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 7
 8 IN THE UNITED STATES DISTRICT COURT
 9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10
 11 UNITED STATES OF AMERICA,) 2:08-CV-02198-LKK-DAD
)
 12 Plaintiff,) FINAL JUDGMENT OF FORFEITURE
)
 13 v.)
)
 14 2001 VOLKSWAGEN BEETLE, VIN:)
 3VWCK21CX1M459995, LICENSE NUMBER)
 15 5GSH636,)
)
 16 2003 DODGE RAM 1500 PICKUP, VIN:)
 1D7HA18D63J657709, LICENSE NUMBER)
 17 8B62913, AND)
)
 18 ASSORTED JEWELRY,)
)
 19 Defendants.)
)
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21 Pursuant to the Stipulation for Final Judgment of Forfeiture,
 22 the Court finds:

23 1. This is a civil forfeiture action against a 2001
 24 Volkswagen Beetle, VIN: 3VWCK21CX1M459995, License Number 5GSH636,
 25 a 2003 Dodge Ram 1500 Pickup, VIN: 1D7HA18D63J657709, License
 26 Number 8B62913 (hereafter "defendant vehicles"), and Assorted
 27 Jewelry seized on or about April 24, 2008.

28 2. A Verified Complaint for Forfeiture In Rem ("complaint")

1 was filed on September 17, 2008, alleging that the 2001 Volkswagen
2 Beetle, VIN: 3VWCK21CX1M459995, License Number 5GSH636 is subject
3 to forfeiture to the United States of America pursuant to 21 U.S.C.
4 § 881(a)(4), and that the 2003 Dodge Ram 1500 Pickup, VIN:
5 1D7HA18D63J657709, License Number 8B62913 and the Assorted Jewelry
6 are subject to forfeiture to the United States of America pursuant
7 to 21 U.S.C. § 881(a)(6).

8 3. On or about October 22, 2008, the Clerk issued a
9 Warrant for Arrest of Articles In Rem for the defendant vehicles
10 and Assorted Jewelry, and that warrant was duly executed on October
11 23 and 29, 2008.

12 4. On October 31, 2008, the U.S. Marshals Service personally
13 served copies of the complaint, application and order for
14 publication, order regarding clerk's issuance of warrant for
15 arrest, warrant for arrest, order setting status conference, notice
16 of availability of voluntary dispute resolution, notice of
17 availability of magistrate judge, and notice of forfeiture action
18 on Miguel Vasquez, Jr. (hereafter "Vasquez") and on Frank Wesley
19 Blue IV.

20 5. Beginning on September 26, 2008, for at least 30
21 consecutive days, the United States published Notice of the
22 Forfeiture Action on the official internet government forfeiture
23 site www.forfeiture.gov. A Declaration of Publication was filed on
24 October 30, 2008.

25 6. Vasquez filed a Claim of Ownership of Property alleging
26 that he is the owner of the above-captioned property, and filed an
27 Answer to the complaint.

28 7. Apart from claimant Vasquez, no other parties have filed

1 claims or answers in this matter and the time for which any person
2 or entity may file a claim and answer has expired.

3 8. The Clerk of the Court entered a Clerk's Certificate of
4 Entry of Default against Frank Wesley Blue on February 6, 2009.
5 Pursuant to Local Rule 540, the United States and claimant Vasquez
6 thus join in a request that as part of this Final Judgment of
7 Forfeiture the Court enter a default judgment against the interest,
8 if any, of Frank Wesley Blue without further notice.

9 Based on the above findings, and the files and records of the
10 Court, it is hereby ORDERED AND ADJUDGED:

11 1. The Court adopts the Stipulation for Final Judgment of
12 Forfeiture entered into by and between the parties to this action.

13 2. That judgment is hereby entered against claimant Vasquez
14 and all other potential claimants who have not filed claims in this
15 action.

16 3. All right, title and interest of Vasquez in the
17 2001 Volkswagen Beetle, VIN: 3VWCK21CX1M459995, License Number
18 5GSH636 shall be forfeited to the United States pursuant to 21
19 U.S.C. § 881(a)(4). All right, title and interest of Vasquez in
20 the 2003 Dodge Ram 1500 Pickup, VIN: 1D7HA18D63J657709, License
21 Number 8B62913 and the Assorted Jewelry shall be forfeited to the
22 United States pursuant to 21 U.S.C. § 881(a)(6).

23 4. Plaintiff United States of America and its servants,
24 agents, and employees and all other public entities, their
25 servants, agents, and employees, are released from any and all
26 liability arising out of or in any way connected with the arrest,
27 seizure, or forfeiture of the defendant vehicles and Assorted
28 Jewelry. This is a full and final release applying to all unknown

1 and unanticipated injuries, and/or damages arising out of said
2 arrest, seizure, or forfeiture, as well as to those now known or
3 disclosed. The parties waived the provisions of California Civil
4 Code § 1542.

5 5. That pursuant to the stipulation of the parties, and the
6 allegations set forth in the Complaint filed on September 17, 2008,
7 the Court finds that there was reasonable cause for the seizure and
8 arrest of the defendant vehicles and the Assorted Jewelry, and a
9 Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465 shall
10 be entered accordingly.

11 6. All parties are to bear their own costs and
12 attorneys' fees, if any.


13 7. The Court shall maintain jurisdiction to enforce the
14 terms of this Final Judgment of Forfeiture.

15 SO ORDERED THIS 21st day of June, 2011.

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LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT

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CERTIFICATE OF REASONABLE CAUSE

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DATED: June 21, 2011.

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LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT