

RESOLUTION 23-40

A RESOLUTION TO AUTHORIZE THE DISPOSAL OF FORFEITED VEHICLES AWARDED TO THE POLICE DEPARTMENT

WHEREAS, the Spring Hill Police Department seized nine (9) vehicles and were awarded the vehicles from the State of Tennessee through the Appeals Divisions of the Tennessee Department of Safety; and

WHEREAS, the Final Order of Forfeiture on all vehicles declare, It is Therefore, Ordered that said Property be Forfeited to the Seizing Agency pursuant to T.C.A. 40-33-206 (c) for disposition by law; and

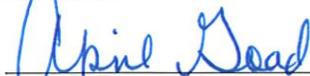
WHEREAS, the following vehicles are recommended to be sold at auction (Gov Deals); and

Year	Make	VIN	Condition/information
2001	Chevrolet Tahoe	5685	Drug Seizure
1998	GMC Sierra	5611	Drug Seizure/ 22 nd JDTF
2020	Ford F-450	0318	Drug Seizure
2020	Dodge Durango	2543	Drug Seizure
2000	Apollo dirt bike	1668	Drug Seizure
2007	Coolster dirt bike	3476	Drug Seizure
2009	GMC Acadia	6813	Drug Seizure
2017	Audi A6	7275	Drug Seizure
2011	Mazda M6	0719	Drug Seizure

NOW, THEREFORE BE IT RESOLVED, that the City of Spring Hill Board of Mayor and Alderman authorizes the police department to dispose of said seized vehicles by selling at auction, (Gov Deals) or if the vehicle does not sell, it will be taken to a salvage yard to be sold as scrap metal. Funds from the sale of seized vehicles will be deposited into the Police Departments Drug Fund.

Passed and adopted by the Board of Mayor and Aldermen of the City of Spring Hill, Tennessee on the 20th day of March, 2023.

ATTEST:

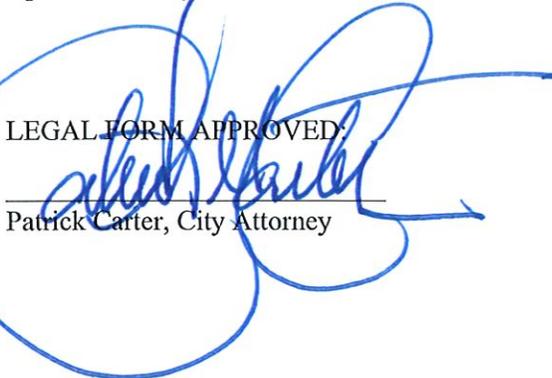


April Goad, City Recorder



Jim Hagaman, Mayor

LEGAL FORM APPROVED:



Patrick Carter, City Attorney



REQUEST: *Approval of Resolution 23-40*

SUBMITTED BY: Don Brite, Chief of Police

DATE: March 20th, 2023

RE: Sale of seized vehicles on Gov Deals

ATTACHMENTS: Resolution 23-40
 State documents

PURPOSE:

The purpose of this request is to seek approval to sell seized vehicles the police department was awarded by the State of Tennessee to dispose.

BACKGROUND:

The seized vehicles were from traffic stops or criminal drug investigations, resulting in the vehicles being seized for violation of criminal laws. The State of Tennessee has awarded the vehicles to the Department, allowing us to dispose of the vehicles. The funds from the GMC Sierra will be split with the 22nd Judicial Drug Task Force, because they assisted us with the investigation. All other funds will go to the Departments drug fund.

FINANCIAL IMPACT:

Revenue from the sale of the vehicles could be between \$50,000.00 to \$100,000.00 .

STAFF RECOMMENDATION:

Staff recommends approval.

ACTION REQUIRED (INCLUDE DEADLINE /PRIORITY):

Approval of this Resolution will allow SHPD to advertise for sale on Gov Deals the vehicles that were seized.

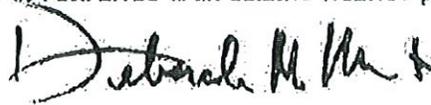
CASE NUMBER: 00753-N-2020-M
S.A. NUMBER: 0600300
VEHICLE: 2011 MAZDA 6
VIN: 2YVHZ8BH6B5M00719
PROPERTY: \$3,279 IN US CURRENCY
SEIZED FROM: VICKIE PODCZERVINSKI
SEIZED BY: SPRING HILL POLICE DEPT
SEIZED ON: FEBRUARY 20, 2020

ORDER OF ADMINISTRATIVE FORFEITURE
(NO PETITION)

This matter is before the Appeals Division, sitting at Nashville, Tennessee, pursuant to the Order of Delegation issued January 22, 2019 and Rule 1340-02-02-.21(4). Based upon the agency record in this case, the CAPTIONED PROPERTY was seized pursuant to T.C.A. §53-11-201 and §40-33-201, et seq.; a judicial forfeiture warrant was obtained as required by T.C.A. §40-33-204; a notice of seizure and issuance of the warrant was given or reasonably attempted as required by T.C.A. §§40-33-203 and 204; and NO PETITION has been filed by any person asserting a claim to, or proof of a security interest in, the CAPTIONED PROPERTY within thirty (30) days of such notice(s) as required by T.C.A. §§40-33-205 and 206, et seq. Therefore, it is hereby

ORDERED that said CAPTIONED PROPERTY be FORFEITED to the SEIZING AGENCY pursuant to T.C.A. §40-33-206(c) for disposition as provided by law.

9 October 2020
Entry Date



Deborah M. Martin
Appeals Division
Commissioner Designee
Tennessee Department of Safety
1150 Foster Avenue
Nashville, TN 37243-4400

DELEGATION ORDER ON FILE IN APPEALS DIVISION AND IS AVAILABLE ON REQUEST.

Case Number: 00753-N-2020-M

Notice of Legal Rights Regarding This Administrative Order of Forfeiture

Within fifteen (15) days of the Entry Date of this Order, you may file a written request for a hearing to contest this Order, stating legal and factual reasons for your position. Such request must be filed with the Appeals Division at:

Tennessee Department of Safety and Homeland Security, Appeals Division
1150 Foster Avenue
Nashville, TN 37243

The request must be received at the Department of Safety & Homeland Security within this fifteen (15) day period. Date of postmark will not be accepted.

Within thirty (30) days of receipt of your request, the Department will schedule a hearing date on your request. This hearing will be held before an Administrative Judge from the Secretary of State's office. You will receive notification of the hearing date and location from the Department of Safety and Homeland Security.

Certificate of Service

Comes now the Legal Division of the Department of Safety, by its undersigned counsel, and certifies that a true and correct copy of the above notice of legal rights and the Order of Administrative Forfeiture entered by the Appeals Division in the above captioned case has been mailed, first class United States postage prepaid, to all known interested parties

on this the 9th day of October, 2020



TDOSHS Staff

SPRING HILL POLICE DEPT
DAVID ROACHELLE
199 TOWN CNTR PK WY-PO BOX 789
SPRING HILL, TN 37174-0789

VICKIE PODCZERVINSKI
211 MORTON AVE
NASHVILLE, TN 37211

Roger Peters

From: Claudette Brown <Claudette.Brown@tn.gov>
Sent: Thursday, February 11, 2021 10:01 AM
To: Roger Peters
Subject: [External] RE: 00753-N-2020-M

****External Email****

Roger,

You may dispose of the property LISTED BELOW. Case # 00753-N-2020-M

C.B.

From: Roger Peters <rpeters@springhilltn.org>
Sent: Wednesday, February 10, 2021 10:38 AM
To: Claudette Brown <Claudette.Brown@tn.gov>
Cc: Melissa Wilson <mwilson@springhilltn.org>
Subject: [EXTERNAL] 00753-N-2020-M

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

Claudette

Can you advise if there are any appeals on this case on Vickie Podczervinski / 2011 Mazda 6 / \$3,279?

