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10 Attorneys for Plaintiff
 11 UNITED STATES OF AMERICA

12 UNITED STATES DISTRICT COURT
 13 FOR THE CENTRAL DISTRICT OF CALIFORNIA

14 UNITED STATES OF AMERICA,) CV 06-6029-RGK(AJWx)
 15)
 Plaintiff,)
 16)
 v.)

**AMENDED CONSENT JUDGMENT OF
 FORFEITURE**

17 ONE 2003 MERCEDES S55 AMG,)
 18 its tools and appurtenances;)
 ONE 2003 BMW 745i, its tools)
 19 and appurtenances; ONE 2003)
 HUMMER H2 SUV, its tools and)
 20 appurtenances; ONE 2004)
 LINCOLN NAVIGATOR, its tools)
 21 and appurtenances; ASSORTED)
 MEN'S JEWELRY; \$20,000.00 IN)
 22 U.S. CURRENCY; and \$3,104.00)
 IN U.S. CURRENCY,)
 23)
 Defendants.)
 24)

25 _____)
 RICHARD GASTELUM,)
 26)
 Claimant.)
 27)
 28 _____)

This action was filed on September 21, 2006. Notice was

1 given and published in accordance with law. Claimant Richard
2 Gastelum ("claimant") filed the only claim and the civil case was
3 stayed pending completion of the related criminal case. See
4 United States v. Richard Gastelum, et al., CR 06-00283(A)-RGK-1.

5 The stay of this case was lifted on November 18, 2010. On
6 January 28, 2011, Default by Clerk was entered against the
7 interests of Michelle Campbell, Emma Ramirez, Octavio Lopez,
8 Patricia Leon and Diane Schell as to all of the defendant assets.
9 No other statements of interest or answers have been filed, and
10 the time for filing such statements of interest and answers has
11 expired. Plaintiff and claimant have reached an agreement that
12 is dispositive of the action. The parties hereby request that
13 the Court enter this Consent Judgment of Forfeiture.

14 **WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:**

15 A. This Court has jurisdiction over this action
16 pursuant to 28 U.S.C. §§ 1345 and 1355 and over the parties
17 hereto.

18 B. The Complaint for Forfeiture states a claim for
19 relief pursuant to 21 U.S.C. § 881(a)(6) and 18 U.S.C. §
20 981(a)(1)(C).

21 C. Notice of this action has been given in accordance
22 with law. All potential claimants to defendant 2003 Mercedes S55
23 AMG, its tools and appurtenances, registered in the name of
24 Patricia Leon; defendant 2003 BMW 745i, its tools and
25 appurtenances, registered in the name of Emma Ramirez; defendant
26 2003 Hummer H2 SUV, its tools and appurtenances, registered in
27 claimant's name; defendant 2004 Lincoln Navigator, its tools and
28 appurtenances, registered in the name of Diane Schell; defendant

1 Assorted Men's Jewelry; defendant \$20,000.00 in U.S. currency;
2 and defendant \$3,104.00 in U.S. currency (collectively,
3 "defendants") other than claimant are deemed to have admitted the
4 allegations of the Complaint. The allegations set out in the
5 Complaint are sufficient to establish a basis for forfeiture.

6 D. The United States of America shall have judgment
7 as to \$18,104.00 of the defendant currency and all other
8 defendants, together with all interest earned by the government
9 on \$18,104.00 of the defendant currency, and no other person or
10 entity shall have any right, title or interest therein.

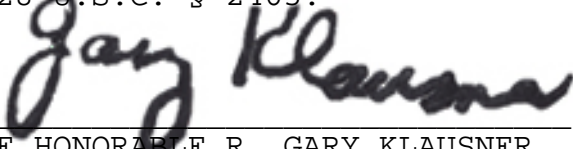
11 E. To the extent said funds have not already been
12 returned to Claimant pursuant to the consent judgment of
13 forfeiture entered August 5, 2011, \$5,000.00 of the defendant
14 currency, together with all interest earned by the government on
15 that amount since seizure, shall be paid to Claimant not later
16 than forty-five (45) days from the date of the entry of this
17 judgment by a Treasury check delivered to Claimant at the federal
18 facility where he is housed. Said payment shall be subject to
19 applicable federal law.

20 F. Claimant hereby releases the United States of
21 America, its agencies, agents, and officers, including employees
22 and agents of the United States Drug Enforcement Agency, from any
23 and all claims, actions or liabilities arising out of or related
24 to this action, including, without limitation, any claim for
25 attorney's fees, costs or interest which may be asserted on
26 behalf of the claimant, whether pursuant to 28 U.S.C. § 2465 or
27 otherwise.

28 //

1 G. The court finds that there was reasonable cause
2 for the seizure of the defendants and institution of these
3 proceedings. This judgment shall be construed as a certificate
4 of reasonable cause pursuant to 28 U.S.C. § 2465.

5 Dated: September 1, 2011

6 
7 _____
8 THE HONORABLE R. GARY KLAUSNER
9 UNITED STATES DISTRICT JUDGE

10 **Approved as to form and content:**

11 Dated: August , 2011

12 ANDRÉ BIROTTE JR.
13 United States Attorney
14 ROBERT E. DUGDALE
15 Assistant United States Attorney
16 Chief, Criminal Division
17 STEVEN R. WELK
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19 Chief, Asset Forfeiture Section

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21 JENNIFER M. RESNIK
22 Assistant United States Attorney
23 Asset Forfeiture Section

24 Attorneys for Plaintiff
25 United States of America

26 DATED: August ____, 2011

27 SEAN K. KENNEDY
28 Federal Public Defender

CALLIE GLANTON STEELE
Deputy Federal Public Defender

Attorneys for Claimant
Richard Gastelum