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

10
 11 UNITED STATES OF AMERICA,

2:14-CV-01310-MCE-DB

12 Plaintiff,

FINAL JUDGMENT OF FORFEITURE

13 v.

14 APPROXIMATELY \$44,200.00 IN U.S.
 CURRENCY,

15 APPROXIMATELY \$3,439.00 IN U.S.
 16 CURRENCY,

17 APPROXIMATELY \$7,777.50 SEIZED FROM
 CITIBANK CHECKING ACCOUNT NUMBER
 18 40032719714, HELD IN THE NAME OF
 TIMNESHA WILSON,

19 APPROXIMATELY \$6,001.78 SEIZED FROM
 20 CITIBANK CERTIFICATE OF DEPOSIT
 NUMBER 40070506684, HELD IN THE
 21 NAME OF TIMNESHA WILSON,

22 APPROXIMATELY \$2,460.04 SEIZED FROM
 CITIBANK SAVINGS ACCOUNT NUMBER
 23 40032719722, HELD IN THE NAME OF
 TIMNESHA WILSON,

24 APPROXIMATELY \$5,066.14 SEIZED FROM
 25 WELLS FARGO BANK CHECKING
 ACCOUNT NUMBER 6916473629, HELD IN
 26 THE NAME OF TIMNESHA WILSON,

27 APPROXIMATELY \$3,001.70 SEIZED FROM
 PATELCO CREDIT UNION SAVINGS
 28 ACCOUNT NUMBER 591825-00, HELD IN

1 THE NAME OF TIMNESHAWILSON,
2 APPROXIMATELY \$2,203.98 SEIZED FROM
3 PATELCO CREDIT UNION CHECKING
4 ACCOUNT NUMBER 591825-11, HELD IN
5 THE NAME OF TIMNESHAWILSON, and
6 MISCELLANEOUS JEWELRY,
7 Defendants.

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

9 1. This is a civil forfeiture action against the following assets seized on or about February
10 27, 2014:

- 11 a. Approximately \$44,200.00 in U.S. Currency,
- 12 b. Approximately \$3,439.00 in U.S. Currency,
- 13 c. Approximately \$7,777.50 seized from Citibank Checking Account Number
14 40032719714,
- 15 d. Approximately \$6,001.78 seized from Citibank Certificate of Deposit Number
16 40070506684,
- 17 e. Approximately \$2,460.04 seized from Citibank Savings Account Number
18 40032719722,
- 19 f. Approximately \$5,066.14 seized from Wells Fargo Bank Checking Account
20 Number 6916473629,
- 21 g. Approximately \$3,001.70 seized from Patelco Credit Union Savings Account
22 Number 591825-00,
- 23 h. Approximately \$2,203.98 seized from Patelco Credit Union Checking Account
24 Number 591825-11, and
- 25 i. Miscellaneous Jewelry (collectively, “defendant assets”).

26 2. A Verified Complaint for Forfeiture *In Rem* (“Complaint”) was filed on May 28, 2014,
27 alleging that said defendant assets are subject to forfeiture to the United States pursuant to 18 U.S.C. §
28 981(a)(1)(C).

1 On June 16, 2014, the Clerk issued a Warrant for Arrest for the defendant assets, and that
2 warrant was executed on July 24, 2014.

3 4. Beginning on June 12, 2014, for at least 30 consecutive days, the United States published
4 Notice of the Forfeiture Action on the official internet government forfeiture site www.forfeiture.gov. A
5 Declaration of Publication was filed on July 18, 2014.

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

- 8 a. Jermila McCoy, and

1 b. Timnesha Wilson.

2 6. Claimant Jermila McCoy (“claimant”) filed a Claim on August 11, 2014. A stay was
3 entered multiple times in the case. The final stay was entered on August 1, 2016, staying the case
4 pending the resolution of the related criminal case, United States v. Jermila McCoy, et al., 2:14-CR-
5 00304-MCE.

6 7. The Clerk of the Court entered a Clerk’s Certificate of Entry of Default against Timnesha
7 Wilson on November 13, 2014. Pursuant to Local Rule 540, the United States and claimant request that,
8 as a part of this Final Judgment of Forfeiture, the Court enter a default judgment against the interest, if
9 any, of Timnesha Wilson without further notice.

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

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

14 1. Judgment is hereby entered against claimant Jermila McCoy, and all other potential
15 claimants who have not filed claims in this action.

16 2. Upon entry of this Final Judgment of Forfeiture, all right, title, and interest of Jermila
17 McCoy and Timnesha Wilson in the below listed defendant assets shall be forfeited to the United States
18 pursuant to 18 U.S.C. § 981(a)(1)(C), to be disposed of according to law:

- 19 a. Approximately \$44,200.00 in U.S. Currency,
- 20 b. Approximately \$3,439.00 in U.S. Currency,
- 21 c. Approximately \$7,777.50 seized from Citibank Checking Account Number
 40032719714,
- 22 d. Approximately \$6,001.78 seized from Citibank Certificate of Deposit Number
 40070506684, and
- 23 e. Approximately \$5,066.14 seized from Wells Fargo Bank Checking Account
 Number 6916473629.

24 3. Upon entry of this Final Judgment of Forfeiture, but no later than 60 days thereafter, the
25 following defendant assets shall be returned to claimant’s attorney Scott Sugarman:

- 26 a. Approximately \$2,460.04 seized from Citibank Savings Account Number
 40032719722,
- 27 b. Approximately \$3,001.70 seized from Patelco Credit Union Savings Account
28 Number 591825-00,

- 1 c. Approximately \$2,203.98 seized from Patelco Credit Union Checking Account
2 Number 591825-11, and
3 d. Miscellaneous Jewelry.

4 4. The United States and its servants, agents, and employees and all other public entities,
5 their servants, agents, and employees, are released from any and all liability arising out of or in any
6 way connected with the seizure or forfeiture of the defendant assets. This is a full and final release
7 applying to all unknown and unanticipated injuries, and/or damages arising out of said seizure or
8 forfeiture, as well as to those now known or disclosed. Claimant waived the provisions of California
9 Civil Code § 1542.


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

11 6. The U.S. District Court for the Eastern District of California, Hon. Morrison C. England,
12 Jr., District Judge, shall retain jurisdiction to enforce the terms of this Final Judgment of Forfeiture.

13 7. Based upon the allegations set forth in the Complaint filed May 28, 2014, and the
14 Stipulation for Final Judgment of Forfeiture filed herein, the Court enters this Certificate of Reasonable
15 Cause pursuant to 28 U.S.C. § 2465, that there was reasonable cause for the seizure and arrest of the
16 defendant assets, and for the commencement and prosecution of this forfeiture action.

17 IT IS SO ORDERED.

18 Dated: November 28, 2016

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20 MORRISON C. ENGLAND, JR.
21 UNITED STATES DISTRICT JUDGE
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