Thank you



Roger Peters

**Support Services
Property & Evidence Technician**

199 Town Center Pkwy. Spring Hill, TN 37174
Office (931) 486-2252 ext. 221 / Fax (931) 486-3433

Confidentially Notice: This email, including attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please contact the sender immediately and destroy all copies of the original message.

BEFORE THE COMMISSIONER OF
THE TENNESSEE DEPARTMENT OF SAFETY
AND HOMELAND SECURITY

2022000423

IN THE MATTER OF:

TENNESSEE DEPARTMENT OF
SAFETY AND HOMELAND SECURITY

vs.

APD CASE NO. 19.05-222502J
TDOSHS CASE NO. 01854-R-2022-M

ONE 2001 CHEV TAHOE
VIN: 1GNEK13T21R145685
SEIZED FROM: TIMOTHY TURNER
DATE OF SEIZURE: March 16, 2022
CLAIMANT: TIMOTHY TURNER
SEIZING AGENCY: SPRING HILL POLICE DEPT (931) 486-2252

ORDER OF COMPROMISE AND SETTLEMENT

This case was set to be heard before the undersigned Administrative Judge on November 15, 2022, pursuant to Tenn. Code Ann. § 40-33-201, *et seq.* This Order is based on the agreement between the Claimant and the Department of Safety and Homeland Security, as evidenced by the signatures on the attached executed Proposed Civil Settlement Agreement and Release of Liability.

It is hereby **ORDERED**:

1. That the terms of settlement in the attached executed Proposed Civil Settlement Agreement and Release of Liability are hereby incorporated into this Order and shall constitute the terms of settlement between the parties in this matter.
2. That the Claimant shall pay all amounts agreed to in the executed Proposed Civil Settlement Agreement and Release of Liability and/or take possession of the seized property within thirty (30) days of the date of this Order; and
3. That this case is **DISMISSED**.

IT IS SO ORDERED and EFFECTIVE this the 15th day of December, 2022.


ADMINISTRATIVE JUDGE
ADMINISTRATIVE PROCEDURES DIVISION
OFFICE OF THE SECRETARY OF STATE

TN SOS-APD Tue, Dec 13, 2022 12:30 PM : 1 of 3 pages received

Prepared for Entry by:

Karen Litwin
Karen Litwin #18329
STATE OF TENNESSEE
DEPARTMENT OF SAFETY - DIVISION OF LEGAL SERVICES
1150 FOSTER AVE
MCCORD HALL ROOM 108NASHVILLE, TN 37243-0000
615-251-5296

CERTIFICATE OF SERVICE

On 12-13-22, a copy of this proposed Order of Compromise and Settlement and attachments were served by

Hand Delivery

First Class Mail, Postage Prepaid

on the following:

SPRING HILL POLICE DEPT
199 TOWN CNTR PKWY-PO BOX 789
SPRING HILL, TN 37174
(931) 486-2252

TIMOTHY TURNER
413 E 17TH ST
COLUMBIA, TN 38401

Karen Litwin
STAFF
STATE OF TENNESSEE
DEPARTMENT OF SAFETY - DIVISION OF LEGAL SERVICES
1150 FOSTER AVE
MCCORD HALL ROOM 108NASHVILLE, TN 37243-0000

TN SOS-APD Tue, Dec 13, 2022 12:30 PM : 2 of 3 pages received

STATE OF TENNESSEE
DEPARTMENT OF SAFETY - DIVISION OF LEGAL SERVICES
1150 FOSTER AVE
MCCORD HALL ROOM 108NASHVILLE, TN 37243-0000

Phone: 615-251-5296

Fax: 615-253-2098

PROPOSED CIVIL SETTLEMENT AGREEMENT AND RELEASE OF LIABILITY

DATE: 11/16/22 TDOSHS CASE #: 01854-R-2022-M DATE OF SEIZURE: March 16, 2022
PERSON PROPERTY SEIZED FROM: TIMOTHY TURNER SEIZING AGENCY FILE #: TN0600300
SEIZING AGENCY: SPRING HILL POLICE DEPT (931) 486-2252

The following Settlement is presented after careful consideration for your review and consent. It is understood that this proposed SETTLEMENT AGREEMENT is not binding on the State until signed by a Department of Safety and Homeland Security Attorney or designee. By mutual consent of all parties involved, it is agreed that the CLAIMANT(S), TIMOTHY TURNER and PROPERTY OWNERS, will compromise their claim to the following property:

- 1. CURRENCY: NONE
- 2. VEHICLE: 2001 CHEV TAHOE (VIN) 1GNEK13T21R145685
- 3. JEWELRY: NONE
- 4. MISC. PROPERTY: NONE

IT IS AGREED THAT:

- 1. Forfeit Vehicle to the Seizing Agency.
- 2. Forfeit Vehicle to the Seizing Agency Subject to the Lien.
- 3. \$ _____ of U.S. Currency Forfeited to the Seizing Agency, and \$ _____ of U.S. Currency Returned to the Claimant.
- 4. Forfeit _____ to the Seizing Agency.
- 5. Return _____ to the Claimant, _____, for a Civil Settlement of _____ to the SPRING HILL POLICE DEPT Drug Enforcement Fund.
- 6. Return: _____

Claimant Will Pay Tow Fee of \$ n/a and a Pimp Fee of \$ n/a to the Impound Facility to retrieve any property and Department of Safety and Homeland Security Administrative Costs of \$ 0 will be taxed to the CLAIMANT when applicable. *State will refund \$300*

Pauper (No Administrative Costs Due) Attorney Surety (Administrative Costs Due) Cost Bond Paid (No additional Costs Due)

This Settlement is contingent upon the CLAIMANT having properly filed a petition with the Department of Safety and Homeland Security within the thirty (30) days required by Tenn. Code Ann. § 40-33-206(A) and having met all other requirements in Tenn. Code Ann. § 40-33-206. Seized property shall not be returned before the issuance of an ORDER by an Administrative Judge with the Secretary of State Administrative Procedures Division. *Mr. Turner*

CLAIMANT UNDERSTANDS THAT BY ENTERING INTO THIS SETTLEMENT AGREEMENT, AND SIGNING BELOW, HE/SHE:

- 1. Acknowledges that Administrative Costs, if not already paid, must be submitted to the Department of Safety and Homeland Security within thirty (30) days of the above date or this SETTLEMENT AGREEMENT will not be submitted to an Administrative Judge with the Secretary of State Administrative Procedures Division and the case will be placed on the next available docket for a hearing on the merits;
- 2. Agrees to pay any Settlement amounts and/or take possession of the seized property before the expiration of the time period set forth in the ORDER OF COMPROMISE AND SETTLEMENT issued by the assigned Administrative Judge with the Secretary of State Administrative Procedures Division;
- 3. Agrees that failure to meet the terms of this SETTLEMENT AGREEMENT will result in a request for a Show Cause hearing which may result in forfeiture of CLAIMANT'S interest;
- 4. Voluntarily waives his/her constitutional right to be free from excessive fines or cruel and unusual punishment under the federal and state constitutions as it may apply to any future criminal prosecution for those acts giving rise to this forfeiture action, or to this forfeiture proceeding;
- 5. Waives any legal claim or cause of action which he/she might otherwise have as a result of any acts underlying this forfeiture proceeding;
- 6. Releases the SPRING HILL POLICE DEPT, the State of Tennessee, the Department of Safety and Homeland Security, and all their agents, officers, employees, servants, successors, assigns, executors, heirs, and administrators from all claims for injuries or damages, whether now known or what may accrue in the future, arising out of this seizure; and
- 7. Acknowledges that no promise, inducement or agreement not contained herein has been made to him/her, and that this SETTLEMENT AGREEMENT contains the entire terms of the agreement between the parties, which terms are contractual and not a mere recital.

