

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,

Plaintiff,

v.

1112 MONROE STREET, SAUK CITY,  
SAUK COUNTY, WISCONSIN,

Defendant.  
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MEMORANDUM

03-C-0236-C

A telephone status conference was held in this case on May 26, 2004, before United States District Judge Barbara B. Crabb. Jeffrey Anderson represented plaintiff. Rose Yanke represented defendant and claimant Rick Mellentine. Valerie Bailey-Rihn participated on behalf of claimant National City Home Loan Services, Inc.

Mr. Anderson and Ms. Bailey-Rihn agreed that a stipulation was imminent, resolving the claim of National City Home Loan Services, Inc., against the defendant property. The stipulation makes it unnecessary to consider National City Home Loan Services, Inc.'s motion for an enlargement of time.

The resolution of this matter is tied up in the criminal proceeding in the Circuit Court

for Sauk County, Wisconsin. It appears at this time that the motion to suppress will not be heard until September, 2004. It is impossible to know how long it will be before the entire matter has been concluded, particularly if claimant Mellentine decides to take an appeal should he be convicted. Mr. Anderson suggested that he work with Ms. Yanke to see whether there is some way of resolving the matter in this court without waiting the 18 months to 2 years that might be required for its resolution in state court.

Alternatively, counsel should consider whether it would make sense simply to close this case administratively, subject to its being reopened at any time should either the government or the claimant wish to reinstate it. In that instance, the parties would have all such rights as if the case had never been closed.

Entered this 26th day of May, 2004.

BY THE COURT:

BARBARA B. CRABB  
District Judge