

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

STATE OF ALABAMA, EX REL, )  
JUDY A. NEWCOMB, )

Plaintiff, )

CASE NUMBER: CV2008-\_\_\_\_\_

v. )

VICTOR MARQUEZ )  
AND NINETEEN THOUSAND )  
THREE HUNDRED TWENTY-SIX )  
DOLLARS IN U.S. CURRENCY )  
(\$19,326) AND ONE THOUSAND )  
SIX HUNDRED FIFTY MEXICAN )  
PESOS (\$1,650) )

Defendant. )

COMPLAINT

COMES NOW the State of Alabama, by and through Christopher H. Murray, Assistant District Attorney, and petitions this Honorable Court to forfeit and condemn the above-referenced property, and as reasonable grounds sets forth the following:

1. On May 5, 2008, Officer C.A. Crisler of the Loxley Police Department made a traffic stop on a 2000 Chevrolet S-10 Pickup truck along U.S. Interstate 10 near the 43 mile marker westbound for failure to maintain a marked lane.
2. Upon approach to the vehicle, Officer Crisler encountered the driver and a passenger in the vehicle. The driver, Ambrosio Saul Ramirez-Ibarra, informed Officer Crisler that he did not have a driver license and presented a Mexican Voter Identification card for identification. The passenger was identified as Victor Marquez.
3. Officer Crisler asked the driver to exit the vehicle during the remainder of the traffic stop to issue citations for failure to maintain a marked lane and for driving without first obtaining a driver license. During the conduct of the traffic stop the officer's suspicions were aroused due to several factors. These factors included: (1) numerous strategically placed air fresheners in the vehicle emitting a strong masking odor, (2) the driver stated they were traveling from Orlando, FL, to Mexico; (3) driver at first indicated that he did not know the passenger then stated his name was Victor; (4) the passenger gave conflicting information about the origination stating that they had begun travel in the Homestead/Miami area of

- Florida; (5) the vehicle's registration was to a third-party that was not present with the occupants.
4. Based on the suspicions, Officer Crisler contacted the Gulf Coast Regional High Intensity Drug Trafficking Area Blue Lightning Operations Center to check the vehicle, driver and passenger against its database. HIDTA/BLOC responded that the vehicle's registered owner's address showed a record of a resident of that address previously being involved in smuggling of bulk drug -related contraband. The address was also the address given by the driver as his residential address.
  5. The officer completed his traffic stop and asked for consent to search the vehicle. Consent was granted by the driver, Ramirez-Ibarra. Pursuant to the consent, Officer Crisler began a search by asking the passenger to step out of the vehicle. During a pat-down of the passenger for safety, Officer Crisler located a large bulge of U.S. Currency.
  6. Officer Crisler placed the currency in the door pocket area of the vehicle during his search of the vehicle. During his search, Officer Crisler utilized his K-9 partner Torak. Torak alerted to the area of the vehicle where the money was located signaling the presence of the odor of a narcotic substance. Torak also alerted to the location of the currency several hours later at the Loxley Police Department.
  7. The vehicle and the occupants were transported for further investigation. During a more thorough search of the vehicle's occupants, a cloth bag located in Ramirez-Ibarra's jeans revealed numerous items of gold jewelry.
  8. During a post-miranda interview, Victor Marquez stated that the currency discovered had been earned picking beans in South Florida. The Officer noted that the defendant had "soft" hands that showed little or no sign of being involved in manual labor.
  7. It is the position of the State of Alabama that the currency located was furnished or intended to be furnished in exchange for a controlled substance in violation of the laws of the State of Alabama, or is traceable to such an exchange, or was used or intended to be used to facilitate the violation of the laws of the State of Alabama regarding controlled substances, and as such is subject to condemnation and forfeiture by the State of Alabama pursuant to § 20-2-93 of *The Code of Alabama*.
  8. The State of Alabama knows of no other claim to the currency than that of the Defendant.

**WHEREFORE**, the above premises considered, the State of Alabama respectfully requests that this Honorable Court will take jurisdiction of this cause, allow all interested parties to assert any claims, if any they have, and that upon final

hearing of this action, this Honorable Court will enter an order forfeiting the property at issue in this Complaint to the State of Alabama for use for law enforcement purposes.

This the 14<sup>th</sup> day of May, 2008.

Respectfully Submitted,

s/ Christopher H. Murray  
Christopher H. Murray, Assistant District Attorney

**TO BE SERVED ON THE DEFENDANT  
AT THE ADDRESS BELOW:**

Victor Marquez  
381 NE 13 St.  
Homestead, FL 33030

COPY

COPY

State of Alabama Unified Judicial System  Form C-34 Rev 6/88	<b>SUMMONS</b> <b>- CIVIL -</b>	<b>Case Number:</b> <b>05-CV-2008-900560.00</b>
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**IN THE CIVIL COURT OF BALDWIN, ALABAMA**  
**STATE OF ALABAMA EX REL: JUDY A. NEWCOMB v. VICTOR MARQUEZ**

VICTOR MARQUEZ, 381 NE 13 ST., HOMESTEAD FL. 33030

**NOTICE TO**

THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE OPPOSING PARTY'S ATTORNEY CHRISTOPHER MURRAY

WHOSE ADDRESS IS PO BOX 1269, BAYMINETTE AL, 36507

THE ANSWER MUST BE MAILED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT WERE DELIVERED TO YOU OR A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT.  
 TO ANY SHERIFF OR ANY PERSONNEL AUTHORIZED by the Alabama Rules of the Civil Procedure:

- You are hereby commanded to serve this summons and a copy of the complaint in this action upon the defendant
- Service by certified mail of this summons is initiated upon the written request of STATE OF ALABAMA EX REL: JUDY A. NEWCOMB pursuant to the Alabama Rules of the Civil Procedure

5/20/2008 3:33:17 PM  
 Date

/s JODY WISE CAMPBELL  
 Clerk/Register

SCW  
 By

- Certified mail is hereby requested

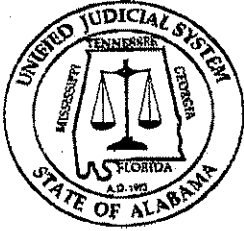
/s CHRISTOPHER MURRAY  
 Plaintiff's/Attorney's Signature

**RETURN ON SERVICE:**

- Return receipt of certified mail received in this office on \_\_\_\_\_
- I certify that I personally delivered a copy of the Summons and Complaint to \_\_\_\_\_  
 \_\_\_\_\_ in \_\_\_\_\_ County, Alabama on \_\_\_\_\_

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Server's Signature



**AlaFile E-Notice**

**05-CV-2008-900560.00**

To: VICTOR MARQUEZ  
381 NE 13 ST.  
HOMESTEAD, FL 33030

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**NOTICE OF ELECTRONIC FILING**

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**IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA**

**STATE OF ALABAMA EX REL: JUDY A. NEWCOMB v. VICTOR MARQUEZ**  
**05-CV-2008-900560.00**

The following complaint was FILED on 5/20/2008 3:33:17 PM

Notice Date: 5/20/2008 3:33:17 PM

**JODY WISE CAMPBELL**  
**CIRCUIT COURT CLERK**  
BALDWIN COUNTY, ALABAMA  
312 COURTHOUSE SQUARE  
BAY MINETTE, AL 36507

251-937-0299  
jody.campbell@alacourt.gov



State of Alabama  
Unified Judicial System

**COVER SHEET  
CIRCUIT COURT - CIVIL CASE**  
(Not For Domestic Relations Cases)

Case Number:  
**05-CV-200**  
Date of Filing:  
05/20/2008

Form AR Civ-93 Rev.5/99

**GENERAL INFORMATION**

IN THE CIRCUIT OF BALDWIN COUNTY, ALABAMA  
STATE OF ALABAMA EX REL: JUDY A. NEWCOMB v. VICTOR MARQUEZ

First Plaintiff:  Business  Individual  Government  Other  
First Defendant:  Business  Individual  Government  Other

**NATURE OF SUIT:**

**TORTS: PERSONAL INJURY**

- WDEA - Wrongful Death
- TONG - Negligence: General
- TOMV - Negligence: Motor Vehicle
- TOWA - Wantonnes
- TOPL - Product Liability/AEMLD
- TOMM - Malpractice-Medical
- TOLM - Malpractice-Legal
- TOOM - Malpractice-Other
- TBFM - Fraud/Bad Faith/Misrepresentation
- TOXX - Other: \_\_\_\_\_

**OTHER CIVIL FILINGS (cont'd)**

- MSXX - Birth/Death Certificate Modification/Bond Forfeiture Appeal/Enforcement of Agency Subpoena/Petition to Preserve
- CVRT - Civil Rights
- COND - Condemnation/Eminent Domain/Right-of-Way
- CTMP - Contempt of Court
- CONT - Contract/Ejectment/Writ of Seizure
- TOCN - Conversion
- EQND - Equity Non-Damages Actions/Declaratory Judgment/Injunction Election Contest/Quiet Title/Sale For Division
- CVUD - Eviction Appeal/Unlawful Detainer
- FORJ - Foreign Judgment
- FORF - Fruits of Crime Forfeiture
- MSHC - Habeas Corpus/Extraordinary Writ/Mandamus/Prohibition
- PFAB - Protection From Abuse
- FELA - Railroad/Seaman (FELA)
- RPRO - Real Property
- WTEG - Will/Trust/Estate/Guardianship/Conservatorship
- COMP - Workers' Compensation
- CVXX - Miscellaneous Circuit Civil Case

**TORTS: PERSONAL INJURY**

- TOPE - Personal Property
- TORE - Real Property

**OTHER CIVIL FILINGS**

- ABAN - Abandoned Automobile
- ACCT - Account & Nonmortgage
- APAA - Administrative Agency Appeal
- ADPA - Administrative Procedure Act
- ANPS - Adults in Need of Protective Services

ORIGIN: F  INITIAL FILING A  APPEAL FROM DISTRICT COURT O  OTHER  
R  REMANDED T  TRANSFERRED FROM OTHER CIRCUIT COURT

HAS JURY TRIAL BEEN DEMANDED?  Yes  No

RELIEF REQUESTED:  MONETARY AWARD REQUESTED  NO MONETARY AWARD REQUESTED

ATTORNEY CODE: MUR066 5/20/2008 3:33:05 PM /s CHRISTOPHER MURRAY

MEDIATION REQUESTED:  Yes  No  Undecided