The parties have carefully read this SETTLEMENT AGREEMENT, know and understand its contents and sign as their own free act and deed.

This SETTLEMENT AGREEMENT is not intended and should not be construed as an admission of liability of the State, the seizing agency, or its employees, or as a waiver of the State's sovereign immunity or the employee's official immunity.

It being the intent of the parties to fully settle all claims under Tennessee's civil forfeiture law arising in connection with the above seizure, this CIVIL SETTLEMENT AGREEMENT is entered into by and between CLAIMANT(S) and the STATE OF TENNESSEE through the COMMISSIONER OF THE TENNESSEE DEPARTMENT OF SAFETY AND HOMELAND SECURITY, or its agents. I certify by signature on this document that CLAIMANT/CLAIMANT'S ATTORNEY acknowledges that the above has been explained to CLAIMANT, and that CLAIMANT is in agreement with the above Settlement, and that said Settlement shall constitute the final disposition of the above-described property.

Seizing Agency Representative
[Signature]
Department of Safety and Homeland Security Attorney

[Signature]
(Claimant(s))
[Signature]
(Claimant's Attorney of Record)

TN SOS-APD Tue, Dec 13, 2022 12:30 PM : 3 of 3 pages received



State of Tennessee
Department of State
Administrative Procedures Division
312 Rosa L. Parks Avenue
8th Floor, William R. Snodgrass Tower
Nashville, Tennessee 37243-1102
Phone: (615) 741-7008/Fax: (615) 741-4472

December 15, 2022

Karen Litwin, Esq.
Tennessee Dept. of Safety and Homeland Security
McCord Hall, Room 108
1150 Foster Avenue
Nashville, TN 37243

Timothy Turner
413 E 17th Street
Columbia, TN 38401

Spring Hill Police Department
199 Town Center Parkway
P.O. Box 789
Spring Hill, TN 37174

**RE: TENNESSEE DEPARTMENT OF SAFETY AND HOMELAND SECURITY V.
TIMOTHY TURNER, APD Case No. 19.05-222502J**

Enclosed is a/an *ORDER OF COMPROMISE AND SETTLEMENT* rendered in this case.

Administrative Procedures Division
Tennessee Department of State

Enclosure(s)



Department of
Safety &
Homeland Security

COPY

Legal Division / Office of General Counsel

DECEMBER 21, 2022

22ND JUDICIAL DISTRICT DRUG TASK FORCE
CHRIS ANDERSON
P O BOX 1619
COLUMBIA, TN 38402

RE: ORDER FOR TDOHS No.: 01757-N-2022-M - P1

Enclosed is a Order of Forfeiture (Administrative Forfeiture). If you have any questions or concerns, please do not hesitate to contact the Legal Division 615-251-5296.

Legal Division

Enclosures

CC: File

CASE NUMBER 01757-N-2022-M
ORDER ID: 01757-N-2022-M-002
S.A. NUMBER: TN0500800
CURRENCY: \$1379.00 IN US CURRENCY
SEIZED FROM: ENOC SILVA
SEIZED BY: 022-22ND JUDICIAL DISTRICT DRUG TASK FORCE
SEIZED ON: 13 APRIL 2022

ORDER OF ADMINISTRATIVE FORFEITURE

This matter is before the Appeals Division, sitting at Nashville, Tennessee, pursuant to the Order of Delegation issued January 22, 2019 and Rule 1340-02-02-.21(4). Based upon the agency record in this case, the CAPTIONED PROPERTY was seized pursuant to T.C.A. §53-11-201, et seq. and T.C.A. §40-33-201, et seq.; a judicial forfeiture warrant was obtained as required by T.C.A. §40-33-204; a notice of seizure and issuance of the warrant was given or reasonably attempted as required by T.C.A. §§40-33-203 and 204; and NO PETITION has been filed by any person asserting a claim to, or proof of a security interest in, the CAPTIONED PROPERTY within thirty (30) days of such notice(s) as required by T.C.A. §§40-33-205 and 206, et seq. Therefore, it is hereby

ORDERED that the CAPTIONED PROPERTY be **FORFEITED** to the **SEIZING AGENCY** pursuant to T.C.A. §40-33-206(c), for disposition as provided by law.

It is so ORDERED and EFFECTIVE

7 DECEMBER 2022

Entry Date

Dustin
Brandon/ C.B

Digitally signed by Dustin Brandon/
C.B
DN: cn=Dustin Brandon/ C.B, o, ou,
email=Dustin.Brandon@tn.gov, c=US
Date: 2022.12.05 12:21:58 -06'00'

Dustin Brandon, Commissioner's Designee
Appeals Division
Tennessee Department of Safety
1150 Foster Avenue
Nashville, Tennessee 37243

Please see the attached sheet for notice of additional legal rights regarding this Final order. If you **DO NOT RECEIVE** such a notice with this order, it is **YOUR RESPONSIBILITY** to contact the Legal Division of the Department of Safety and request a copy of the Notice.

DELEGATION ORDER ON FILE IN APPEALS DIVISION AND IS AVAILABLE ON REQUEST.

Case Number: 01757-N-2022-M

Notice of Legal Rights Regarding This Administrative Order of Forfeiture

Within fifteen (15) days of the Entry Date of this Order, you may file a written request for a hearing to contest this Order, stating legal and factual reasons for your position. Such request must be filed with the Appeals Division at:

Tennessee Department of Safety and Homeland Security, Appeals Division
1150 Foster Avenue
Nashville, TN 37243

The request must be received at the Department of Safety & Homeland Security within this fifteen (15) day period. **Date of postmark will not be accepted.**

Within thirty (30) days of receipt of your request, the Department will schedule a hearing date on your request. This hearing will be held before an Administrative Judge from the Secretary of State's office. You will receive notification of the hearing date and location from the Department of Safety and Homeland Security.

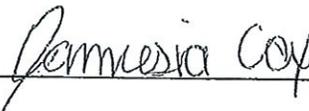
Certificate of Service

Comes now the Legal Division of the Department of Safety, by its undersigned counsel, and certifies that a true and correct copy of the above notice of legal rights and the Order of Forfeiture entered by the Appeals Division in the above captioned case has been mailed, first class United States postage prepaid, to

22ND JUDICIAL DISTRICT DRUG TASK FORCE
CHRIS ANDERSON
P O BOX 1619
COLUMBIA, TN 38402

ENOC SILVA
1347 CHIPPENDALE CIRCLE
COLUMBIA, TN 38401

on DEC 05 2022;



Staff
Tennessee Department of Safety
Legal Division Middle
1350 Foster Avenue
Nashville, TN 37243
(615) 251-5296



COPY

State of Tennessee
Department of State
Administrative Procedures Division
312 Rosa L. Parks Avenue
8th Floor, William R. Snodgrass Tower
Nashville, Tennessee 37243-1102
Phone: (615) 741-7008/Fax: (615) 741-4472

December 16, 2022

Karen Litwin, Esq.
Tennessee Dept. of Safety and Homeland Security
McCord Hall, Room 108
1150 Foster Avenue
Nashville, TN 37243

Enoc Silva
1347 Chippendale Circle
Apartment B
Columbia, TN 38401

22nd Judicial District Drug Task Force
P.O. Box 1619
Columbia, TN 38402

By Pass Auto Sales, LLC
225 E.J. Campbell Boulevard
Columbia, TN 38401

**RE: TENNESSEE DEPARTMENT OF SAFETY AND HOMELAND SECURITY V.
ENOC SILVA, APD Case No. 19.01-222187J**

Enclosed is a/an *FO OF DEFAULT AND DISMISSAL* rendered in this case.

