

1 BENJAMIN B. WAGNER  
 United States Attorney  
 2 SARALYN M. ANG-OLSON, SBN 197404  
 Special Assistant U.S. Attorney  
 3 501 I Street, Suite 10-100  
 Sacramento, CA 95814  
 4 Telephone: (916) 554-2700  
 5 Attorneys for Plaintiff  
 United States of America  
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8 IN THE UNITED STATES DISTRICT COURT  
 9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
 10

11 UNITED STATES OF AMERICA,	)	2:08-CV-02858-MCE-EFB
	)	
12 Plaintiff,	)	FINAL JUDGMENT OF
	)	FORFEITURE
13 v.	)	
	)	
14 APPROXIMATELY \$26,335.71 IN U.S.	)	
CURRENCY SEIZED FROM UMPQUA BANK	)	
15 ACCOUNT NUMBER 990492050 HELD IN	)	
THE NAME OF GARCIA'S MEATS,	)	
	)	
16 Defendant.	)	
	)	
17	)	

18 Pursuant to the Stipulation for Final Judgment of  
 19 Forfeiture, the Court finds as follows:

- 20 1. This is a civil forfeiture action against Approximately  
 21 \$26,335.71 in U.S. Currency Seized from Umpqua Bank Account  
 22 Number 990492050 held in the Name of Garcia's Meats ("defendant  
 23 funds").
- 24 2. A Verified Complaint for Forfeiture *In Rem* ("Verified  
 25 Complaint") was filed on November 25, 2008, alleging that said  
 26 defendant funds are subject to forfeiture to the United States of  
 27 America pursuant to 18 U.S.C. § 984 and 31 U.S.C. § 5317(c)(2).
- 28 3. On or about December 2, 2008, the Clerk issued a

1 Warrant for Arrest for the defendant funds, and that warrant was  
2 duly executed on December 10, 2008.

3 4. Beginning on January 13, 2009, for at least 30  
4 consecutive days, the United States published Notice of the  
5 Forfeiture Action on the official internet government forfeiture  
6 site [www.forfeiture.gov](http://www.forfeiture.gov). A Declaration of Publication was filed  
7 on February 23, 2009.

8 5. In addition to the public notice on the official  
9 internet government forfeiture site [www.forfeiture.gov](http://www.forfeiture.gov), actual  
10 notice was given to the following individuals:

- 11 a. Enrique Garcia
- 12 b. Eva Cervantes

13 6. On February 4, 2009, Enrique Garcia and Eva Cervantes  
14 ("claimants") filed Verified Claims and a Verified Answer to the  
15 Complaint. No other parties have filed claims or answers in this  
16 matter, and the time for which any person or entity may file a  
17 claim and answer has expired.

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

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

23 2. That judgment is hereby entered against claimants  
24 Enrique Garcia and Eva Cervantes and all other potential  
25 claimants who have not filed claims in this action.

26 3. Upon entry of this Final Judgment of Forfeiture,  
27 \$20,000.00 of the Approximately \$26,335.71 in U.S. Currency  
28 Seized from Umpqua Bank Account Number 990492050 Held in the Name

1 of Garcia's Meats, together with any interest that may have  
2 accrued on that amount, shall be forfeited to the United States  
3 pursuant to 18 U.S.C. § 984 and 31 U.S.C. § 5317(c)(2), to be  
4 disposed of according to law.

5 4. Upon entry of this Final Judgment of Forfeiture, but no  
6 later than 60 days thereafter, \$6,335.71 of the Approximately  
7 \$26,335.71 in U.S. Currency Seized from Umpqua Bank Account  
8 Number 990492050 Held in the Name of Garcia's Meats, together  
9 with any interest that may have accrued on that amount, shall be  
10 returned to claimants through their attorney, Gilbert A. Roque.

11 5. That plaintiff United States of America and its  
12 servants, agents, and employees and all other public entities,  
13 their servants, agents, and employees, are released from any and  
14 all liability arising out of or in any way connected with the  
15 seizure, arrest, or forfeiture of the defendant funds, and for  
16 the commencement and prosecution of this forfeiture action. This  
17 is a full and final release applying to all unknown and  
18 unanticipated injuries, and/or damages arising out of said  
19 seizure, arrest, or forfeiture, as well as to those now known or  
20 disclosed. The parties waive the provisions of California Civil  
21 Code § 1542.

22 6. Claimants waived any and all claim or right to interest  
23 that may have accrued on the defendant funds being forfeited to  
24 the United States.

25 7. That pursuant to the stipulation of the parties, and the  
26 allegations set forth in the Verified Complaint filed on November  
27 25, 2008, the Court finds that there was reasonable cause for the  
28 seizure and arrest of the defendant funds, and for the

1 commencement and prosecution of this forfeiture action, and a  
2 Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465  
3 shall be entered accordingly.

4 8. All parties will bear their own costs and  
5 attorneys' fees, if any.

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

8 IT IS SO ORDERED.

9 Dated: July 12, 2010

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12 MORRISON C. ENGLAND, JR.  
13 UNITED STATES DISTRICT JUDGE

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15 CERTIFICATE OF REASONABLE CAUSE

16 Based upon the allegations set forth in the Verified  
17 Complaint filed November 25, 2008, and the Stipulation for Final  
18 Judgment of Forfeiture filed herein, the Court enters this  
19 Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465,  
20 that there was reasonable cause for the seizure or arrest of the  
21 defendant funds, and for the commencement and prosecution of  
22 this forfeiture action.

23 Dated: July 12, 2010

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26 MORRISON C. ENGLAND, JR.  
27 UNITED STATES DISTRICT JUDGE