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8 IN THE UNITED STATES DISTRICT COURT
 9 FOR THE EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,)	2:08-CV-01050-JAM-GGH
12 Plaintiff,)	FINAL JUDGMENT OF FORFEITURE
13)	
14 v.)	
15 REAL PROPERTY LOCATED AT 3115)	
16 CLAREMONT DRIVE, OROVILLE,)	
17 CALIFORNIA, BUTTE COUNTY,)	
18 APN: 079-010-012-0, INCLUDING)	
19 ALL APPURTENANCES AND)	
20 IMPROVEMENTS THERETO,)	
21 Defendant.)	

20 Pursuant to the Stipulation for Final Judgment of Forfeiture, the Court finds:

21 1. This is a civil forfeiture action against certain real property located at 3115 Claremont
 22 Drive, Oroville, California, Butte County, APN: 079-010-012-0 (hereafter “defendant real
 23 property”), and more fully described in Exhibit A, attached hereto and incorporated herein by
 24 reference.

25 2. A Verified Complaint for Forfeiture *In Rem* (hereafter “Complaint”) was filed on May
 26 15, 2008, seeking the forfeiture of the defendant real property, alleging that said property is
 27 subject to forfeiture to the United States of America pursuant to 21 U.S.C. §§ 881(a)(6) and
 28 881(a)(7).

1 3. On May 28, 2008, the defendant real property was posted with a copy of the
2 Complaint and Notice of Complaint.

3 4. On June 5, 12, 19, and 26, 2008, a Public Notice of Posting of the defendant real
4 property appeared by publication in The Oroville Mercury-Register, a newspaper of general
5 circulation in the county in which the defendant real property is located (Butte County).

6 a. Shirley E. Lacey

7 b. Barbar Jean Howell

8 c. Washington Mutual Bank

9 6. Claimants Shirley E. Lacey (“Lacey”) and Barbar Howell (“Howell”) filed verified
10 claims and a joint answer alleging an interest in the defendant real property.

11 7. No other parties have filed claims or answers in this matter and the time for which any
12 person or entity may file a claim and answer has expired.

13 8. Based on the above findings, and the files and records of this Court, it is hereby
14 ORDERED AND ADJUDGED as follows:

15 9. The Court adopts the Stipulation for Final Judgment of Forfeiture entered into by and
16 between the parties to this action.

17 10. Judgment is hereby entered against Shirley E. Lacey and Barbar Howell, and all
18 other potential claimants who have not filed claims in this action.

19 11. Within thirty (30) days of from the date the stipulation is signed, claimants Lacey
20 and Howell shall pay to the United States the sum of \$5,000.00 (the "settlement amount") as the
21 substitute *res* in lieu of the forfeiture of the defendant real property.

22 12. Claimants Lacey and Howell shall send a cashier’s check for \$5,000.00 made
23 payable to the U.S. Marshals Service to the U.S. Attorney’s Office, Attn: Asset Forfeiture Unit,
24 501 I Street, Suite 10-100, Sacramento, CA 95814. All right, title, and interest in said funds shall
25 be substituted for the defendant real property and forfeited to the United States pursuant to 21
26 U.S.C. §§ 881(a)(6) and 881(a)(7), to be disposed of according to law.

27 13. Within thirty (30) days of full payment of the settlement amount, the United States
28 shall record a withdrawal of the *lis pendens* against the defendant real property.

1 14. Plaintiff United States of America and its servants, agents, and employees are hereby
2 released from any and all liability arising out of or in any way connected with the filing of the
3 Complaint and the posting of the defendant real property with the Complaint and Notice of
4 Complaint. This is a full and final release applying to all unknown and unanticipated injuries,
5 and/or damages arising out of or in any way connected with the filing of the Complaint and the
6 posting of the defendant real property with the Complaint and Notice of Complaint, as well as to
7 those now known or disclosed. The parties to the stipulation waived the provisions of California
8 Civil Code § 1542.

9 15. There was reasonable cause for the posting of the defendant real property and the
10 commencement and prosecution of this forfeiture action, and a Certificate of Reasonable Cause
11 pursuant to 28 U.S.C. § 2465 shall be entered accordingly.

12 16. All parties are to bear their own costs and attorneys' fees.

13 SO ORDERED THIS 9th day of March, 2011.
14

15 /s/ John A. Mendez
16 _____
 JOHN A. MENDEZ
 United States District Judge

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19 CERTIFICATE OF REASONABLE CAUSE

20 Pursuant to the Stipulation for Final Judgment of Forfeiture filed herein, and the
21 allegations set forth in the Complaint filed May 15, 2008, the Court enters this Certificate of
22 Reasonable Cause pursuant to 28 U.S.C. § 2465, that there was reasonable cause for the posting
23 of the defendant real property with the Complaint and Notice of Complaint and for the
24 commencement and prosecution of this action.

25 Dated: 3/9/2011

26 /s/ John A. Mendez
27 _____
 JOHN A. MENDEZ
 United States District Judge

Exhibit A

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE STATE OF CALIFORNIA, COUNTY OF BUTTE, DESCRIBED AS FOLLOWS:

A PORTION OF LOT 199, OROVILLE WYANDOTTE FRUIT LANDS UNIT NO. 6, ACCORDING TO THE OFFICIAL MAP THEREOF, RECORDED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF BUTTE, STATE OF CALIFORNIA, MARCH 8, 1929, IN MAP BOOK 10, PAGES 3A, 4A AND 5A, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY CORNER OF SAID LOT 199; THENCE NORTH 54 DEG. 35' WEST, ALONG THE NORTHEASTERLY BOUNDARY OF SAID LOT 199, A DISTANCE OF 110.0 FEET; THENCE SOUTH 46 DEG. 19' 30" WEST, 284.70 FEET TO A POINT IN THE CENTERLINE OF CLAREMONT AVENUE; THENCE SOUTHEASTERLY ALONG THE CENTERLINE OF SAID CLAREMONT AVENUE, ON ARC OF A CURVE TO THE RIGHT WITH A RADIUS OF 250.00 FEET AND CENTRAL ANGLE OF 22 DEG. 55' A DISTANCE OF 100.00 FEET (THE LONG CHORD OF SAID CURVE BEARS SOUTH 67 DEG. 12' 30" EAST, A DISTANCE OF 99.33 FEET) TO THE MOST SOUTHERLY CORNER OF SAID LOT 199; THENCE NORTH 51 DEG. 02' EAST, 266.75 FEET TO THE POINT OF BEGINNING.