

NOV 02 2023

3:32pm

CLERK OF THE DISTRICT COURT
GEARY COUNTY KANSAS

**IN THE DISTRICT COURT OF GEARY COUNTY, KANSAS
CIVIL DIVISION**

STATE OF KANSAS, ex rel.
JUNCTION CITY POLICE DEPARTMENT,
Plaintiff,

v.

Case No. 23 CV 130
JCPD 23-13831

ONE 2014 MERCEDES GL CLASS,
VIN: 4JGDF7CE0EA388179;
Defendants.

Pursuant to the Kansas Standard Asset Seizure and Forfeiture Act K.S.A. 60-4101 et seq.

PETITION FOR FORFEITURE IN REM

COMES NOW, the State of Kansas through the Geary County Sheriff's Department and its undersigned plaintiff's attorney, Tony Cruz, and respectfully submits:

1. All documents filed herein in connection with these proceedings are incorporated herein by reference, and made part of this petition.
2. The court has in rem jurisdiction over this matter by virtue of defendant properties' seizure in Geary County, Kansas within five (5) years of the act giving rise to such forfeiture and subject matter jurisdiction and venue pursuant to K.S.A. 60-4103.
3. The defendant property is captioned above, the property and currency has an estimated value of 10,000.00
4. On or about July 9, 2023, defendant property was seized by the Junction City Police Department at 2318 Valley Drive, Junction City, Geary County, Kansas. A Notice of Pending Forfeiture was filed on August 16, 2023, and notice was had to the known owners of the property as evidenced by the filed Certificate of Service.

5. A claim has been filed by: Seretse Young II who claimed the 2014 Mercedes GL Class of the above captioned property. In response to such claim, the State files this Petition.
6. He can not claim innocent owner per K.S.A. 60-4102 (j)..
7. A sworn Affidavit by law enforcement officer involved in the investigation reciting the facts of the matter is attached hereto as Exhibit A.
8. No other claims were received within the time frame set out in state law and all other persons and entities should be found in default.
9. No further notice in this matter is required by law and plaintiff will provide copies of this petition to claimant for his specific answer(s) thereto pursuant to K.S.A. 60-4113(d).
10. Pursuant to K.S.A. 60-4112(h), plaintiff need not negate in this petition any potential or affirmative defense or exemption of a claimant.
11. Because the defendant currency was located at seizure in close proximity to controlled substances, plaintiff invokes the rebuttable presumption of forfeitability contained in K.S.A. 60-4112(j).
12. Pursuant to K.S.A. 60-4116(f), should the claimant fail to establish that a substantial portion of his alleged interest in the defendant property is exempt from forfeiture, it is the intent of the plaintiff to seek full reimbursement of the State's cost and attorney fees incurred to legally extinguish the claim.

NOW, THEREFORE, plaintiff respectfully prays the Court find the law and facts in favor of the plaintiff and forfeit defendant property to the State.



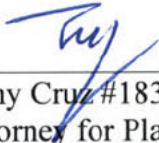
Tony Cruz #18366
Attorney for Plaintiff
Pennell Office Building, Suite A
801 North Washington Street
Junction City, Kansas 66441
Email: tony.cruz@gearycounty.org
Telephone: 785-238-8664

CERTIFICATE OF SERVICE

I hereby certify that I delivered a true and correct copy of the above and foregoing by depositing same in the United States Mail, first class, postage prepaid on the 31 day of October, 2023, addressed to:

Seretse Young II

██████████
████████████████████



Tony Cruz #18366
Attorney for Plaintiff

Exhibit "A"

LAW ENFORCEMENT AFFIDAVIT/NARRATIVE

Case Number	Victim	Offense	Date
2023-13831	State of Kansas	Flee and Elude, et al	07/09/2023

For: PC Arrest

Suspect: Adriane Clarice Young (DOB [REDACTED] B/F 504/150 BRO/BLK)

Video: Body Camera / In-Car Video Interview Room Other

COMES NOW, Emily Olson, Junction City Police Sergeant, being of lawful age and having been sworn on oath and hereby states and alleges that in the said County of Geary and said State of Kansas, has been informed of the following:

On 07/09/2023 at 0151 hours the Affiant (hereafter known as I), was on routine patrol in marked unit 218, which is equipped with audio and video, when I received an alert from the Flock camera systems about a vehicle. The alert stated that a black 2014 Mercedes Benz GL Class ([REDACTED]) was seen on the cameras at West Ash Street and Liberty Hall Road heading east bound. I note that Officer Wigton previously put out a probable cause to arrest email for Adriane Young and Sereste Young, reference JCPD 2023-13670.

I was traveling southbound in the 500 Blk North Eisenhower Drive when I observed a black SUV matching the vehicle's description traveling east bound on McFarland Road and stop at the stop sign at North Eisenhower Drive and McFarland Road. The vehicle then turned northbound onto North Eisenhower Drive. The vehicle made an appropriate turn into its lane and then utilized a turn signal and began slowing down to make a right hand turn into the 1000 Blk West 5th Street. When the vehicle hit its brakes, I observed white light showing from the rear in the right brake light. The vehicle then completed its turn into the 1000 Blk West 5th Street and I activated my emergency equipment to conduct a traffic stop.

