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

10
 11 UNITED STATES OF AMERICA,
 12 Plaintiff,
 13 v.

2:12-CV-01632-TLN-AC
 FINAL JUDGMENT OF FORFEITURE

14 APPROXIMATELY \$50,319.11 SEIZED
 FROM 49ER CREDIT UNION BANK
 15 ACCOUNT NUMBER 1096173, HELD IN
 THE NAMES OF GREGORY S. BAKER AND
 16 DARRELL HINZ,
 17 DOUBLE WIDE MOBILE HOME TRAILER
 LOCATED AT 6170 NOB HILL DRIVE,
 18 SPACE 76, NEWCASTLE, CALIFORNIA,
 PLACER COUNTY, DECAL # ABE6629,
 19 SERIAL NOS. S13826XX AND S13826XXU,
 20 2,363 SHARES OF GREATER
 SACRAMENTO BANCORP HELD IN THE
 21 NAME OF GREGORY S. BAKER,
 22 2,363 SHARES OF GREATER
 SACRAMENTO BANCORP HELD
 23 IN THE NAME OF DARRELL HINZ,
 24 5.0607% INTEREST IN CHINA ROAD,
 LLC, HELD IN THE NAME OF
 25 PACIFIC FACILITIES & DEVELOPMENT,
 LLC,
 26
 27 ANY AND ALL OWNERSHIP INTEREST IN
 DOUBLE CREEK RANCH, LLC, HELD IN
 THE NAME OF GREGORY BAKER,
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1 ANY AND ALL OWNERSHIP INTEREST
2 IN DOUBLE CREEK RANCH, LLC, HELD
3 IN THE NAME OF DARRELL HINZ, AND

4 51% INTEREST IN EARTHSAVERS
5 EROSION CONTROL, LLC, HELD IN THE
6 NAME OF DARRELL HINZ,

7 Defendants.

8 Pursuant to the Stipulations for Final Judgment of Forfeiture, the Court finds:

9 1. This is a civil forfeiture action against the properties listed below:

10 (a) Approximately \$50,319.11 seized from 49er Credit Union Bank Account
11 Number 1096173, held in the names of Gregory S. Baker and Darrell Hinz;

12 (b) Double Wide Mobile Home Trailer located at 6170 Nob Hill Drive, Space 76,
13 Newcastle, California, Placer County, Decal # ABE6629, Serial Nos. S13826XX and
14 S13826XXU;

15 (c) 2,363 Shares of Greater Sacramento Bancorp held in the name of Gregory S. Baker;

16 (d) 2,363 Shares of Greater Sacramento Bancorp held in the name of Darrell Hinz;

17 (e) 5.0607% Interest in China Road, LLC, held in the name of Pacific Facilities &
18 Development, LLC;

19 (f) Any and all ownership interest in Double Creek Ranch, LLC, held in the name of
20 Gregory Baker;

21 (g) Any and all ownership interest in Double Creek Ranch, LLC, held in the name of
22 Darrell Hinz; and

23 (h) 51% Interest in Earthsavers Erosion Control, LLC, held in the name of Darrell Hinz.

24 2. A Verified Complaint for Forfeiture *In Rem* ("Complaint") was filed on June 18, 2012,
25 alleging that said defendant properties are subject to forfeiture to the United States pursuant to 18 U.S.C.
26 §§ 981(a)(1)(A) and (a)(1)(C).

27 3. On or about June 20, 2012, the Clerk issued a Warrant for Arrest for the defendant
28 Approximately \$50,319.11 seized from 49er Credit Union, and that warrant was executed on July 6,
29 2012. On or about June 22, 2012, a Protective Order was entered regarding assets (b)-(h) above.

30 4. Beginning on July 20, 2012, for at least 30 consecutive days, the United States published
31 Notice of the Forfeiture Action on the official internet government forfeiture site www.forfeiture.gov. A
32 Declaration of Publication was filed on September 19, 2012.

1 5. In addition to the public notice on the official internet government forfeiture site
2 www.forfeiture.gov, actual notice or attempted notice was given to the following individuals:

- 3 a. Gregory Baker,
- 4 b. Dawn Baker,
- 5 c. Darrell Hinz,
- 6 d. Celestia Hinz,
- 7 e. Joby Baker,
- 8 f. Doug Bailey,
- 9 g. Dick Acevedo.

10 6. On July 24, 2012, Gregory S. Baker filed a claim alleging a co-owner interest in the
11 following defendant properties with Dawn Baker: (1) Double Wide Mobile Home Trailer located at 6170
12 Nob Hill Drive, Space 76, Newcastle, California, Placer County, Decal # ABE6629, Serial Nos.
13 S13826XX and S13826XXU; (2) 2,363 Shares of Greater Sacramento Bancorp held in the name of
14 Gregory S. Baker; and (3) Any and all ownership interest in Double Creek Ranch, LLC, held in the name
15 of Gregory Baker.

