



6-20-2007

DEPARTMENT OF SAFETY vs. One 1986  
Oldsmobile Cutlass VIN No.:  
1G3GR69A2GR307226, Seized from: Matthew  
Blake Rogers, Date of Seizure: November 12, 2005,  
Claimant: Donna Sue Dennison, Lienholder: N/A

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

**IN THE MATTER OF:**

**DEPARTMENT OF SAFETY**

**DOCKET NO: 19.01-096008J  
DOS No. E7201**

**v.**

**One 1986 Oldsmobile Cutlass  
VIN No.: 1G3GR69A2GR307226  
Seized from: Matthew Blake Rogers  
Date of Seizure: November 12, 2005  
Claimant: Donna Sue Dennison  
Lienholder: N/A**

**INITIAL ORDER**

This contested administrative matter was heard on June 20, 2007, 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. Joe Bartlett, Staff Attorney, represented the Department of Safety. The Claimant, Donna Sue Dennison was not present nor was legal counsel present on her behalf.

This proceeding involves the State's motion that the Claimant show cause as to the reason that Claimant's interest in the seized vehicle, that was forfeited pursuant to an Order of Comprise and Settlement dated June 12, 2006, should not be forfeited to the seizing agency.

At the beginning of the hearing, the State made an oral motion pursuant to Tennessee Code Annotated, Section 4-5-309, and Rule 1340-2-2-.17 of the Department of Safety, 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 was found to be in DEFAULT.

**ORDER**

Claimant Donna Sue Dennison has not contacted the seizing agency or otherwise made arrangements to take custody of the subject vehicle, in compliance with the Order of Comprise and Settlement. The Department of Safety docketed the matter for hearing and sent the Claimant notice that failure to appear would result in the State entering a motion 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 vehicle and not complied with the arrangements set out in the Order of Comprise and Settlement, the Claimant's interest in the subject vehicle is FORFEITED to the seizing agency.

This Initial Order entered and effective this 19th day of September, 2007.

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Bettye Springfield  
Administrative Judge

Filed in the Administrative Procedures Division, Office of the Secretary of State, this 19th day of September, 2007.



Thomas G. Stovall, Director  
Administrative Procedures Division