

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,            )  
  )  
  Plaintiff,            )  
  )  
  v.                                    Civil No. 05-2008-JWL-DJW  
  )  
CLAYALEE GLOVER,                    )  
  )  
  Defendant.            )

**ORDER FOR DISTRIBUTION**  
**OF SALE PROCEEDS FROM MARSHAL'S SALE OF REAL ESTATE**

Comes on for decision the Plaintiff's Motion For Order For Distribution of Sale Proceeds from Marshal's Sale of Real Estate (Doc. 15). The United States appears by Eric F. Melgren, United States Attorney for the District of Kansas, and by David D. Zimmerman, Assistant United States Attorney for the District. There are no other appearances.

The Court, having examined the file and pleadings in this case, finds the following:

1. The United States of America obtained a judgment of foreclosure as to certain real estate and an in rem judgment against the defendant, Clayalee Glover, in the above-captioned action on May 6, 2005 (Doc. 7).
  
2. The real estate which was the subject of this foreclosure action is located in Labette County, Kansas, within the jurisdiction of this Court, to-wit:

Beginning at the Southeast corner of the Northeast ¼ of Section 14, Township 31, Range 19, Labette County, Kansas, thence West along the South line of said ¼ section 1150.00 feet, thence North 0 degrees, 12 minutes East 100 feet to the true point of beginning, thence West 135 feet, thence North 0 degrees, 12 minutes East 78 feet, thence East 135 feet, thence South 0 degrees, 12 minutes West 78 feet to the point of beginning, Labette County, Kansas.

3. Pursuant to the order of this Court (Doc. 9), the subject real estate was sold by the Office of the United States Marshal on August 5, 2005, to Leroy Burk, for the sum of \$47,300.00 and the funds have been received by the Clerk of the District Court, District of Kansas.

4. The bid was the highest and best bid at the sale and the price is a fair and equitable price for the property.

5. The proceedings of the United States Marshal under the Order of Sale are regular and in conformity with law and equity and the orders of this Court and that sale was confirmed by this Court's order dated September 13, 2005 (Doc. 14).

6. On August 5, 2005, the date of sale, there was due and owing the United States the sum of \$87,606.25 plus \$150.00 for filing fees.

7. The proceeds of the sale should be distributed as follows, in compliance with the Journal Entry and Order Of Sale:

a. **To: Department of Justice**  
Office Of The United States Attorney  
500 State Avenue, Suite 360  
Kansas City, Kansas 66101

For: Filing Fee \$ 150.00

**Total \$150.00**

b.	<b>To: Department of Justice</b> Office Of The United States Attorney 500 State Avenue, Suite 360 Kansas City, Kansas 66101		
	For: Filing of Lis Pendens                   \$ 5.00 Updated Title Opinion                   \$ 50.00 Service by Publication                   \$120.96		
	<b>Total</b>		<b>\$175.96</b>
c.	<b>To: United States Marshal</b> Federal Building, Suite 456 444 SE Quincy Topeka, Kansas 66611-3592		
	For: Costs of Sale		
	Service fee                                   \$360.00 Mileage                                       \$132.03 Publication costs                         \$179.64		
	<b>Total</b>		<b>\$671.67</b>
d.	<b>To: Department of Justice</b> Office Of The United States Attorney 500 State Avenue, Suite 360 Kansas City, Kansas 66101		
	For: Payment on judgment		
	<b>Total</b>		<b><u>\$46,302.37</u></b>
	<b>TOTAL PROCEEDS DISTRIBUTED</b>		<b>\$47,300.00</b>

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the proceeds of the Marshal's Sale shall be distributed as set out above.

IT IS SO ORDERED.

Dated this 26<sup>th</sup> day of September, 2005, at Kansas City, Kansas.

s/ John W. Lungstrum  
JOHN W. LUNGSTRUM  
United States District Judge

Approved by:

ERIC F. MELGREN  
United States Attorney

/s/ David D. Zimmerman

DAVID D. ZIMMERMAN  
Assistant United States Attorney  
500 State Avenue, Suite 360  
Kansas City, Kansas 66101  
Kan. Fed. Bar No. 23486  
(913) 551-6730 (telephone)  
(913) 551-6541 (facsimile)  
E-mail: [David.Zimmerman@usdoj.gov](mailto:David.Zimmerman@usdoj.gov)  
ELECTRONICALLY SUBMITTED  
Attorneys for Plaintiff