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WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

04-20075-01

UNITED STATES OF AMERICA

*

CRIMINAL NO. ~~03-20002~~

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V.

*

JUDGE MELANÇON

*

GREGORY JAMES CATON

*

MAGISTRATE JUDGE HILL

AMENDED FINAL JUDGMENT OF FORFEITURE

WHEREAS, on May 26, 2004, this Court entered an Order of Forfeiture pursuant to the provisions of 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), based upon the Plea Agreement and Consent Decree of Forfeiture entered by the defendant;

AND WHEREAS, on July 30, August 6 and 13 of 2004, the United States published in The Lake Charles American Press, a Lake Charles newspaper of general circulation, notice of this forfeiture and of the intent of the United States to dispose of the property in accordance with the law and further notifying all third parties of their right to petition the Court within thirty (30) days for a hearing to adjudicate the validity of their alleged legal interest in the property;

AND WHEREAS, a Final Judgment of Forfeiture was entered on September 16, 2004.

AND WHEREAS, since entry of said Forfeiture Judgement, the United States has discovered that Hibernia National Bank, Lake Charles, Louisiana, holds a valid third party interest, that being the mortgage recorded at File Number 2569718, Book 2428, Page 35 which has a current value of \$159,481.77.

THEREFORE, based on the United States' Motion to Amend the Final Judgment of Forfeiture and for good cause shown, the September 16, 2004 Final Judgment of Forfeiture is hereby amended to recognize Hibernia National Bank's mortgage and,

IT IS HEREBY ORDERED, ADJUDGED and DECREED:

A. That, subject to the mortgage held by Hibernia National Bank, Lake Charles, Louisiana, relating to the properties listed below in sections B(1) and B(2), said mortgage recorded at File Number 2569718, Book 2428, Page 35 and having a current payoff of \$159,481.77 as of May 10, 2005.

B. That all right, interest, and clear title to the following properties:

- (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.

which the defendant, GREGORY JAMES CATON, stipulated were purchased with proceeds from the criminal scheme charged in Counts 1 and 2 of the Bill of Information filed on May 25, 2004 to which he pled guilty, are hereby condemned, forfeited and vested in the United States of America, and shall be disposed of according to law by the U.S. Marshal for the Western District of Louisiana.

The Clerk is hereby directed to send copies of this Order to all counsel of record and the United States Marshals Service.

SO ORDERED this 13 day of May 2005 at Lafayette, Louisiana.



TUCKER L. MELANÇON
United States District Judge