

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION  
NO. 7:14-CV-295

UNITED STATES OF AMERICA, :  
 :  
 Plaintiff, :  
 :  
 vs. : **COMPLAINT FOR FORFEITURE**  
 : **IN REM**  
 \$107,702.66 IN UNITED STATES :  
 CURRENCY SEIZED FROM LUMBEE :  
 GUARANTY BANK ACCOUNT NUMBER :  
 82002495, :  
 :  
 Defendant. :

The United States of America, by and through the United States Attorney for the Eastern District of North Carolina, states as follows:

1. This is a civil action in rem brought to enforce the provisions of 31 U.S.C. § 5317, providing for the forfeiture of any property involved in violations of 31 U.S.C. § 5324, and any property traceable to such violation or conspiracy.

2. This Court has jurisdiction over this matter by virtue of 28 U.S.C. §§ 1345 and 1355. Venue in this district is proper by virtue of 28 U.S.C. §1395.

3. The defendant is \$107,702.66 in United States currency seized from Lumbee Guaranty Bank Account Number 82002495.

4. The defendant is located within the jurisdiction of this Court, it being in the Eastern District of North Carolina. It is presently in the custody of the Internal Revenue Service in Raleigh, North Carolina.

5. The potential claimants in this action are: Lyndon Bruce McLellan, L&M Convenience Mart, Inc., Darlene Hunt and Mary Bruce Floyd.

6. The facts and circumstances supporting the seizure and forfeiture of the defendant are contained in the previously filed application in support of seizure warrant made by Task Force Officer Andrew Pappas, Internal Revenue Service-Criminal Investigation (IRS-CI), which resulted in the issuance of a seizure warrant by Magistrate Judge Robert B. Jones, Jr. as to the subject bank account and is currently filed under seal at the U. S. District Court for the Eastern District of North Carolina, Court No. 7:14-MJ-1120. Such facts constitute probable cause for the forfeiture of the defendant property.

7. The defendant is forfeitable to the United States pursuant to the provisions of 31 U.S.C. § 5317.

WHEREFORE, the United States of America prays that a warrant of arrest in rem issue for the arrest of the defendant; that due notice be given to all parties to appear and show cause why the forfeiture should not be decreed; that judgment be entered declaring the defendant forfeited to the United States of America for disposition according to law; and that the United States of America be granted such other relief as this Court may deem just and proper, together with the costs and disbursements of this action.

Respectfully submitted this 23rd day of December, 2014.

THOMAS G. WALKER  
United States Attorney

BY: /s/ Stephen A. West  
STEPHEN A. WEST  
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VERIFICATION

I, Stephen A. West, Assistant United States Attorney for the Eastern District of North Carolina, declare under penalty of perjury, as provided by 28 U.S.C. Section 1746, the following:

That the foregoing Complaint for Forfeiture is based on reports and information furnished to me by Task Force Officer Andrew Pappas of the Internal Revenue Service-Criminal Investigation (IRS-CI), and to the best of my information and belief, is true and correct.

This the 23rd day of December, 2014.

/s/ Stephen A. West  
STEPHEN A. WEST  
Assistant United States Attorney  
Civil Division