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MARIJUANA DELIVERY TRUCK FORFEITED TO STATE

On Monday, July 11, 2011, a truck tractor and trailer that was used to haul almost 3,000 pounds of marijuana through Ellis County was awarded to the State of Texas. After a trial before the Court, Judge Bob Carroll of the 40th Judicial District Court awarded the 2000 Volvo truck and utility trailer to the Texas Department of Public Safety.

On October 16, 2010, the registered owner of the truck, 54-year old Luis Fernando Cantu of McAllen, Texas, was driving on northbound I-35E in Ellis County, when he was stopped by Highway Patrol Trooper Lee Coronado because the truck's license plate was obscured, a violation of Texas law. There were inconsistencies in Cantu's shipping invoice and his driver's travel log, which led Trooper Coronado to request the assistance of a trained narcotics dog. Cedar Hill police officer Mike McCorkle responded to the scene with his police service dog, Jax, who alerted to the odor of a controlled substance. A subsequent search of the trailer found 2,951 pounds of marijuana concealed in boxes, wrapped in plastic and covered with axle grease in an attempt to conceal the odor. The marijuana was hidden among other items of produce. According to trial testimony, the marijuana has an estimated street value of almost \$1.5 million.

"In Texas, property can be seized and forfeited to the State of Texas if it is found to be contraband. In this case, the Judge found that the property was used in the commission of a felony – possession or transportation of over 2,000 pounds of marijuana," said Ann Montgomery-Moran, attorney for the State in this matter. "With this ruling of the Court, the vehicle can never again be used to commit a felony against the laws of the State."

Cantu has been indicted for Possession of Marijuana over 2,000 pounds, a first degree felony. He posted an \$80,000 bail bond while the case is pending. That trial is set for later this year.