Administrative Procedures Division
Tennessee Department of State

Enclosure(s)

BEFORE THE COMMISSIONER OF THE TENNESSEE DEPARTMENT OF
SAFETY AND HOMELAND SECURITY

IN THE MATTER OF:

TENNESSEE DEPARTMENT OF SAFETY
AND HOMELAND SECURITY,
Petitioner,

v.

1998 GMC SIERRA
VIN: 1GTEC19R9WR505611
SEIZED FROM: ENOC SILVA
DATE OF SEIZURE: APRIL 13, 2022
CLAIMANT: ENOC SILVA
SEIZING AGENCY: 22ND JUDICIAL
DISTRICT DRUG TASK FORCE

01757-N-2022-M
2012 MERCEDEZ E 35
VIN: WDDHG5KB4CA612896
SEIZED FROM: ENOC SILVA
DATE OF SEIZURE: APRIL 13, 2022
CLAIMANT: ENOC SILVA
LIENHOLDER: BY PASS AUTO SALES, LLC
SEIZING AGENCY: 22ND JUDICIAL
DISTRICT DRUG TASK FORCE

APD Case Number:
19.01-222187J

TDOSHS Case Number:
01756-N-2022-M

FINAL ORDER OF DEFAULT AND DISMISSAL

This matter was heard by WebEx video conference on November 16, 2022, before Mark Garland, Administrative Judge, assigned by the Tennessee Secretary of State to sit for the Commissioner of the Tennessee Department of Safety and Homeland Security (the Department). Ms. Karen Litwin, Staff Attorney, represented the Department. Claimant, Mr. Enoc Silva, was not present nor was an attorney present on his behalf.

The subject of this hearing was the proposed forfeiture of a 1998 GMC Sierra and a 2012 Mercedes E35. Upon Claimant's failure to appear at the hearing, counsel for the Department moved for an order finding Claimant to be in default, pursuant to TENN. CODE ANN. § 4-5-309.

After consideration of the record, it is determined that the Department's motion is proper and should be **GRANTED**. It is further **ORDERED** that the subject vehicles should be **FORFEITED** to the seizing agency, the 22nd Judicial District Drug Task Force, **SUBJECT TO** the lien of By Pass Auto Sales, LLC. This decision is based upon the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. The subject of this hearing was the seizure of a 1998 GMC Sierra and a 2012 Mercedes E35 by the 22nd Judicial District Drug Task Force on April 13, 2022, in Maury County, Tennessee.

2. Following issuance of a forfeiture warrant, Claimant filed a Petition for Hearing with the Department on May 24, 2022.

3. The case was first set to be heard on July 13, 2022, and the Department sent a Notice of Hearing to Claimant at his address of record. Claimant appeared and was granted a continuance to seek legal counsel and resolve a related criminal case.

4. On July 22, 2022, the Administrative Procedures Division (APD) issued an Order of Continuance resetting the case for September 13, 2022. Claimant appeared for this hearing, announced he had retained counsel and asked for a continuance so that his attorney could become familiar with the case. Claimant's continuance request was granted.

5. On September 28, 2022, APD issued an Order of Continuance resetting the case for November 16, 2022. This order was sent to Claimant's address of record via first class mail and was not returned to sender.

6. Claimant did not appear on November 16, 2022, no attorney appeared on his behalf, and no continuance had been requested or granted. Nor did any attorney file a Notice of Appearance in this case or contact the Department.

7. Prior to each setting of this case, the Department provided Claimant with the information necessary to access the WebEx hearing platform.

8. By Pass Auto Sales, LLC, is a valid lienholder as to the 2012 Mercedes E35.

CONCLUSIONS OF LAW and ANALYSIS

1. TENN. COMP. R. & REG. 1340-02-02-.11(2) (2015), RULES OF PROCEDURE FOR ASSET FORFEITURE HEARINGS, provides:

In serving a "Notice of Hearing," the Legal Division shall rely upon the addresses of record as given by a claimant or by claimant's counsel. Proof of service per Rule 1340-02-02-.03(4) to the addresses of record shall establish a rebuttable presumption that claimant or claimant's counsel received notice of the hearing date.

2. An order holding an absent party in default at the second setting of a forfeiture hearing is also authorized by TENN. COMP. R. & REG. 1340-02-02-.17(1)(a)-(e), (h) (2015):

(a) The failure of a party to attend or to participate in a prehearing conference, a party's non-attendance at a second setting of a hearing on the merits in a case or a party's non-attendance at another stage of contested case proceedings after notice thereof are each causes for holding such party in default pursuant to T.C.A. §4-5-309.

(b) The failure of a party to comply with any lawful order of the administrative judge that is necessary to maintain the orderly conduct of a hearing may be deemed a failure to participate in a stage of a contested case and be cause for a holding of default.

(c) In any situation set out in subparagraphs (a) and (b) of this Rule, a motion may be made to hold the absent party in default and to enter an initial default order or to continue on an uncontested basis.

(d) No default shall be entered against a claimant for failure to attend except upon proof, that the Legal Division has given notice of the hearing per Rule 1340-02-02-.06(2)(e).

(e) Upon default by a party, an administrative judge may enter either an initial default order or an order for an uncontested proceeding. An order under this part must be in writing, with reasons given and appeal rights stated. Uncontested proceedings may go forward at the time of default. These orders must subsequently be filed with the Legal Division.

(h) A default shall be deemed effective as of the date and time that the party failed to appear after having been properly noticed to the hearing.

3. TENN. COMP. R. & REG. 1340-02-02-.17(2)(b) states, in relevant part:

Upon a default by a claimant, a claimant's claim shall be stricken by initial default order or, if the agency requests, the agency may proceed uncontested.¹

4. In accordance with the law, as set forth above, it is determined that the Department's motion is well-taken and it is hereby **GRANTED**. Claimant appeared for the first two settings of this case; therefore, he clearly received the Notice of Hearing and other correspondence related to the case. The Order of Continuance notifying Claimant of the November 16, 2022, hearing was sent to Claimant at his address of record and was not returned to sender. Similarly, the Department sent Claimant the information necessary to access the WebEx hearing platform prior to the hearing date. Despite these efforts, Claimant did not appear for the November 16, 2022, hearing, and is hereby found to be in default for failure to appear.

5. Based upon the foregoing, it is hereby **ORDERED** that Claimant's claim be **STRICKEN**, the matter **DISMISSED**, and Claimant's interest in the 1998 GMC Sierra is **FORFEITED** to the seizing agency, the 22nd Judicial District Drug Task Force. It is **FURTHER ORDERED** that Claimant's interest in the 2012 Mercedes E35 is **FORFEITED** to

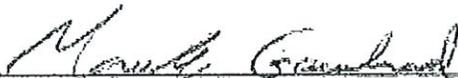
¹ Pursuant to TENN. CODE ANN. § 40-33-210(h), effective July 1, 2017, the ruling of the administrative judge is a final order.

the seizing agency, the 22nd Judicial District Drug Task Force, **SUBJECT TO** the lien of By Pass Auto Sales, LLC.

The policy reasons for this decision are to uphold the laws of the State of Tennessee while providing appropriate protections for the property rights of individuals.

It is so **ORDERED**.

This **FINAL ORDER** entered and effective this the 16th day of **December, 2022**.



MARK GARLAND
ADMINISTRATIVE JUDGE
ADMINISTRATIVE PROCEDURES DIVISION
OFFICE OF THE SECRETARY OF STATE

Filed in the Administrative Procedures Division, Office of the Secretary of State, this the 16th day of **December, 2022**.

NOTICE OF APPEAL PROCEDURES

REVIEW OF FINAL ORDER

The Administrative Judge's decision in your case with the Tennessee Department of Safety and Homeland Security, called a Final Order, was entered on December 16, 2022. If you disagree with this decision, you may take the following actions.

