

Orig. order referred
to TLM

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
FILED

SEP 15 2004

ROBERT H. SHELWELL, CLERK
BY [Signature] DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

UNITED STATES OF AMERICA * CRIMINAL NO. 04-20075-001
*
VERSUS * JUDGE MELANÇON
*
GREGORY JAMES CATON * MAGISTRATE JUDGE HILL

MOTION OF THE UNITED STATES
FOR A FINAL JUDGMENT OF FORFEITURE

NOW INTO COURT, comes the United States of America, through undersigned counsel and respectfully moves this Court for a Final Judgment of Forfeiture, and in support thereof represents the following facts to the Court:

1. On May 26, 2004, this Court entered the initial Order of Forfeiture based on the Plea Agreement and Consent Decree of Forfeiture entered by the defendant.
2. The United States published notification of the Court's May 26, 2004 Order of Forfeiture in The Lake Charles American Press, a Lake Charles newspaper of general circulation on July 30, August 6 and 13 of 2004 (Government Exhibit A). Said published notice advised all third parties of their right to petition the court within thirty (30) days of the publication date for a hearing to adjudicate the validity of their alleged legal interest in the forfeited property pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c).
3. No third party has made any claims to or declared any interest in the forfeited property in response to said Notice.

WHEREFORE, the United States moves this Court for a Final Judgment of Forfeiture declaring the property forfeited as to all parties and vesting full right, title, and interest in the property in the United States and directing the United States Marshal to seize and dispose of the following property according to law:

- (1) Real Property located at Lots 4, 5, 6, 7, and Block "G" of Houston Subdivision, a subdivision as per Plat recorded in Conveyance Book 14, Page 111, of the records of Calcasieu Parish, Louisiana, together with all buildings and improvements situated thereon. Which property has a municipal address of 2116-2128 Hodges Street and 409 Scott Street, Lake Charles, Louisiana 70601. This property was purchased by Gregory J. Caton (Herbologics, LTD), May 31, 1995 for \$220,000.
- (2) Lots 1, 2 and 3 of Block F of Houston Subdivision, a subdivision in The North East Quarter of the North East Quarter (NE 1/4 of NE 1/4) of Section 7, Township 10 South, Range 8 West, as per plat recorded in the records of Calcasieu Parish, Louisiana, together with all improvements and component parts pertaining thereto. Which property has a municipal address of 2200-2202 Hodges Street, Lake Charles, Louisiana 70601. This property was purchased by Herbologics LTD (Gregory James Caton, President), December 9, 1993 for \$43,500, \$10,000 paid in cash and a \$35,500 promissory note to seller.
- (3) Real Property commencing at the Northeast Corner of Lot One (1) of Block Three (3) Peake Addition, as per Plat recorded in Conveyance Book 2, at page 577, records of Calcasieu Parish, Louisiana, thence West along the South side of Prewitt Street 50 feet, South parallel with Cole Street 85 feet, East 50 feet, North along West side of Cole Street 85 feet to the point of commencement, together with all buildings and improvements located thereon, municipality known as 324 Prewitt, Lake Charles, LA 70601. Purchased by Catheryn Caton (Herbologics LTD) 12/11/2001 for \$42,500.
- (4) \$860,000.00 in U.S. Currency.

Respectfully submitted,

DONALD W. WASHINGTON
United States Attorney

By:



RICHARD A. WILLIS, ID NO. 800040
Assistant United States Attorney
800 Lafayette Street, Suite 2200
Lafayette, LA 70501-6832
Telephone: 337-262-6618

RECEIVED
UNITED STATES MARSHALS

Affidavit of Publication

2004 AUG 16 AM 10:50

SOUTHERN DISTRICT, S/TX

STATE OF LOUISIANA

Parish of Calcasieu

Before me the undersigned authority, personally came and appeared

Renee Boudreaux
who being duly sworn, deposes and says:

He/She is a duly authorized agent of
LAKE CHARLES AMERICAN PRESS
a newspaper published daily at 4900 Highway 90 East,
Lake Charles, Louisiana, 70615. (Mail address: P.O. Box 2893
Lake Charles, LA 70602)

The attached Notice was published in said newspaper in its issue(s)
dated:

