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 11 UNITED STATES DISTRICT COURT
 12 FOR THE CENTRAL DISTRICT OF CALIFORNIA
 13 WESTERN DIVISION

14	UNITED STATES OF AMERICA,)	NO. CV 09-1887 DOC
15)	
16	Plaintiff,)	
17	v.)	CONSENT JUDGMENT OF
18	ASSORTED FIREARMS,)	FORFEITURE AS TO CLAIMANT
19	MOTORCYCLES AND OTHER)	RICARDO GUTIERREZ ONLY
20	PERSONAL PROPERTY,)	
21	Defendants.)	[NOTE: THIS ORDER RESOLVES
22)	THE CLAIMS OF ONE CLAIMANT,
23)	BUT IS NOT DISPOSITIVE OF
24)	THE CASE]
25	<hr/> RICARDO GUTIERREZ,)	
26)	
27	Claimant.)	
28	<hr/>)	

24 Plaintiff and Claimant Ricardo Gutierrez ("Claimant") have
 25 made a stipulated request for the entry of this Consent Judgment,
 26 resolving the claim of Claimant in this action in its entirety.
 27 Claimant filed a timely claim to the defendant \$21,260.00 in U.S.
 28 Currency (09-ATF-000090).

1 Claimant did not file claims to any of the other defendant
2 assets, and no other claimants have filed claims to the defendant
3 currency listed above. The time for filing claims and answers
4 has expired. No other person is believed to have any claim to
5 the defendant currency.

6 The Court, having considered the stipulation of the parties,
7 and good cause appearing therefor, **HEREBY ORDERS ADJUDGES AND**
8 **DECREES:**

9 1. The government has given and published notice of this
10 action as required by law, including Supplemental Rule G for
11 Admiralty or Maritime Claims and Asset Forfeiture Actions,
12 Federal Rules of Civil Procedure, and the Local Rules of this
13 Court. No claims or answers have been filed to contest the
14 forfeiture of the defendant currency other than Claimant, and the
15 time for filing claims and answers has expired. This Court has
16 jurisdiction over the parties to this judgment and the defendant
17 currency described herein. Any potential claimants to the
18 defendant currency described herein other than Claimant are
19 deemed to have admitted the allegations of the first amended
20 complaint with respect to the defendant currency.

21 2. \$10,630.00 of the defendant U.S. Currency (09-ATF-
22 000090), without interest, shall be returned to Claimant through
23 his counsel. The United States Marshals Service shall return the
24 defendant \$10,630.00 to claimant not later than 30 days after (a)
25 the court enters this Consent Judgment and (b) Claimant provides
26 to the government the bank routing and personal identifiers

1 needed to effect a wire transfer of the funds, whichever is
2 later.

3 3. The government shall have judgment against the interests
4 of Claimant (and any potential claimants) as to the remaining
5 \$10,630.00 of the defendant U.S. currency (09-ATF-000090), which
6 asset is hereby forfeited and condemned to the United States, and
7 no other right, title or interest shall exist therein. The
8 government shall dispose of the forfeited asset according to law.

9 4. Claimant has agreed to release the United States of
10 America, its agencies, agents, and officers, including employees
11 and agents of the Bureau of Alcohol, Tobacco, Firearms &
12 Explosives ("ATF"), from any and all claims, actions or
13 liabilities arising out of or related to the seizure and
14 retention of the defendant currency and/or the commencement of
15 this civil forfeiture action, including, without limitation, any
16 claim for attorneys' fees, costs or interest which may be
17 asserted on behalf of Claimant against the United States, whether
18 pursuant to 28 U.S.C. § 2465 or otherwise.

19 5. The court finds that there was reasonable cause for the
20 seizure of the defendant currency and the institution of this
21 action as to the defendant currency. This judgment constitutes a
22 certificate of reasonable cause pursuant to 28 U.S.C. § 2465 as
23 to the defendant currency.

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1 6. Each of the parties shall bear its own fees and costs in
2 connection with the seizure, retention and return of the
3 defendant currency.

4 DATED: July 31, 2012

David O. Carter

THE HONORABLE DAVID O. CARTER
UNITED STATES DISTRICT JUDGE

7 Prepared by:

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11 /s/ Steven R. Welk
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