The vehicle continued eastbound in the 1000 Blk West 5th Street and came to a stop at West 5th Street and North Garfield Street. I was able to confirm at this time that the vehicle was the 2014 Mercedes belonging to Adriane and Sereste Young. Believing that the vehicle was coming to a stop for me, I turned off my sirens and kept my lights activated. The vehicle then utilized its turn signal and made a left (north) turn onto North Garfield Street and I reactivated my sirens which stayed activated during the entirety of the time I was in pursuit. The vehicle approached West 6th Street and North Garfield Street and made a complete stop at the red light. After stopping, the vehicle then activated its right turn signal (made in less than 100 feet from turn) and made a proper right hand turn onto West 6th Street, heading east. The vehicle then activated its turn signal to change lanes and continued eastbound. At this time, patrol speeds were approximately 30 MPH, there was almost no traffic on the road, and road conditions were clear and dry.

LAW ENFORCEMENT AFFIDAVIT/NARRATIVE

The vehicle then continued eastbound where it made a left (north) turn onto North Clay Street and appropriately used its turn signal. The vehicle continued north on North Clay Street, crossed over West 7th Street, and began to approach West 8th Street. The vehicle first activated its right turn signal, then its left, prior to coming to a stop at the intersection. The vehicle then came to a complete stop and continued driving northbound. The vehicle came to a complete stop at North Clay Street and West 11th Street and continued north. The vehicle then activated its right turn signal and came to a stop at West 12th Street and North Clay Street before turning eastbound (right) on West 12th Street. In the middle of the block of 500 West 12th Street the vehicle activated its left turn signal, then its right turn signal, and then came to a short stop at the intersection where it then changed to its left turn signal again (within less than 100 feet of turn) and made a left turn onto North Jackson Street. When the vehicle made its turn onto North Jackson Street it conducted an improper turn by turning into the furthest lane. The vehicle then continued northbound, utilized its turn signal and made a right hand turn into the 1400 N 400 W alleyway. The vehicle then made it to the end of the alleyway where it turned north onto North Madison Street.

The vehicle approached the intersection of West 14th Street and North Madison Street where it failed to come to a complete stop and turned its turn signal on in the middle of turning eastbound at the intersection. The vehicle then turned into the opposite lane of travel and continued eastbound on West 14th Street. I note that at this point, another patrol vehicle (Ofc. Nolting) pulled in front of me and became primary as I became secondary. I observed the vehicle turn south on North Adams Street from West 14th Street where it then took an east turn into the 1300 N 200 W alleyway. I note that by the time I got to the middle of the alleyway, I observed other patrol vehicles become secondary in the pursuit and the vehicles go southbound on North Jefferson Street. At this point, the vehicles then became primary and secondary and I was no longer actively engaged in the pursuit. I note that another officer advised that they observed the driver and confirmed that it was Adriane Young as she passed by their patrol vehicle. Please see Ofc. Nolting and Ofc. Cossio's supplements for further. I note that I was advised that while they were in pursuit, they observed the following violations:

- Red light violation at West 6th Street and North Eisenhower Drive
- Red light violation US 77 and McFarland Road
- No turn signal within 100 feet x 9
- Speeding
- Reckless Driving
- Stop sign violations x 7
- Improper turn x 2
- Improper driving on laned roadway x 2
- Driving left of center
- Vehicle driving recklessly past two pedestrians exiting their vehicle

LAW ENFORCEMENT AFFIDAVIT/NARRATIVE

While listening to the pursuit and the direction that Adriane was heading, it was believed she was heading back to her residence of 2618 Valley Drive, Junction City. I responded to that area and upon arrival observed officers Eddings, Jackson, Cossio and Bliss making contact with Adriane at her vehicle and take her into custody. Adriane was placed in a patrol vehicle and later transported to the Geary County Detention Center to be held on no bond for this case.

Ofc. Jackson processed Adriane's vehicle and advised me that she did not locate any current insurance in the vehicle. I note that I was also advised that the passenger side headlight was not working.


Adriane's vehicle was towed to the Police Department warehouse.

I took no further actions and forward this to the County Attorney.

WHEREFORE, the Affiant believes that probable cause exists that **Adriane Clarice Young** (DOB [REDACTED] B/F 504/150 BRO/BLK) has committed the following offense(s): **Flee and Elude (F), Defective Headlamps on Motor Vehicle, Improper Stop or Turn Signal, Maximum Speed Limits, Failure to Yield at Stop Sign x8, Unsafe Turn or Stopping; Failure to Give Proper Signal x12, Improper Turn or Approach x3, Vehicle Liability Insurance Required, Improper Driving on Laned Roadway x3, Reckless Driving, Driving on Right Side of Roadway Required, Traffic Control Signals x2, Interference with Law Enforcement.**

I VERIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

EXECUTED 9 DAY OF July, 2023

X  (Emily A. Olson)

Reviewed By

FAO

Date

7-9-23

Copies to

✓ CO Atty
add 7/12/23