

(For Publication in The Newton Kansan one (1) time)

State of Kansas

Plaintiff

vs

Case No. 19CV44

2006 Ford Explorer

VIN# 1FMEU74896UB21481

Remington 870 Express Magnum

Serial# C028106M

Remington 870 Wingmaster

Serial# 986995M

Defendants

NOTICE OF PENDING FORFEITURE

Pursuant to K.S.A. 60-4109

To: Danica Wentz – 409 Circle Drive, Burrton, KS 67020

Edward Wentz - 409 Circle Drive, Burrton, KS 67020

Michael Kessinger – 1017 S. Edwards, Wichita, KS 67211

NOTICE IS HEREBY GIVEN that property herein described has been seized for forfeiture and is pending forfeiture to the Harvey County Sheriff's Office, pursuant to the Kansas Standard Asset Seizure and Forfeiture Act (KSASFA), K.S.A. 60-4101 et. seq., and amendments thereto. If you have not previously received a Notice of Seizure for Forfeiture, this is notice pursuant to the Act.

The date, place of seizure and description of the property affected by this notice is as follows:

Item #1:Property Description: 2006 Ford Explorer, VIN# 1FMEU74896UB21481

First Place of Seizure: 1399 E. Broadway, Newton, KS 67114

First Date of Seizure: 1/14/2019

Second Place of Seizure: 117 S. Harvey, Burrton, KS 67020

Second Date of Seizure: 1/27/19

Item #2:Property Description: Remington 870 Express Magnum, Serial# C028106M

Place of Seizure: 1399 E. Broadway, Newton, KS 67114

Date of Seizure: 1/14/2019

Item #3:Property Description: Remington 870 Wingmaster, Serial# 986995M

Place of Seizure: 1399 E. Broadway, Newton, KS 67114

Date of Seizure: 1/14/2019

The conduct giving rise to forfeiture and/or the violation of law alleged are multiple violations of K.S.A. 21-5705 and K.S.A. 21-5706.

You are hereby notified that the Plaintiff's Attorney has chosen to initially proceed with this matter administratively, and is making stipulation of exemptions available for the property seized for forfeiture as described above.

You may do any of the following:

1. File a verified petition for request for Stipulation of Exemption, pursuant to K.S.A. 60-4110, with the Plaintiff's Attorney **and** sending a copy to the seizing agency contact person; or
2. File a verified claim, pursuant to K.S.A. 60-4111, with the District Court, Plaintiff's Attorney, **and** the seizing agency contact person; or
3. Do nothing.

The law also provides for provisional return of the property under certain circumstances including the posting of a surety bond or a court hearing on whether probable cause existed when the property was seized.

You may wish to consult with an attorney before deciding what is best for you. However, if no petition or claim is filed within sixty (60) days of personal service, publication or mailing of this Notice, whichever is earlier, your interest in the property described above will be forfeited. All such petitions and claims shall comply with the strict affidavit and informational requirements for petitions and claims as set out in K.S.A. 60-4101 et. seq., and amendments thereto (KSASFA). Please be aware that it is a crime to falsely verify an ownership interest or other information in any request, petition or claim.

Dated: 2th day of April, 2019

/s/ Jason R. Lane
Jason R. Lane, #23457
Chief Deputy County Attorney
800 N. Main, Newton, KS 67114
(316) 284-6830 jlane@harveycounty.com

Copies for the seizing agency should be mailed to:
Investigator Colt Pfautz, Harvey County Sheriff's Office
120 E. 7th, Newton, KS 67114
(316) 284-6960

Copies for the District Court should be mailed to:
Clerk of the District Court
800 N. Main, Newton, KS 67114