

M 715C

Reg - i

F 10-24

TO: Dept. of Safety

Attention: Claudette

Fax Number: 615-253-4622

From: Marcia Tenenbaum

Total # of pages - 5

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Petition for Reconsideration

Stay OR

10/29/12

Case #M 7150 U

I am requesting a reconsideration of the Forfeiture of my 1990 Lincoln Town Car, in the above named case.

The car was impounded by the Hamilton Co. Sheriff's Dept. after the car was pulled over for expired tag. The officer searched the vehicle and Marijuana was found in the car and the car was impounded and my son was arrested. The car belongs to me but I loaned the car to my son while his car was in the shop.

The expired registration was a mistake made by the Clerk in Grundy Co. She ~~had~~ forgot to ~~enter~~ enter the registration in the computer therefore, the ~~expired~~ registration showed expired. The mistake has since been corrected. (Copy of Registration included.)

Information regarding the Forfeiture was told to my son, Arvin Tenenbaum. I was unaware of what to do so I contacted Sheriff, Jim Hammond.

I explained to the Sheriff the circumstances as I knew them and told him I was unaware that drugs were in my car. I also explained to the Sheriff of my medical condition. Even though I am currently in remission from cancer ~~but~~ still have Doctor appointments with different Drs. on a regular basis. I also explained I live alone and need my car for pharmacy, grocery, and appointments. Since I was unaware of the Marijuana being in my car. The Sheriff advised me under the circumstances he would return my car to me, but should it happen again, I would not get the car returned. At that time I thought we had made a Civil Settlement. He explained someone would call me to arrange a meeting at the impound lot and I would have to pay the \$150.00 impound fee. I was contacted by a Narcotics Detective and arranged to meet him at the impound lot with the \$150.00. I did so and was given my car and I thought I had done as I was told. This was six months ago and everything was OK until I received the Order of 10/24/12.

The car at the age it is and the repairs which are needed makes my car worth about \$300.00, at best. It also has almost 200,000 miles along with the repairs.

I pray you will reconsider my situation and return the car to me. Had I received the Notices that went to my brother's P.O. Box, I would have followed the instructions.

Thanking you in advance for your time.

Marcia Tenenbaum
Marcia Tenenbaum



TENNESSEE DEPARTMENT OF REVENUE
TAXPAYER & VEHICLE SERVICES
MULTI-PURPOSE APPLICATION

NEW OR CURRENT TITLE NUMBER 74641164		TRANSACTION CODE	REGISTRATION ONLY NUMBER
OWNER INFORMATION *LEGAL STATUS: 1 (AHO) 2 (JO) <input type="checkbox"/> ENTER NAME CODE IN BOX 1 (SAME) 2 (DIFFERENT) 3 (MULTIPLE LAST NAMES) 4 (CORPORATE) 5 (OVER 25 CHARACTERS) <input type="checkbox"/> MAD <input type="checkbox"/> LU <input type="checkbox"/>			
LAST NAME Amelbaum		FIRST NAME Marcia	MIDDLE INITIAL
ADDRESS 1 (PHYSICAL)		CITY	STATE ZIP CODE
ADDITIONAL OWNER Monteagle		STATE TN	REG CODE 37356
CITY OF RESIDENCE (PHYSICAL BUS OR HOME) LOCATION GRUNDY		PURCHASE DATE	*LEASED <input type="checkbox"/> *SERVICE OPTIONS <input type="checkbox"/> SEE REVERSE SIDE FOR INSTRUCTIONS
*MAGARD / HEARING IMPAIRED CLAIM <input type="checkbox"/>		*INSURANCE POLICY #	
VIN	MAKE Lincoln	MODEL S10	YEAR 1990
BODY 4D	TITLE BRAND - select the appropriate code 00 NEW (1) RECONSTRUCTED VEHICLE (2) USED (3) FLOOD DAMAGE (4) DEMO (5) SPECIALLY CONSTRUCTED (6) PARTS ONLY		CODE
TYPE OF FUEL - list the appropriate code GAS (1) ELECTRIC/HYBRID (2) DIESEL (3) PROPANE (4)		CODE	
SURRENDERED TITLE #		STATE	PREVIOUS STATES TITLED
VEHICLE USE		VEHICLE TYPE	CURRENT MILEAGE
COURTESY INDICATOR (L/M) (N)		ACTUAL (R) NOT ACTUAL (B) OVER 15 YRS / 14,999 LBS (1) IN EXCESS OF MANUFACTURER LIMIT (2)	
COLOR CODE (enter appropriate code) UPPER LOWER		MOBILE HOME LGTH WTH	# AXLES
GROSS VEHICLE WEIGHT		VEHICLE TRADE-IN DESCRIPTION	
COMPANY VEHICLE #			
* Required for Title and Registration and Registration Only Transactions SEE REVERSE SIDE FOR COMPLETE INSTRUCTIONS			
PLATE # (1)	CLASSIFICATION (1)(3)	VALIDATION / CL	COUNTY STICKER # (1)
1000L20005369347			
CITY STICKER # (1) (2)	*PLATE # (TRADE IN) (2)	CLASS CODE/ISSUE YR (2)	EXPIRATION DATE (1) (2) (3)
12-31-12			
TOR SYSTEM # (4)	TEMP OPERATOR PERMIT # (3)	# OF SEATS (1)	ZONE (COUNTY) (4) (5)
LICIT / RESTRICTION # (7)		MOTOR CARRIER # (6)	
LEASER INFORMATION (if not present)			
FIRST LIENHOLDER			LEASER DATE
STREET		CITY	STATE ZIP CODE
SECOND LIENHOLDER			LEASER DATE
STREET		CITY	STATE ZIP CODE
*LEASER / RESTRICTION INFORMATION (OWNER OF PLATE) LEGAL STATUS <input type="checkbox"/> NAME CODE <input type="checkbox"/> MAD <input type="checkbox"/> LU <input type="checkbox"/>			
NAME		NAME	
ADDRESS		CITY	STATE ZIP CODE
VEHICLE COST / TAX INFORMATION *Required for Title & Registration Transactions			
SALE PRICE	TRADE IN ALLOWANCE	TAXABLE AMOUNT	SALES TAX PAID
DEALER NAME		DEALER ADDRESS	DEALER #
* Required for Duplicate Title - T.C.A. 69-3-116 (submit legible or altered Certificate of Title)			
<input type="checkbox"/> LOST	<input type="checkbox"/> STOLEN	<input type="checkbox"/> MUTILATED	<input type="checkbox"/> RTO'D DUE TO NON DELIVERY
<input type="checkbox"/> ALTERED	<input type="checkbox"/> LEGIBLE		
Under penalties of perjury, I hereby certify all information provided is true and correct to the best of my knowledge, and acknowledge that it is not the responsibility of the Taxpayer and Vehicle Services Division or its assignees to determine the accuracy of the information provided by me or on my behalf.			
SIGNATURE OF OWNER/OWNER		POWER OF ATTORNEY/AUTHORIZED SIGNATURE (IF APPLICABLE)	
Marcia Amelbaum		Jimmy Amelbaum	
INVOICE NUMBER	COUNTY NAME	DATE OF APPLICATION	BY SIGNATURE OF REGISTRAR OF MOTOR VEHICLES (COUNTY CLERK)
GRUNDY	GRUNDY	12/13/11	Jimmy Amelbaum
APPROX. LIEN ONLY (omit fees collected (indicated) within this form as a title registration)			
REGISTRATION FEE 21.50	SALES TAX	TITLE TAX FEE	TOTAL TAX COLLECTED
COMPUTATION OF	LOCAL TAX	ALTERNATE TAX	CITY WHEEL TAX
<input type="checkbox"/> SALES TAX <input type="checkbox"/> USE TAX	POSTAGE	VER	IF INQUIRY VERIFICATION
TOTAL TAX COLLECTED			24.00



