

NOTICE OF INTENTION
TO FORFEIT SEIZED PROPERTY

To: Darrius McElroy

Case # 2018-1041

3441 Miami Street

Jackson, MS 39203

You are hereby notified that on May 17, 2018 in Hinds County, Mississippi, the property listed and described below was seized by the Hinds County Sheriff's Department pursuant to Miss. Code Ann. § 41-29-153 (1972). Miss. Code Ann. § 41-29-176 (Supp. 2017) provides for the administrative forfeiture of property other than a controlled substance, raw material or paraphernalia seized under the Uniform Controlled Substances Law, the value of which does not exceed \$20,000.00.

DESCRIPTION OF PROPERTY:
VALUE:

APPROXIMATE

US Currency

\$1201.00

1998 Honda Accord

\$1000.00

(XXX) Said vehicle(s) being subject to forfeiture under the provisions of Section 41-29-153(a)(4) of the Mississippi Code of 1972, M amended, having been used, or intended for use, to transport or to facilitate the transportation, sale, receipt, possession or concealment of controlled substances or property described in Section 41-29-1 53(a)(2) in violation of the Uniform Controlled Substances Law.

(XXX) Said money being subject to forfeiture under the provisions of Sections 41-29-153(a)(5) and 41-29-153(aX7) of the Mississippi Code of 1972, as amended, having been used, or intended for use, in violation of the Uniform Controlled Substances Law and having been found in close proximity to forfeitable controlled substances, to- wit Marijuana and Cocaine

(XXX) Said money being subject to forfeiture under the provisions of Sections 41-29-153(aX5) and 41-29-153(a)(7) of the Mississippi Code of 1972, M amended, having been used, or intended for use, in violation of the Uniform Controlled Substances Law and having been found in close proximity to forfeitable drug manufacturing or distributing paraphernalia.

() Said money being subject to forfeiture under the provisions of Sections 41-29-153(a)(5) and 41-29-153(a)(7) of the Mississippi Code of 1972, as amended, having been used, or intended for use, in violation of the Uniform Controlled Substances Law and having been found in close proximity to forfeitable records of the importation, manufacture or distribution of controlled substances.

() Said deadly weapon being subject to forfeiture under the provisions of Section 41-29-153(a)(5) of the Mississippi Code of 1972, as amended, having been used, or intended for use, in violation of the Uniform Controlled Substances Law.

(XXX) Said property being subject to forfeiture under the provisions of Section 41-29-153(a)(7) of the Mississippi Code of 1972, as amended, having been used, or intended for use, in violation of, or to facilitate the violation of the Uniform Controlled Substances Law.

(XXX) Said money or property being subject to forfeiture under the provisions of Section 41-29-153(il) (7) as either being proceeds or having been derived from proceeds traceable to an exchange in violation of the Uniform Controlled Substances Law.

SEE REVERSE TO CONTEST THE FORFEITURE

Notice Provided by

on this the 17 day of May 2018.

(Seizing Agent)

Notice Received by

on this the 17 day of May 2018

(Owner or Person in Possession)

TO CONTEST THE FORFEITURE

If you claim an interest in the above-described property which is subject to notice under Miss. Code Ann. § 41-29-176, and wish to contest the forfeiture you must within **thirty (30) days** after receipt of this Notice, file a Petition signed by you contesting the forfeiture and requesting judicial review in the county court, if a county court exists, or otherwise in the circuit court of the county in which the seizure is made or the county in which the criminal prosecution is brought, in order to claim an interest in the property. Upon the filing of the Petition and the payment of the filing fees, service of the petition shall be made on the attorney for or representative of the Mississippi Bureau of Narcotics and the proceeding shall thereafter be governed by the rules of civil procedure.

Instructions for filing Petition: Pursuant to Rule 10 of the Mississippi Rules of Civil Procedure, the Petition requesting judicial review and contesting the forfeiture should contain a caption setting forth (1) the name of the court, (2) the title of the action including all of the names of the parties, (3) the file number and (4) a designation as in Rule 7(a), (i.e., Petition to Contest Forfeiture). The style of the case should name all of the above described property as the plaintiff and the seizing law enforcement agency as the defendant. You are deemed the claimant, not the plaintiff. **PETITIONS MUST BE SIGNED BY THE PARTIES MAKING THE CLAIMS.** Your Petition should express what your interest is in the property and why you do not believe it should be forfeited.

If you file such a Petition, a copy of the Petition must be served upon the attorney or representative providing this Notice by service of process in the same manner as in other civil cases. Said agent for process for the seizing agency can be served at the following address: **Mississippi Bureau of Narcotics, Attention: Legal Department, P. O. Box 720519, Byram, Mississippi 39272.**

If you do not file a Petition requesting judicial review and contesting the forfeiture within **thirty (30) days** of receiving this notice, the above-described property will be forfeited to the Mississippi Bureau of Narcotics, to be used, distributed, or disposed of in accordance with the provisions of Miss. Code Ann. § 41-29-181.