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

10  
11 UNITED STATES OF AMERICA,

2:13-CV-02326-KJM-DAD

12 Plaintiff,

13 v.

~~PROPOSED~~ FINAL JUDGMENT OF  
FORFEITURE

14 REAL PROPERTY LOCATED AT  
3734 LAUREL STREET, SHASTA LAKE,  
15 CALIFORNIA, SHASTA COUNTY, APN:  
006-160-028, INCLUDING ALL  
16 APPURTENANCES AND IMPROVEMENTS  
THERETO,

17 REAL PROPERTY LOCATED AT 21915 ELK  
18 TRAIL W, REDDING, CALIFORNIA,  
SHASTA COUNTY, APN: 305-040-002,  
19 INCLUDING ALL APPURTENANCES AND  
IMPROVEMENTS THERETO,

20 APPROXIMATELY \$15,000.00 IN U.S.  
21 CURRENCY,

22 2008 APACHE BOX TRAILER, VIN:  
5JRUE24278C201038, CALIFORNIA  
23 LICENSE NUMBER: 4JW1149,

24 2010 TRIUMPH MOTORCYCLE, VIN:  
SMTB01TL0AJ438759, OREGON LICENSE  
25 NUMBER: M672576,

26 OFF-ROAD DUNE BUGGY, VIN: CA736117,  
CALIFORNIA LICENSE NUMBER: 57V99P,

27 Defendants.  
28

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

2 1. This is a civil action *in rem* brought against the following assets:

3 a. 3734 Laurel Street, Shasta Lake, California, Shasta County, APN: 006-160-028,  
4 including all appurtenances and improvements thereto, and more fully described as:

5 Lot 7, Block 18, Boomtown Subdivision, Unit No. 5, as per map recorded in  
6 Book 5 of Maps at Page 29, Shasta County Records.

7 b. 21915 Elk Trail W, Redding, California, Shasta County, APN 305-040-002,  
8 including all appurtenances and improvements thereto, and more fully described as:

9 Lot 70 as shown on the map of "Tract No. 1367, Shasta Lake Estates, Units 3  
10 and 4, Private Road Subdivision", filed July 7, 1977 in Book 15 of Maps, Page  
11 19, Shasta County Records, being a portion of Section 30, Township 33 North,  
12 Range 3 West, M.D.B. & M.

13 c. Approximately \$15,000.00 in U.S. Currency;

14 d. 2008 Apache Box Trailer, VIN: 5JRUE24278C201038, California License Number:  
15 4JW1149;

16 e. 2010 Triumph Motorcycle, VIN: SMTB01TL0AJ438759, Oregon License Number:  
17 M672576; and

18 f. Off-Road Dune Buggy, VIN: CA736117, California License Number: 57V99P

19 (collectively "defendant assets"). The defendant assets were seized on September 17, 2013.

20 2. A Verified Complaint for Forfeiture *In Rem* ("Complaint") was filed on November 8,  
21 2013, alleging that said defendant assets are subject to forfeiture to the United States pursuant to 21  
22 U.S.C. §§ 881(a)(4), (a)(6) and (a)(7), 18 U.S.C. §§ 981(a)(1)(A) and (a)(1)(C) and 31 U.S.C. §  
23 5317(c)(2).

24 3. On November 8, 2013, the Clerk issued a Warrant for Arrest for the defendant  
25 Approximately \$15,000.00 in U.S. Currency, 2008 Apache Box Trailer, 2010 Triumph Motorcycle and  
26 the Off-Road Dune Buggy, and that warrant was duly executed on November 29, 2013. Also on  
27 November 29, 2013, On November 13, 2009, the defendant properties were posted with a copy of the  
28 Complaint and Notice of Complaint.

4. Beginning on November 24, 2013, for at least 30 consecutive days, the United States  
published Notice of the Forfeiture Action on the official internet government forfeiture site  
[www.forfeiture.gov](http://www.forfeiture.gov). A Declaration of Publication was filed on December 24, 2013.

