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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 WESTERN DIVISION

15 UNITED STATES OF AMERICA,)	NO. CV 10-7174-GHK(VBKx)
)	
16 Plaintiff,)	[Proposed]
)	<u>CONSENT JUDGMENT OF FORFEITURE</u>
17 v.)	
)	
18 \$33,905.00 IN U.S. CURRENCY,)	
)	
19 Defendant.)	
)	
20 <hr/>)	
21 ELIOT DAMONE FRANKS,)	
)	
22 Claimant.)	
)	

23
 24 Plaintiff United States of America ("plaintiff") initiated
 25 this action by filing a Verified Complaint for Forfeiture
 26 ("Complaint") on September 24, 2010. Notice was given and
 27 published in accordance with law. Eliot Damone Franks
 28 ("claimant") filed timely a claim and answer. No other claims or

1 answers have been filed, and the time for filing claims and
2 answers has expired.

3 Plaintiff and claimant have reached an agreement that is
4 dispositive of this action. Plaintiff and claimant hereby
5 request that the Court enter this Consent Judgment of Forfeiture.

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

7 1. This court has jurisdiction over the parties and the
8 subject matter of this action.

9 2. Notice of this action has been given in accordance with
10 law. All potential claimants to the defendant \$33,905.00 in U.S.
11 currency ("defendant currency") other than claimant are deemed to
12 have admitted the allegations of the Complaint. The allegations
13 set out in the Complaint are sufficient to establish a basis for
14 forfeiture.

15 3. The United States of America shall have judgment as to
16 the defendant \$33,905.00 in U.S. currency and all interest earned
17 thereon. No other person or entity shall have any right, title
18 or interest in the forfeited currency. The United States
19 Marshals Service is ordered to dispose of the forfeited currency
20 in accordance with law.

21 4. Claimant hereby releases the United States of America,
22 its agencies, agents, and officers, including employees and
23 agents of the Federal Bureau of Investigation, from any and all
24 claims, actions or liabilities arising out of or related to this
25 action, including, without limitation, any claim for attorneys'
26 fees, costs or interest which may be asserted on behalf of

1 claimants, whether pursuant to 28 U.S.C. § 2465 or otherwise.

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

6 DATED: 5/16, 2011

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8 
9 _____
HONORABLE GEORGE H. KING
UNITED STATES DISTRICT JUDGE

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

11 DATED: April _____, 2011

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ROBERT E. DUGDALE
Assistant United States Attorney
Chief, Criminal Division
STEVEN R. WELK
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MICHELE C. MARCHAND
Assistant United States Attorney
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18 Attorneys for Plaintiff
United States of America

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20 DATED: April _____, 2011

LAW OFFICES OF WILLIAM S. PITMAN

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22 _____
WILLIAM S. PITMAN
23 Attorney for Claimant
Eliot Damone Franks

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25 DATED: April _____, 2011

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ELIOT DAMONE FRANKS, Claimant