1. **File a Petition for Reconsideration:** You may ask the Administrative Judge to reconsider the decision by filing a Petition for Reconsideration with the Administrative Procedures Division (APD). A Petition for Reconsideration should include your name and the above APD case number and should state the specific reasons why you think the decision is incorrect. APD must receive your written Petition no later than 15 days after entry of the Final Order, which is no later than **January 3, 2023**. Filing instructions are included at the end of this document.

The Administrative Judge has 20 days from receipt of your Petition to grant, deny, or take no action on your Petition for Reconsideration. If the Petition is granted, you will be notified about further proceedings, and the timeline for appealing (as discussed in paragraph (2), below) will be adjusted. If no action is taken within 20 days, the Petition is deemed denied. As discussed below, if the Petition is denied, you may file an appeal no later than **February 14, 2023**. See TENN. CODE ANN. §§ 4-5-317 and 4-5-322.

2. **File an Appeal:** You may appeal the decision by filing a Notice of Review of the Final Order in the Circuit Court or Chancery Court of "Davidson, Washington, Knox, Hamilton, Putnam, Madison, Dyer, Lawrence, or Shelby County; provided, that, the Notice of Review shall be filed in the county which corresponds with the location of the hearing," within 60 days of the date of entry of the Final Order, which is no later than **February 14, 2023**. See TENN. CODE ANN. §§ 4-5-322 & 40-33-213. The filing of a Petition for Reconsideration is not required before appealing. See TENN. CODE ANN. § 4-5-317.

STAY

In addition to the above actions, you may file a Petition asking the Administrative Judge for a stay that will delay the effectiveness of the Final Order. A Petition for Stay must be received by APD within 7 days of the date of entry of the Final Order, which is no later than **December 27, 2022**. See TENN. CODE ANN. § 4-5-316. A reviewing court also may order a stay of the Order upon appropriate terms. See TENN. CODE ANN. §§ 4-5-322 and 4-5-317.

IN THE MATTER OF:
TENNESSEE DEPARTMENT OF SAFETY AND
HOMELAND SECURITY V. ENOC SILVA

APD CASE No. 19.01-222187J

NOTICE OF APPEAL PROCEDURES

FILING

Documents should be filed with the Administrative Procedures Division by email *or* fax:

Email: APD.Filings@tn.gov

Fax: 615-741-4472

In the event you do not have access to email or fax, you may mail or deliver documents to:

Secretary of State
Administrative Procedures Division
William R. Snodgrass Tower
312 Rosa L. Parks Avenue, 8th Floor
Nashville, TN 37243-1102



Department of
**Safety &
Homeland Security**

(3) COPY

Legal Division / Office of General Counsel

DECEMBER 21, 2022

22ND JUDICIAL DISTRICT DRUG TASK FORCE
CHRIS ANDERSON
P O BOX 1619
COLUMBIA, TN 38402

RE: ORDER FOR TDOHS No.: 01757-N-2022-M - P1

Enclosed is a Order of Forfeiture (Administrative Forfeiture). If you have any questions or concerns, please do not hesitate to contact the Legal Division 615-251-5296.

Legal Division

Enclosures

CC: File

CASE NUMBER 01757-N-2022-M
 ORDER ID: 01757-N-2022-M-002
 S.A. NUMBER: TN0500800
 CURRENCY: \$1379.00 IN US CURRENCY
 SEIZED FROM: ENOC SILVA
 SEIZED BY: 022-22ND JUDICIAL DISTRICT DRUG TASK FORCE
 SEIZED ON: 13 APRIL 2022

ORDER OF ADMINISTRATIVE FORFEITURE

This matter is before the Appeals Division, sitting at Nashville, Tennessee, pursuant to the Order of Delegation issued January 22, 2019 and Rule 1340-02-02-.21(4). Based upon the agency record in this case, the CAPTIONED PROPERTY was seized pursuant to T.C.A. §53-11-201, et seq. and T.C.A. §40-33-201, et seq.; a judicial forfeiture warrant was obtained as required by T.C.A. §40-33-204; a notice of seizure and issuance of the warrant was given or reasonably attempted as required by T.C.A. §§40-33-203 and 204; and NO PETITION has been filed by any person asserting a claim to, or proof of a security interest in, the CAPTIONED PROPERTY within thirty (30) days of such notice(s) as required by T.C.A. §§40-33-205 and 206, et seq. Therefore, it is hereby

ORDERED that the CAPTIONED PROPERTY be **FORFEITED** to the **SEIZING AGENCY** pursuant to T.C.A. §40-33-206(c), for disposition as provided by law.

It is so ORDERED and EFFECTIVE

7 DECEMBER 2022

Entry Date

Dustin
 Brandon/ C.B

Digitally signed by Dustin Brandon/
 C.B
 DN: cn=Dustin Brandon/ C.B, o, ou,
 email=Dustin.Brandon@tn.gov, c=US
 Date: 2022.12.05 12:21:58 -06'00'

Dustin Brandon, Commissioner's Designee
 Appeals Division
 Tennessee Department of Safety
 1150 Foster Avenue
 Nashville, Tennessee 37243

Please see the attached sheet for notice of additional legal rights regarding this Final order. If you **DO NOT RECEIVE** such a notice with this order, it is **YOUR RESPONSIBILITY** to contact the Legal Division of the Department of Safety and request a copy of the Notice.

DELEGATION ORDER ON FILE IN APPEALS DIVISION AND IS AVAILABLE ON REQUEST.

Case Number: 01757-N-2022-M

Notice of Legal Rights Regarding This Administrative Order of Forfeiture

Within fifteen (15) days of the Entry Date of this Order, you may file a written request for a hearing to contest this Order, stating legal and factual reasons for your position. Such request must be filed with the Appeals Division at:

Tennessee Department of Safety and Homeland Security, Appeals Division
1150 Foster Avenue
Nashville, TN 37243

The request must be received at the Department of Safety & Homeland Security within this fifteen (15) day period. **Date of postmark will not be accepted.**

Within thirty (30) days of receipt of your request, the Department will schedule a hearing date on your request. This hearing will be held before an Administrative Judge from the Secretary of State's office. You will receive notification of the hearing date and location from the Department of Safety and Homeland Security.

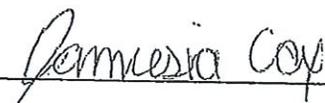
Certificate of Service

Comes now the Legal Division of the Department of Safety, by its undersigned counsel, and certifies that a true and correct copy of the above notice of legal rights and the Order of Forfeiture entered by the Appeals Division in the above captioned case has been mailed, first class United States postage prepaid, to

22ND JUDICIAL DISTRICT DRUG TASK FORCE
CHRIS ANDERSON
P O BOX 1619
COLUMBIA, TN 38402

ENOC SILVA
1347 CHIPPENDALE CIRCLE
COLUMBIA, TN 38401

on DEC 05 2022;



Staff
Tennessee Department of Safety
Legal Division Middle
1350 Foster Avenue
Nashville, TN 37243
(615) 251-5296

2022-1042

CASE NUMBER: 03126-N-2022-M
S.A. NUMBER: TN0600300
VEHICLE:
VIN:
PROPERTY: \$23,016 IN US CURRENCY
1 - RECREATIONAL/SPORTS EQUIPMENT
1 - RECREATIONAL/SPORTS EQUIPMENT
SEIZED FROM: LUIS DE LA CRUZ
SEIZED BY: SPRING HILL POLICE DEPT
SEIZED ON: JUNE 28, 2022

ORDER OF ADMINISTRATIVE FORFEITURE
(NO PETITION)

This matter is before the Appeals Division, sitting at Nashville, Tennessee, pursuant to the Order of Delegation issued January 22, 2019 and Rule 1340-02-02-.21(4). Based upon the agency record in this case, the CAPTIONED PROPERTY was seized pursuant to T.C.A. §53-11-201 and §40-33-201, et seq.; a judicial forfeiture warrant was obtained as required by T.C.A. §40-33-204; a notice of seizure and issuance of the warrant was given or reasonably attempted as required by T.C.A. §§40-33-203 and 204; and NO PETITION has been filed by any person asserting a claim to, or proof of a security interest in, the CAPTIONED PROPERTY within thirty (30) days of such notice(s) as required by T.C.A. §§40-33-205 and 206, et seq. Therefore, it is hereby

ORDERED that said CAPTIONED PROPERTY be FORFEITED to the SEIZING AGENCY pursuant to T.C.A. §40-33-206(c) for disposition as provided by law.

