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Alfred L. Moore vs. Safety

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**BEFORE THE COMMISSIONER OF THE TENNESSEE
DEPARTMENT OF SAFETY AND HOMELAND SECURITY**

IN THE MATTER OF:

One 1994 Nissan Truck

VIN: 1N6SD16S6RC391823

Seized From: Alfred L. Moore

Date of Seizure: November 1, 2012

Claimant: Alfred L. Moore

Seizing Agency: Knoxville P.D.

Lienholder: None Filed

Docket No.: 19.05-121704J

DOS No.: N2564

ORDER REINSTATING INITIAL ORDER OF DEFAULT

An Initial Order finding the Claimant in default and dismissing his claim was entered in this matter on February 24, 2014, for the Claimant's failure to appear at his June 20, 2013 hearing. On March 24, 2014, that Order was set aside, based on the Claimant's Petition for Reconsideration, claiming that he did not receive advance notification of the June 20, 2013 hearing. A new hearing was scheduled for June 18, 2014.

When the June 18, 2014 hearing was convened, it was determined that the Claimant had, in fact, received notification of the June 20, 2013 hearing by certified mail, and that his authorized representative had signed for that delivery on May 25, 2013 at 9:51 a.m.. It was therefore concluded that the March 24, 2014 Order setting aside the February 24, 2014 Initial Order was procured by the Claimant's fraudulent statement that he had not been notified of the hearing. Because the March 24, 2014 Order was procured by fraud, it was declared void, and of no legal effect.

Accordingly, IT IS HEREBY ORDERED that the February 24, 2014 Initial Order is reinstated, and the subject property is therefore FORFEITED to the Seizing Agency, the Knoxville Police Department, for disposition as provided by law.

Entered and effective this _____ day of _____ 2014.

J. Randall LaFevor, Administrative Judge

Filed in the Administrative Procedures Division, Office of the Secretary of State, this
_____ day of _____ 2014.

A handwritten signature in black ink that reads "J. Richard Collier". The signature is written in a cursive style with a large, stylized initial "J".

J. Richard Collier, Director
Administrative Procedures Division