

1 BENJAMIN B. WAGNER
 United States Attorney
 2 KEVIN C. KHASIGIAN
 Assistant U. S. Attorney
 3 501 I Street, Suite 10-100
 Sacramento, CA 95814
 4 Telephone: (916) 554-2700
 5 Attorneys for the United States

6
 7
 8 IN THE UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA

10
 11 UNITED STATES OF AMERICA,
 12 Plaintiff,
 13 v.
 14 APPROXIMATELY \$177,022.00 IN U.S.
 CURRENCY,
 15 Defendant.
 16

2:16-CV-00032-WBS-EFB
 FINDINGS AND
 RECOMMENDATIONS

17 This matter came before the Honorable Judge Edmund F. Brennan on the United States' *ex*
 18 *parte* motion for default judgment. There was no appearance by or on behalf of any other person or
 19 entity claiming an interest in the above-captioned defendant currency to oppose the United States'
 20 motion. Based on the United States' motion and the files and records of the court, THE COURT
 21 FINDS as follows:

- 22 1. This action arose out of a Verified Complaint for Forfeiture *In Rem* filed January 5,
 23 2016.
- 24 2. The United States has moved this Court, pursuant to Local Rule 540, for entry of default
 25 judgment of forfeiture against potential claimants Matt Karas and Larry Mitchell.
- 26 3. The United States has shown that a complaint for forfeiture was filed; that potential
 27 claimants Matt Karas and Larry Mitchell received notice of the forfeiture action; that any and all other
 28 unknown potential claimants have been served by publication; and that grounds exist for entry of a final

1 judgment of forfeiture.

2 Therefore, IT IS RECOMMENDED as follows:

3 1. That Matt Karas and Larry Mitchell be held in default;

4 2. That the United States' motion for default judgment and final judgment of forfeiture be
5 granted;

6 3. That judgment by default be entered against any right, title, or interest of potential
7 claimants Matt Karas and Larry Mitchell in the defendant currency referenced in the above caption;

8 4. That a final judgment be entered, forfeiting all right, title, and interest in the defendant
9 currency to the United States, to be disposed of according to law;

10 5. That the Default Judgment and Final Judgment of Forfeiture lodged herein be signed by
11 the Honorable William B. Shubb and filed by the Clerk of the Court.

12 Dated: April 12, 2016.



EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28