Dustin
Brandon/ C.B

Digitally signed by Dustin Brandon/
C.B
DN: cn=Dustin Brandon/ C.B, o, ou,
email=Dustin.Brandon@tn.gov, c=US
Date: 2022.12.16 08:28:14 -06'00'

19 December 2022
Entry Date

Dustin Brandon
Appeals Division
Commissioner Designee
Tennessee Department of Safety
1150 Foster Avenue
Nashville, TN 37243-4400

DELEGATION ORDER ON FILE IN APPEALS DIVISION AND IS AVAILABLE ON REQUEST.

Case Number: 03126-N-2022-M

Notice of Legal Rights Regarding This Administrative Order of Forfeiture

Within fifteen (15) days of the Entry Date of this Order, you may file a written request for a hearing to contest this **Order**, stating legal and factual reasons for your position. Such request must be filed with the Appeals Division at:

Tennessee Department of Safety and Homeland Security, Appeals Division
1150 Foster Avenue
Nashville, TN 37243

The request must be received at the Department of Safety & Homeland Security within this fifteen (15) day period. **Date of postmark will not be accepted.**

Within thirty (30) days of receipt of your request, the Department will schedule a hearing date on your request. This hearing will be held before an Administrative Judge from the Secretary of State's office. You will receive notification of the hearing date and location from the Department of Safety and Homeland Security.

Certificate of Service

Comes now the Legal Division of the Department of Safety, by its undersigned counsel, and certifies that a true and correct copy of the above notice of legal rights and the Order of Administrative Forfeiture entered by the Appeals Division in the above captioned case has been mailed, first class United States postage prepaid, to all known interested parties

on this the 19th day of December, 2022


TDO&HS Staff

SPRING HILL POLICE DEPT
THOMAS GOETZ
199 TOWN CNTR PKWY-PO BOX 789
SPRING HILL, TN 37174-0789

LUIS DE LA CRUZ
4037 CLINTON LN
SPRING HILL, TN 37174

LUIS DE LA CRUZ
C/O WILLIAMSON CO JAIL
408 CENTURY CT
FRANKLIN, TN 37064



Legal Division / Office of General Counsel

DECEMBER 19, 2022

SPRING HILL POLICE DEPT
THOMAS GOETZ
199 TOWN CNTR PKWY-PO BOX 789
SPRING HILL, TN 37174-0789

RE: ORDER FOR TDOHS No.: 03126-N-2022-M

Enclosed is an Order of Administrative Forfeiture (No Petition). If you have any questions or concerns, please do not hesitate to contact the Legal Division Middle - Tel: 615-251-5296.

Legal Division

Enclosures

CC: File

2022-1042

CASE NUMBER: 03089-N-2022-M
S.A. NUMBER: TN0600300
VEHICLE: 2020 DODGE DURANGO
VIN: 1C4SDJGJ5LC212543
PROPERTY:
SEIZED FROM: LUIS DE LA CRUZ
SEIZED BY: SPRING HILL POLICE DEPT
SEIZED ON: JUNE 28, 2022

ORDER OF ADMINISTRATIVE FORFEITURE
(NO PETITION)

This matter is before the Appeals Division, sitting at Nashville, Tennessee, pursuant to the Order of Delegation issued January 22, 2019 and Rule 1340-02-02-.21(4). Based upon the agency record in this case, the CAPTIONED PROPERTY was seized pursuant to T.C.A. §53-11-201 and §40-33-201, et seq.; a judicial forfeiture warrant was obtained as required by T.C.A. §40-33-204; a notice of seizure and issuance of the warrant was given or reasonably attempted as required by T.C.A. §§40-33-203 and 204; and NO PETITION has been filed by any person asserting a claim to, or proof of a security interest in, the CAPTIONED PROPERTY within thirty (30) days of such notice(s) as required by T.C.A. §§40-33-205 and 206, et seq. Therefore, it is hereby

ORDERED that said CAPTIONED PROPERTY be FORFEITED to the SEIZING AGENCY pursuant to T.C.A. §40-33-206(c) for disposition as provided by law.

19 December 2022
Entry Date

Dustin

Brandon/ C.B

Dustin Brandon
Appeals Division
Commissioner Designee
Tennessee Department of Safety
1150 Foster Avenue
Nashville, TN 37243-4400

Digitally signed by Dustin Brandon/
C.B
DN: cn=Dustin Brandon/ C.B, o, ou,
email=Dustin.Brandon@tn.gov, c=US
Date: 2022.12.16 08:27:37 -06'00'

DELEGATION ORDER ON FILE IN APPEALS DIVISION AND IS AVAILABLE ON REQUEST.

Case Number: 03089-N-2022-M

Notice of Legal Rights Regarding This Administrative Order of Forfeiture

Within fifteen (15) days of the Entry Date of this Order, you may file a written request for a hearing to contest this Order, stating legal and factual reasons for your position. Such request must be filed with the Appeals Division at:

Tennessee Department of Safety and Homeland Security, Appeals Division
1150 Foster Avenue
Nashville, TN 37243

The request must be received at the Department of Safety & Homeland Security within this fifteen (15) day period. **Date of postmark will not be accepted.**

Within thirty (30) days of receipt of your request, the Department will schedule a hearing date on your request. This hearing will be held before an Administrative Judge from the Secretary of State's office. You will receive notification of the hearing date and location from the Department of Safety and Homeland Security.

Certificate of Service

Comes now the Legal Division of the Department of Safety, by its undersigned counsel, and certifies that a true and correct copy of the above notice of legal rights and the Order of Administrative Forfeiture entered by the Appeals Division in the above captioned case has been mailed, first class United States postage prepaid, to all known interested parties

on this the 19th day of December, 2022



TDOSHS Staff

SPRING HILL POLICE DEPT
THOMAS GOETZ
199 TOWN CNTR PKWY-PO BOX 789
SPRING HILL, TN 37174-0789

LUIS DE LA CRUZ
4037 CLINTON LN
SPRING HILL, TN 37174

ASHLEY DE LA CRUZ
400 SYCAMORE DR
APT F9
FRANKLIN, TN 37064

LUIS DE LA CRUZ
C/O WILLIAMSON CO JAIL
408 CENTURY CT
FRANKLIN, TN 37064



Department of
**Safety &
Homeland Security**

Legal Division / Office of General Counsel

DECEMBER 19, 2022

SPRING HILL POLICE DEPT
THOMAS GOETZ
199 TOWN CNTR PKWY-PO BOX 789
SPRING HILL, TN 37174-0789

RE: ORDER FOR TDOHS No.: 03089-N-2022-M

Enclosed is an Order of Administrative Forfeiture (No Petition). If you have any questions or concerns, please do not hesitate to contact the Legal Division Middle - Tel: 615-251-5296.

