



December 2012

TENNESSEE DEPARTMENT OF SAFETY vs.
One 2004 Infiniti G35, VIN:
JNKCV54E24M309824, One Thousand Six
Hundred Forty-Five Dollars (1,645.00) in U.S.
Currency, Seized from: Melanie Baskin, Date of
Seizure: May 9, 2012, Claimant: Melanie Baskin,
Lienholder: Infiniti Financial Services

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**BEFORE THE COMMISSIONER OF THE
TENNESSEE DEPARTMENT OF SAFETY**

IN THE MATTER OF:

**TENNESSEE DEPARTMENT
of SAFETY**

v.

One 2004 Infiniti G35

VIN: JNKCV54E24M309824

**One Thousand Six Hundred Forty- Five
Dollars (1,645.00) in U.S. Currency**

Seized from: Melanie Baskin

Date of Seizure: May 9, 2012

Claimant: Melanie Baskin

Lienholder: Infiniti Financial Services

DOCKET NO: 19.01-119654J

DOS No. L8621

NOTICE OF DEFAULT AND ORDER

This contested administrative matter was set to be heard on December 12, 2012, in Memphis, Tennessee, before Bettye Springfield, Administrative Judge, assigned by the Secretary of State, Administrative Procedures Division, and sitting for the Commissioner of the Tennessee Department of Safety and Homeland Security. Andre Thomas, Staff Attorney, represented the Department of Safety and Homeland Security. The Claimant was not present nor was legal counsel present on the Claimant's behalf.

This proceeding involves the State's motion that the Claimant show cause as to the reason that its interest in the seized vehicle, that was forfeited pursuant to an Order dated April 10, 2012, should not be forfeited to the seizing agency.

The State submitted a motion pursuant to Tennessee Code Annotated, Section 4-5-309, and Rule 1340-2-2-.17 of the Department of Safety and Homeland Security, for an order finding the Claimant to be in default. In support of its motion, the State introduced evidence that notice

of this hearing was sent to the Claimant by certified mail and duly received. Therefore, the Claimant is found to be in DEFAULT.

ORDER

The Claimant did not contact the seizing agency or otherwise make arrangements to take custody of the subject vehicle, in compliance with the Order. The Department of Safety docketed the matter for hearing and sent the Claimant notice that if Claimant failed to appear, the State would enter a motion requesting that Claimant's interest in the subject vehicle be forfeited to the seizing agency, subject to any valid claims.

Pursuant to Rule 1340-2-2.17(2)(b), "[u]pon a default by a claimant, a claimant's claim shall be stricken by initial default order or, if the agency requests, the agency may proceed uncontested." The State elected to have the claim stricken without proceeding uncontested.

It is ORDERED that the Claimant having failed to take custody of the subject property and not complied with the arrangements in the Order, Claimant's interest in the subject property is FORFEITED to the seizing agency, with the vehicle subject to the interest of the Lienholder.

This Initial Order entered and effective this 13 day of March, 2013

Bettye Springfield
Administrative Judge

Filed in the Administrative Procedures Division, Office of the Secretary of State, this 13 day of March, 2013

Thomas G. Stovall, Director
Administrative Procedures Division