16 7. On July 24, 2012, Dawn Baker filed a claim alleging a co-owner interest in the following
17 defendant properties with Gregory S. Baker: (1) Double Wide Mobile Home Trailer located at 6170 Nob
18 Hill Drive, Space 76, Newcastle, California, Placer County, Decal # ABE6629, Serial Nos. S13826XX
19 and S13826XXU; (2) 2,363 Shares of Greater Sacramento Bancorp held in the name of Gregory S.
20 Baker; and (3) Any and all ownership interest in Double Creek Ranch, LLC, held in the name of Gregory
21 Baker.

22 8. On July 27, 2012, Darrell Hinz filed a claim alleging an interest in the following defendant
23 properties: (1) Approximately \$50,319.11 seized from 49er Credit Union Bank Account Number
24 1096173, held in the names of Gregory S. Baker and Darrell Hinz; (2) 2,363 Shares of Greater
25 Sacramento Bancorp held in the name of Darrell Hinz; (3) 5.0607% Interest in China Road, LLC, held in
26 the name of Pacific Facilities & Development, LLC; (4) Any and all ownership interest in Double Creek
27 Ranch, LLC, held in the name of Darrell Hinz; and (5) 51% Interest in Earthsavers Erosion Control,
28 LLC, held in the name of Darrell Hinz.

 9. On February 5, 2013, the Court entered a Stay in this case until the conclusion of the
related criminal case.

1 10. The Clerk of the Court entered Clerk’s Certificates of Entry of Default against Celestia
2 Hinz on February 13, 2013, and against Dick Acevedo and Doug Bailey on December 1, 2015. Pursuant
3 to Local Rule 540, the United States requests that, as a part of this Final Judgment of Forfeiture, the
4 Court enter a default judgment against the interests, if any, of Celestia Hinz, Dick Acevedo, and Doug
5 Bailey without further notice.

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

8 1. The Court adopts the Stipulations for Final Judgment of Forfeiture entered into by and
9 between the parties to this action.

10 2. Judgment is hereby entered against claimants Gregory S. Baker, Dawn Baker, Darrell
11 Hinz and all other potential claimants who have not filed claims in this action.

12 3. All right, title, and interest of Gregory S. Baker, Dawn Baker, Darrell Hinz, and Pacific
13 Facilities & Development, LLC, in the below listed the defendant properties shall be forfeited to the
14 United States pursuant to 18 U.S.C. §§ 981(a)(1)(A) and (a)(1)(C), to be disposed of according to law:

15 (a) Approximately \$50,319.11 seized from 49er Credit Union Bank Account
16 Number 1096173, held in the names of Gregory S. Baker and Darrell Hinz, plus all
 accrued interest;

17 (b) 2,363 Shares of Greater Sacramento Bancorp held in the name of Gregory S. Baker;

18 (c) 2,363 Shares of Greater Sacramento Bancorp held in the name of Darrell Hinz;

19 (d) 5.0607% Interest in China Road, LLC, held in the name of Pacific Facilities &
20 Development, LLC;

21 (e) Any and all ownership interest in Double Creek Ranch, LLC, held in the name of
22 Darrell Hinz; and

23 (f) 51% Interest in Earthsavers Erosion Control, LLC, held in the name of Darrell Hinz.

24 4. The United States and its servants, agents, and employees and all other public entities,
25 their servants, agents, and employees, are released from any and all liability arising out of or in any way
26 connected with the seizure, arrest, or forfeiture of the defendant properties. This is a full and final release
27 applying to all unknown and unanticipated injuries, and/or damages arising out of said seizure, arrest, or
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1 forfeiture, as well as to those now known or disclosed. The parties waived the provisions of California
2 Civil Code § 1542.

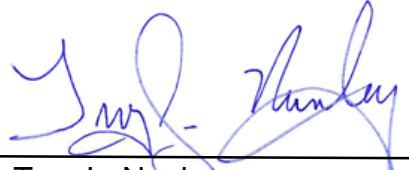
3 5. All parties are to bear their own costs and attorneys' fees.

4 6. The U.S. District Court for the Eastern District of California, Hon. Troy L. Nunley,
5 District Judge, shall retain jurisdiction to enforce the terms of this Final Judgment of Forfeiture.

6 7. Based upon the allegations set forth in the Complaint filed June 18, 2012, and the
7 Stipulations for Final Judgment of Forfeiture filed herein, the Court enters this Certificate of Reasonable
8 Cause pursuant to 28 U.S.C. § 2465, that there was reasonable cause for the seizure and arrest of the
9 defendant properties, and for the commencement and prosecution of this forfeiture action.

10 SO ORDERED:

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12 Dated: January 6, 2016

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16 Troy L. Nunley
17 United States District Judge
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