Legal Division

Enclosures

CC: File

2022-1042

CASE NUMBER: 03090-N-2022-M
S.A. NUMBER: TN0600300
VEHICLE: 2020 FORD F450
VIN: 1FT8W4DT5LEC20318
PROPERTY:
SEIZED FROM: LUIS DE LA CRUZ
SEIZED BY: SPRING HILL POLICE DEPT
SEIZED ON: JUNE 28, 2022

ORDER OF ADMINISTRATIVE FORFEITURE
(NO PETITION)

This matter is before the Appeals Division, sitting at Nashville, Tennessee, pursuant to the Order of Delegation issued January 22, 2019 and Rule 1340-02-02-.21(4). Based upon the agency record in this case, the CAPTIONED PROPERTY was seized pursuant to T.C.A. §53-11-201 and §40-33-201, et seq.; a judicial forfeiture warrant was obtained as required by T.C.A. §40-33-204; a notice of seizure and issuance of the warrant was given or reasonably attempted as required by T.C.A. §§40-33-203 and 204; and NO PETITION has been filed by any person asserting a claim to, or proof of a security interest in, the CAPTIONED PROPERTY within thirty (30) days of such notice(s) as required by T.C.A. §§40-33-205 and 206, et seq. Therefore, it is hereby

ORDERED that said CAPTIONED PROPERTY be FORFEITED to the SEIZING AGENCY pursuant to T.C.A. §40-33-206(c) for disposition as provided by law.

19 December 2022
Entry Date

Dustin

Brandon/ C.B

Dustin Brandon
Appeals Division
Commissioner Designee
Tennessee Department of Safety
1150 Foster Avenue
Nashville, TN 37243-4400

Digitally signed by Dustin
Brandon/ C.B
DN: cn=Dustin Brandon/ C.B, o, ou,
email=Dustin.Brandon@tn.gov,
c=US
Date: 2022.12.16 08:27:55 -06'00'

DELEGATION ORDER ON FILE IN APPEALS DIVISION AND IS AVAILABLE ON REQUEST.

Case Number: 03090-N-2022-M

Notice of Legal Rights Regarding This Administrative Order of Forfeiture

Within fifteen (15) days of the Entry Date of this Order, you may file a written request for a hearing to contest this Order, stating legal and factual reasons for your position. Such request must be filed with the Appeals Division at:

Tennessee Department of Safety and Homeland Security, Appeals Division
1150 Foster Avenue
Nashville, TN 37243

The request must be received at the Department of Safety & Homeland Security within this fifteen (15) day period. Date of postmark will not be accepted.

Within thirty (30) days of receipt of your request, the Department will schedule a hearing date on your request. This hearing will be held before an Administrative Judge from the Secretary of State's office. You will receive notification of the hearing date and location from the Department of Safety and Homeland Security.

Certificate of Service

Comes now the Legal Division of the Department of Safety, by its undersigned counsel, and certifies that a true and correct copy of the above notice of legal rights and the Order of Administrative Forfeiture entered by the Appeals Division in the above captioned case has been mailed, first class United States postage prepaid, to all known interested parties

on this the 19th day of December, 2022



TDOSS Staff

SPRING HILL POLICE DEPT
THOMAS GOETZ
199 TOWN CNTR PKWY-PO BOX 789
SPRING HILL, TN 37174-0789

LUIS DE LA CRUZ
4037 CLINTON LN
SPRING HILL, TN 37174

JUAN ALEJADRO
700 WESTMINSTER DR
APT 17
FRANKLIN, TN 37064

LUIS DE LA CRUZ
C/O WILLIAMSON CO JAIL
408 CENTURY CT
FRANKLIN, TN 37064



Department of
**Safety &
Homeland Security**

Legal Division / Office of General Counsel

DECEMBER 19, 2022

SPRING HILL POLICE DEPT
THOMAS GOETZ
199 TOWN CNTR PKWY-PO BOX 789
SPRING HILL, TN 37174-0789

RE: ORDER FOR TDOHS No.: 03090-N-2022-M

Enclosed is an Order of Administrative Forfeiture (No Petition). If you have any questions or concerns, please do not hesitate to contact the Legal Division Middle - Tel: 615-251-5296.

Legal Division

Enclosures

CC: File

2022-1042

CASE NUMBER: 03088-N-2022-M
S.A. NUMBER: TN0600300
VEHICLE: 2020 GMC YUKON
VIN: 1GKS2BKC4LR165754
PROPERTY:
SEIZED FROM: WHITNEY DE LA CRUZ
SEIZED BY: SPRING HILL POLICE DEPT
SEIZED ON: JUNE 28, 2022

ORDER OF ADMINISTRATIVE FORFEITURE
(NO PETITION)

This matter is before the Appeals Division, sitting at Nashville, Tennessee, pursuant to the Order of Delegation issued January 22, 2019 and Rule 1340-02-02-.21(4). Based upon the agency record in this case, the CAPTIONED PROPERTY was seized pursuant to T.C.A. §53-11-201 and §40-33-201, et seq.; a judicial forfeiture warrant was obtained as required by T.C.A. §40-33-204; a notice of seizure and issuance of the warrant was given or reasonably attempted as required by T.C.A. §§40-33-203 and 204; and NO PETITION has been filed by any person asserting a claim to, or proof of a security interest in, the CAPTIONED PROPERTY within thirty (30) days of such notice(s) as required by T.C.A. §§40-33-205 and 206, et seq. Therefore, it is hereby

ORDERED that said CAPTIONED PROPERTY be FORFEITED to the SEIZING AGENCY pursuant to T.C.A. §40-33-206(c) for disposition as provided by law.

19 December 2022
Entry Date

Dustin
Brandon/ C.B.
Digitally signed by Dustin
Brandon/ C.B.
DN: cn=Dustin Brandon/ C.B, o, ou,
email=Dustin.Brandon@tn.gov,
c=US
Date: 2022.12.16 08:27:16 -06'00'

Dustin Brandon
Appeals Division
Commissioner Designee
Tennessee Department of Safety
1150 Foster Avenue
Nashville, TN 37243-4400

DELEGATION ORDER ON FILE IN APPEALS DIVISION AND IS AVAILABLE ON REQUEST.

Case Number: 03088-N-2022-M

Notice of Legal Rights Regarding This Administrative Order of Forfeiture

Within fifteen (15) days of the Entry Date of this Order, you may file a written request for a hearing to contest this **Order**, stating legal and factual reasons for your position. Such request must be filed with the Appeals Division at:

Tennessee Department of Safety and Homeland Security, Appeals Division
1150 Foster Avenue
Nashville, TN 37243

The request must be received at the Department of Safety & Homeland Security within this fifteen (15) day period. **Date of postmark will not be accepted.**

Within thirty (30) days of receipt of your request, the Department will schedule a hearing date on your request. This hearing will be held before an Administrative Judge from the Secretary of State's office. You will receive notification of the hearing date and location from the Department of Safety and Homeland Security.

Certificate of Service

Comes now the Legal Division of the Department of Safety, by its undersigned counsel, and certifies that a true and correct copy of the above notice of legal rights and the Order of Administrative Forfeiture entered by the Appeals Division in the above captioned case has been mailed, first class United States postage prepaid, to all known interested parties

on this the 19th day of December, 2022


TDO/SHS/Staff

SPRING HILL POLICE DEPT
THOMAS GOETZ
199 TOWN CNTR PKWY-PO BOX 789
SPRING HILL, TN 37174-0789

WHITNEY DE LA CRUZ
4037 CLINTON LN
SPRING HILL, TN 37174

NADIA DE LA CRUZ
126 RUCKER AVE
FRANKLIN, TN 37064



Legal Division / Office of General Counsel

DECEMBER 19, 2022

SPRING HILL POLICE DEPT
THOMAS GOETZ
199 TOWN CNTR PKWY-PO BOX 789
SPRING HILL, TN 37174-0789

RE: ORDER FOR TDOHS No.: 03088-N-2022-M

Enclosed is an Order of Administrative Forfeiture (No Petition). If you have any questions or concerns, please do not hesitate to contact the Legal Division Middle - Tel: 615-251-5296.

