customs Enforcement shall maintain custody of the defendant *in rem* item of personal property until further order of this Court, and shall use his discretion and whatever means appropriate to protect and maintain said defendant *in rem*;

IT IS FURTHER ORDERED that the United States shall serve upon all potential claimants to the defendant *in rem*, a copy of this Summons and Warrant of Arrest in Rem, and the Verified Complaint for Forfeiture in Rem, in a manner consistent with the principles of service of process in an action in rem under Supplemental Rule G and other Supplemental Rules for Certain Admiralty and Maritime Claims and Title 18, United States Code, Section 983(a);

IT IS FURTHER ORDERED that a return of this Summons and Warrant of Arrest in Rem shall be promptly made to the Court, identifying the individuals upon whom copies were served and the manner employed; and

IT IS FURTHER ORDERED that all persons claiming an interest in or right against the defendant *in rem* shall file their Verified Claim within thirty-five (35) days after the date on which they were sent the Notice of Complaint or no later than sixty (60) days after the first day of publication on an official internet government forfeiture site, whichever is earlier, or within such additional time as the Court may allow, pursuant to Title 18, United States Code, Section 983(a)(4) and Rule G(4)(b)(ii)(B) of the Supplemental Rules for Certain Admiralty and Maritime

Claims, and shall serve and file their Answer to the Complaint within twenty-one (21) days after the filing of their Verified Claims, pursuant to Rule G(4)(b)(ii)(C) of the Supplemental Rules for Certain Admiralty and Maritime Claims, with the Office of the Clerk, United States District Court for the District of New Hampshire, with a certified copy sent to Assistant United States Attorney Robert J. Rabuck, United States Attorney's Office, District of New Hampshire, James Cleveland Federal Building, 53 Pleasant Street, Concord, NH 03301.

Dated:

Daniel J. Lynch, Clerk of Court