00089756 - \$106.00

July 30, 2004

August 6, 2004

August 13, 2004

Renee Boudreaux

Duly Authorized Agent

Subscribed and sworn to before me on this 13rd day of August, 2004 at

Gwendolyn R. Dugas

Notary Public

Gwendolyn R. Dugas
#056523

19100956

US MARSHALS SERVICE

19100956
US MARSHALS SERVICE
ASSET FORFEITURE UNIT
RICKY RODRIGUEZ
3 ALLEN CENTER
333 CLAY STREET #3050

UNITED STATES DISTRICT COURT, Western District of Louisiana, Lake Charles Division, United States of America Versus Gregory James Caton Criminal No. 04-20075-001, Judge Melancon, Magistrate Judge Hill, NOTICE OF PUBLICATION. Notice is hereby given that on May 26, 2004 in the case of United States v. Gregory James Caton, Criminal No. 04-20075-001, the United States District Court for the Western District of Louisiana entered an Order condemning and forfeiting the following properties to the United States of America: (1) Real Property located at Lots 4, 5, 6, 7 and Block "G" of Houston Subdivision, a subdivision as per Plat recorded in Conveyance Book 14 Page 111, of the records of Calcasieu Parish, Louisiana, together with all buildings and improvements situated thereon. Which property has a municipal address of 2116-2120 Hodges Street and 409 Scott Street, Lake Charles, Louisiana 70601. This property was purchased by Gregory J. Caton (Herbologics, LTD), May 31, 1995 for \$220,000. (2) Lots 1, 2 and 3 of Block P of Houston Subdivision, a subdivision in The North East Quarter of the North East Quarter (NE1/4) of Section 7, Township 10 South, Range 8 West, as per plat recorded in the records of Calcasieu Parish, Louisiana, together with all improvements and component parts pertaining thereto. Which property has a municipal address of 2200-2202 Hodges Street, Lake Charles, Louisiana 70601. This property was purchased by Herbologics LTD (Gregory James Caton, President), December 9, 1993 for \$42,500, \$10,000 paid in cash and a \$25,500 promissory note to seller. (3) Real Property commencing at the

Northeast Corner of Lot Dnd (1) of Block Three (2) Peake Addition, as per Plat recorded in Conveyance Book 2, at page 577, records of Calcasieu Parish, Louisiana, thence West along the South side of Prewitt Street 50 feet, South parallel with Cole Street 85 feet, East 50 feet, North along West side of Cole Street 85 feet to the point of commencement, together with all buildings and improvements located thereon, municipality known as 224 Prewitt, Lake Charles, La. 70601. Purchased by Cathryn Caton (Herbologics LTD) 12/11/2001 for \$42,500. (4) \$266,000 U.S. Currency. The foregoing Order of Forfeiture having been entered on May 26, 2004, the United States hereby gives notice of its intention to dispose of the forfeited property in such manner as the United States Attorney General may direct. Any person having or claiming a legal right, title or interest in any of the aforementioned property must file a petition within thirty (30) days of the final publication of this notice with the U.S. Clerk of Court located at 808 Lafayette Street, Suite 2100, Lafayette, Louisiana 70501, with a copy mailed to Richard A. Willis, Assistant United States Attorney, 608 Lafayette Street, Suite 2200, Lafayette, Louisiana 70501. The petition shall be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title or interest in the forfeited property, the time and circumstances of the petitioner's acquisition of the right, title and interest in the forfeited property and any additional facts supporting the petitioner's claim and the relief sought. United States Marshals Service July 26, Aug. 4 12 2004/756



UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

UNITED STATES OF AMERICA	*	CRIMINAL NO. 04-20075-001
	*	
VERSUS	*	JUDGE MELANÇON
	*	
GREGORY JAMES CATON	*	MAGISTRATE JUDGE HILL

CERTIFICATE


I hereby certify that a copy of the foregoing Motion of the United States for a Final Judgment of Forfeiture has been hand-delivered to:

The Honorable Tucker Melançon
United States District Judge
800 Lafayette Street, Suite 4700
Lafayette, LA 70501

and a copy mailed, postage prepaid, to:

Lewis O. Unglesby
Attorney at Law
246 Napoleon Street
baton Rouge, LA 70802

on this 15th day of September 2004 at Lafayette, Louisiana.



RICHARD A. WILLIS, ID # 800040
Assistant United States Attorney