Legal Division

Enclosures

CC: File



Legal Division / Office of General Counsel

JANUARY 9, 2023

SPRING HILL POLICE DEPT
TOMMY BARBER
199 TOWN CNTR PKWY-PO BOX 789
SPRING HILL, TN 37174-0789

RE: ORDER FOR TDOHS No.: 03315-N-2022-M

Enclosed is an Order of Administrative Forfeiture (No Petition). If you have any questions or concerns, please do not hesitate to contact the Legal Division Middle - Tel: 615-251-5296.

Legal Division

Enclosures

CC: File

NUMBER: 03315-N-2022-M
S.A. NUMBER: 0600300
VEHICLE: 2009 GMC ACADIA
VIN: 1GKER13D59J106813
PROPERTY: \$2,861 IN US CURRENCY
SEIZED FROM: ANTIPAS BOOKER
SEIZED BY: SPRING HILL POLICE DEPT
SEIZED ON: AUGUST 12, 2022

ORDER OF ADMINISTRATIVE FORFEITURE
(NO PETITION)

This matter is before the Appeals Division, sitting at Nashville, Tennessee, pursuant to the Order of Delegation issued January 22, 2019 and Rule 1340-02-02-.21(4). Based upon the agency record in this case, the CAPTIONED PROPERTY was seized pursuant to T.C.A. §53-11-201 and §40-33-201, et seq.; a judicial forfeiture warrant was obtained as required by T.C.A. §40-33-204; a notice of seizure and issuance of the warrant was given or reasonably attempted as required by T.C.A. §§40-33-203 and 204; and NO PETITION has been filed by any person asserting a claim to, or proof of a security interest in, the CAPTIONED PROPERTY within thirty (30) days of such notice(s) as required by T.C.A. §§40-33-205 and 206, et seq. Therefore, it is hereby

ORDERED that said CAPTIONED PROPERTY be FORFEITED to the SEIZING AGENCY pursuant to T.C.A. §40-33-206(c) for disposition as provided by law.

9 January 2023
 Entry Date

Dustin
 Brandon/ C.B

Digitally signed by Dustin
 Brandon/ C.B
 DN: cn=Dustin Brandon/ C.B, o, ou,
 email=Dustin.Brandon@tn.gov,
 c=US
 Date: 2023.01.05 13:09:39 -0600

Dustin Brandon
 Appeals Division
 Commissioner Designee
 Tennessee Department of Safety
 1150 Foster Avenue
 Nashville, TN 37243-4400

DELEGATION ORDER ON FILE IN APPEALS DIVISION AND IS AVAILABLE ON REQUEST.

Case Number: 03315-N-2022-M

Notice of Legal Rights Regarding This Administrative Order of Forfeiture

Within fifteen (15) days of the Entry Date of this Order, you may file a written request for a hearing to contest this Order, stating legal and factual reasons for your position. Such request must be filed with the Appeals Division at:

Tennessee Department of Safety and Homeland Security, Appeals Division
1150 Foster Avenue
Nashville, TN 37243

The request must be received at the Department of Safety & Homeland Security within this fifteen (15) day period. **Date of postmark will not be accepted.**

Within thirty (30) days of receipt of your request, the Department will schedule a hearing date on your request. This hearing will be held before an Administrative Judge from the Secretary of State's office. You will receive notification of the hearing date and location from the Department of Safety and Homeland Security.

Certificate of Service

Comes now the Legal Division of the Department of Safety, by its undersigned counsel, and certifies that a true and correct copy of the above notice of legal rights and the Order of Administrative Forfeiture entered by the Appeals Division in the above captioned case has been mailed, first class United States postage prepaid, to all known interested parties

on this the 9th day of January, 2023


TDCSHS Staff

SPRING HILL POLICE DEPT
TOMMY BARBER
199 TOWN CNTR PKWY-PO BOX 789
NASHVILLE, TN 37174-0789

ANTIPAS BOOKER
214 6TH AVE
COLUMBIA, TN 38401

TN AUTO GALLERY INC
2707 DICKERSON PIKE
NASHVILLE, TN 37201

CASE NUMBER: 04128-N-2022-M
S.A. NUMBER: TN0600300
VEHICLE: 2017 AUDI AA6
VIN: WAUF2AFC7HN007275
PROPERTY: \$4207 IN US CURRENCY
SEIZED FROM: DAVID CICERO
SEIZED BY: SPRING HILL POLICE DEPT
SEIZED ON: OCTOBER 20, 2022

ORDER OF ADMINISTRATIVE FORFEITURE
(NO PETITION)

This matter is before the Appeals Division, sitting at Nashville, Tennessee, pursuant to the Order of Delegation issued January 22, 2019 and Rule 1340-02-02-.21(4). Based upon the agency record in this case, the CAPTIONED PROPERTY was seized pursuant to T.C.A. §53-11-201 and §40-33-201, et seq.; a judicial forfeiture warrant was obtained as required by T.C.A. §40-33-204; a notice of seizure and issuance of the warrant was given or reasonably attempted as required by T.C.A. §§40-33-203 and 204; and NO PETITION has been filed by any person asserting a claim to, or proof of a security interest in, the CAPTIONED PROPERTY within thirty (30) days of such notice(s) as required by T.C.A. §§40-33-205 and 206, et seq. Therefore, it is hereby

ORDERED that said CAPTIONED PROPERTY be FORFEITED to the SEIZING AGENCY pursuant to T.C.A. §40-33-206(c) for disposition as provided by law.

19 December 2022
Entry Date

Dustin
Brandon/ C.B
Digitally signed by Dustin Brandon/
CB
DN: cn=Dustin Brandon/C.B, o, ou,
email=Dustin.Brandon@tn.gov, c=US
Date: 2022.12.16 08:37:14 -0600
Dustin Brandon
Appeals Division
Commissioner Designee
Tennessee Department of Safety
1150 Foster Avenue
Nashville, TN 37243-4400

DELEGATION ORDER ON FILE IN APPEALS DIVISION AND IS AVAILABLE ON REQUEST.

Case Number: 04128-N-2022-M

Notice of Legal Rights Regarding This Administrative Order of Forfeiture

Within fifteen (15) days of the Entry Date of this Order, you may file a written request for a hearing to contest this Order, stating legal and factual reasons for your position. Such request must be filed with the Appeals Division at:

Tennessee Department of Safety and Homeland Security, Appeals Division
1150 Foster Avenue
Nashville, TN 37243

The request must be received at the Department of Safety & Homeland Security within this fifteen (15) day period. **Date of postmark will not be accepted.**

Within thirty (30) days of receipt of your request, the Department will schedule a hearing date on your request. This hearing will be held before an Administrative Judge from the Secretary of State's office. You will receive notification of the hearing date and location from the Department of Safety and Homeland Security.

Certificate of Service

Comes now the Legal Division of the Department of Safety, by its undersigned counsel, and certifies that a true and correct copy of the above notice of legal rights and the Order of Administrative Forfeiture entered by the Appeals Division in the above captioned case has been mailed, first class United States postage prepaid, to all known interested parties

on this the 19th day of December, 2022



TDOSHS Staff

SPRING HILL POLICE DEPT
NEWTON WALKER
199 TOWN CNTR PKWY-PO BOX 789
SPRING HILL, TN 37174-0789

DAVID CICERO
4901 TROUSDALE DR
BLDG 4901
NASHVILLE, TN 37220



Department of
**Safety &
Homeland Security**

Legal Division / Office of General Counsel

DECEMBER 19, 2022

SPRING HILL POLICE DEPT
NEWTON WALKER
199 TOWN CNTR PKWY-PO BOX 789
SPRING HILL, TN 37174-0789

RE: ORDER FOR TDOHS No.: 04128-N-2022-M

Enclosed is an Order of Administrative Forfeiture (No Petition). If you have any questions or concerns, please do not hesitate to contact the Legal Division Middle - Tel: 615-251-5296.

Legal Division

Enclosures

CC: File