STATE OF TENNESSEE
DEPARTMENT OF SAFETY AND HOMELAND SECURITY
1150 FOSTER AVENUE
NASHVILLE, TENNESSEE 37243

Nina Harris

MEMORANDUM

TO: Hamilton CO SD Narc Enforc Div
P.O. Box 4347
Chattanooga, TN 37405

FROM: ^(B) C. Brown, Administrative Services Assistant II
APPEALS DIVISION

DATE: October 30, 2012

SUBJECT: CASE NO. M7150 N
1990 Lincoln Towncar

Seized from: Alvin Tenenbaum
Seizure date: 04/13/12
Petitioner: Marcia Tenenbaum

This memorandum is to advise you that a Petition for Reconsideration of the Order of Delegation and Forfeiture has been filed on the above-styled case. **DO NOT** dispose of property until further notice. Check with the Legal Division on status before any further action is taken.

cb/

cc: Nina Harris, Staff Attorney
Marcia Tenenbaum, Petitioner
Legal file: M7150 N



BEFORE THE COMMISSIONER OF THE TENNESSEE DEPARTMENT OF SAFETY

In the Matter of:

State of Tennessee)	
Department of Safety)	
)	
vs.)	Case No. M7150 N
)	
)	
1990 Lincoln Towncar)	
)	
Seized from: Alvin Tenenbaum)	
Seizure Date: 04/13/12)	
Petitioner: Marcia Tenenbaum)	

FINAL ORDER

This matter is before the Appeals Division on a Petition for Reconsideration filed by the afore-named Petitioner, seeking relief from the Order of Forfeiture entered in this matter.

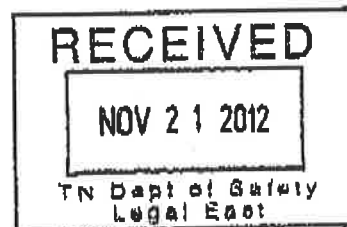
Per T.C.A. §4-5-317, no action was taken on your Petition within twenty (20) days. Therefore, your petition is deemed denied.

THIS ORDER is entered pursuant to the authority contained in Rule 1340-2-2-.21, Rules of Procedure for Asset Forfeiture Proceedings of the Department of Safety and the Commissioner's Order of Delegation dated January 25, 2011.

THIS ORDER entered and effective this the 20th day of November 2012.




Deborah M. Martin
Commissioner's Designee
Appeals Division
Tennessee Department of Safety
1150 Foster Avenue
Nashville, Tennessee 37243



CERTIFICATE OF SERVICE

I hereby certify that on the 20th day of November 2012, I served a true and correct copy of the foregoing upon all interested parties or their counsel by placing a copy thereof in the United States mail, postage prepaid.

By: 
Department of Safety
Appeals Division

APPEAL PROCEDURE

Pursuant to the provisions of the Uniform Administrative Procedures Act (T.C.A. § 4-5-101 *et seq.*) and Rule 1340-2-2-.01 *et seq.* Rules of Procedure for Asset Forfeiture Proceedings, the Final Order may be reviewed in the following manner:

Within sixty (60) days of the effective date of the Final Order, any party may seek judicial review of the Order by filing a petition for review in a Chancery Court of appropriate jurisdiction. *A petition for reconsideration of the Final Order to the Commissioner does not act to extend this sixty (60) day period.* If the petition for reconsideration to the Commissioner is granted, however, then this sixty (60) day period is tolled and a new sixty (60) day period commences on the effective date of the final order disposing of the petition for reconsideration.