5. In addition to the public notice on the official internet government forfeiture site

1 www.forfeiture.gov, actual notice or attempted notice was given to the following individual(s):

- 2 a. Glen E. Meyers
- 3 b. Aimee Burgess
- 4 c. Lila Meyers
- 5 d. John J. Kash
- 6 e. Mikael C. Rittman

7 6. Aimee Burgess filed a claim alleging an interest in the Approximately \$15,000.00 in  
8 U.S. Currency on December 17, 2013. Glen Edward Meyers filed a claim alleging an interest in the  
9 real property located at 3734 Laurel Street, Shasta Lake, California, the real property located at 21915  
10 Elk Trail W, Redding, California, Approximately \$15,000.00 in U.S. Currency, 2008 Apache Box  
11 Trailer, and the Off-Road Dune Buggy on December 30, 2013. No other parties have filed claims or  
12 answers in this matter, and the time in which any person or entity may file a claim and answer has  
13 expired.

14 7. The Clerk of the Court entered a Clerk's Certificate of Entry of Default against Lila  
15 Meyers, John J. Kash and Mikael C. Rittman on April 18, 2014. Pursuant to Local Rule 540, the  
16 United States and Glen Edward Meyers and Aimee Burgess thus join in a request that as part of the  
17 Final Judgment of Forfeiture in this case the Court enter a default judgment against the interest, if any,  
18 of Lila Meyers, John J. Kash and Mikael C. Rittman without further notice.

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

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

23 9. Judgment is hereby entered against claimants Glen Edward Meyers and Aimee Burgess  
24 and all other potential claimants who have not filed claims in this action.

25 10. All right, title, and interest of Glen Edward Meyers and Aimee Burgess in the following  
26 defendant assets, together with any interest that may have accrued, shall be forfeited to the United  
27 States pursuant to 21 U.S.C. §§ 881(a)(4), (a)(6) and (a)(7), 18 U.S.C. §§ 981(a)(1)(A) and (a)(1)(C)  
28 and 31 U.S.C. § 5317(c)(2), to be disposed of according to law:

- 29 a. Approximately \$15,000.00 in U.S. Currency;
- 30 b. 2008 Apache Box Trailer, VIN: 5JRUE24278C201038, California License  
31 Number: 4JW1149;

- 1 c. 2010 Triumph Motorcycle, VIN: SMTB01TL0AJ438759, Oregon License  
2 Number: M672576; and  
3 d. Off-Road Dune Buggy, VIN: CA736117, California License Number: 57V99P.

4 11. Within 60 days of the entry of a Final Judgment of Forfeiture, the United  
5 States shall record a Withdrawal of Lis Pendens against the following defendant real properties:

- 6 a. Real property located at 3734 Laurel Street, Shasta Lake, California,  
7 Shasta County, APN: 006-160-028, including all appurtenances and  
8 improvements thereto, and  
9 b. Real Property located at 21915 Elk Trail W, Redding, California, Shasta County,  
10 APN 305-040-002, including all appurtenances and improvements thereto.

11 12. That the United States and its servants, agents, and employees and all other public  
12 entities, their servants, agents, and employees, are released from any and all liability arising out of or in  
13 any way connected with the seizure, arrest, or forfeiture of the defendant assets. This is a full and final  
14 release applying to all unknown and unanticipated injuries, and/or damages arising out of said seizure,  
15 arrest, or forfeiture, as well as to those now known or disclosed. Glen Edward Meyers and Aimee  
16 Burgess waive the provisions of California Civil Code § 1542.

17 13. Claimants Glen Edward Meyers and Aimee Burgess waive any and all claim or right to  
18 interest that may have accrued on the defendant currency.

19 14. All parties are to bear their own costs and attorneys' fees.

20 15. The U.S. District Court for the Eastern District of California, Hon. Kimberly J. Mueller,  
21 District Judge, shall retain jurisdiction to enforce the terms of this Final Judgment of Forfeiture.

22 CERTIFICATE OF REASONABLE CAUSE

23 16. Based upon the allegations set forth in the Complaint filed November 8, 2013, and the  
24 Stipulation for Final Judgment of Forfeiture filed herein, the Court enters this Certificate of Reasonable  
25 Cause pursuant to 28 U.S.C. § 2465, that there was reasonable cause for the seizure and arrest of the  
26 defendant currency, and for the commencement and prosecution of this forfeiture action.

27 SO ORDERED THIS 2<sup>nd</sup> day of February, 2016.

28   
UNITED STATES DISTRICT JUDGE