

(Published in The Hays Daily News August 6, 2006)

IN THE DISTRICT COURT OF ELLIS COUNTY, KANSAS

CIVIL DIVISION

STATE OF KANSAS, ex rel.

KANSAS HIGHWAY PATROL,

Plaintiff,

v. Case No. 06 CV 139

ONE 1995 FORD ECONOLINE E150,

VIN #1FDEE14H6SHA08519;

72 POUNDS OF COCAINE,

Defendants.

Pursuant to the Kansas Standard Asset Seizure and Forfeiture Act, K.S.A. 60-4101 et seq.

NOTICE OF PENDING FORFEITURE

Pursuant to K.S.A. 60-4109

NOTICE IS HEREBY GIVEN that property herein described has been seized for forfeiture and is pending forfeiture to the Kansas Highway Patrol pursuant to the Kansas Standard Asset Seizure and Forfeiture Act (KSASFA), K.S.A. 60-4101 et seq. If you have not previously received a Notice of Seizure for Forfeiture, this is notice pursuant to the Act. The property was seized by the Kansas Highway Patrol on March 22, 2006, on I-70 at milepost 151, in Ellis County, Kansas. The value of the property has been set at \$2,000.00; and the drugs have no lawful value. The conduct giving rise to forfeiture and/or the violation of law alleged is: the property is the proceeds of and/or was used or intended to be used to facilitate violation(s) of illegal drug transactions, all act(s) giving rise to property's forfeiture. Further, a presumption of forfeitability exists in that illegal substance was located in/on the property at seizure.

Should you believe you have a true ownership interest in the seized property, you may do either of the following; (1) File a verified claim with the Court, sending copies to the Plaintiff's Attorney **and** the Seizing Agency; or (2) Do nothing.

You may also wish to consult with an attorney before deciding what is best for you. However, if no valid claim is timely filed within thirty (30) days of your service of this Notice, your interest in the seized property, if any, will be forfeited. Any claim shall comply with the **strict** requirements of true ownership documentation, as set out in K.S.A. 60-4111.

You should be aware that it is a crime to falsely allege an ownership interest in property or to provide other false information in a claim. Further, pursuant to K.S.A. 60-4116(f), a claimant who fails to establish that a substantial portion of the claimant's interest is exempt from forfeiture may be responsible to pay the reasonable costs, expenses and attorney fees of other claimants and the State.

This Notice seeks claims to the seized property only. Should a valid claim(s) be timely filed, as may be determined by the Court upon motion of the State, the State will respond with a judicial petition for forfeiture, and this matter will proceed to trial.

The law enforcement agency's copy of your claim should be mailed to:

Lt. Kirk Simone, KHP, 122 SW 7th St., Topeka, Kansas 66603.

The original claim for the Court should be mailed to:

Clerk of the Ellis County District Court, P.O. Box 8, Hays, Kansas 67601.

Issued this 19th day of July, 2006.

Colin D. Wood, #19800

Special Assistant Attorney General

Kansas Highway Patrol

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