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10 Attorneys for Plaintiff  
 11 UNITED STATES OF AMERICA

JS-6

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

|                              |   |                                       |
|------------------------------|---|---------------------------------------|
| 15 UNITED STATES OF AMERICA, | ) | No. CV 12-09858-FMO(AJWx)             |
| 16                           | ) |                                       |
| Plaintiff,                   | ) |                                       |
| 17                           | ) |                                       |
| v.                           | ) | <b>CONSENT JUDGMENT OF FORFEITURE</b> |
| 18                           | ) |                                       |
| \$93,200.00 IN U.S.          | ) |                                       |
| 19 CURRENCY,                 | ) |                                       |
| 20                           | ) |                                       |
| Defendant.                   | ) |                                       |
| 21                           | ) |                                       |
| LUIS MARTIN BUENROSTRO,      | ) |                                       |
| 22                           | ) |                                       |
| Claimant.                    | ) |                                       |
| 23                           | ) |                                       |

24  
 25 On or about November 6, 2012, Plaintiff United States of  
 26 America ("the government," "the United States of America" or  
 27 "plaintiff") filed a Complaint for Forfeiture alleging that the  
 28 defendant \$93,200.00 in U.S. Currency (the "defendant currency") is

1 subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C) and 21  
2 U.S.C. § 881(a)(6).

3 Claimant Luis Martin Buenrostro ("claimant") filed a claim to  
4 the defendant currency on or about February 22, 2013 and an answer  
5 to the Complaint on or about March 11, 2013. No other parties have  
6 appeared in this case and the time for filing claims and answers  
7 has expired.

8 The government and claimant have now agreed to settle this  
9 action and to avoid further litigation by entering into this  
10 Consent Judgment of Forfeiture.

11 The Court, having been duly advised of and having considered  
12 the matter, and based upon the mutual consent of the parties  
13 hereto,

14 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

15 1. This Court has jurisdiction over the subject matter of  
16 this action and the parties to this Consent Judgment of Forfeiture.

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

19 3. Notice of this action has been given as required by law.  
20 No appearances have been made in the litigation by any person other  
21 than claimant. The Court deems that all other potential claimants  
22 admit the allegations of the Complaint for Forfeiture to be true.

23 4. The sum of \$28,000.00 only (without interest) shall be  
24 returned to claimant. The remainder of the defendant currency  
25 (i.e., \$65,200.00), plus the interest earned by the United States  
26 of America on the defendant currency shall be condemned and  
27 forfeited to the United States of America, which shall dispose of  
28 those funds in accordance with law.

1           5.     The funds to be returned to claimant pursuant to  
2 paragraph 4 above shall be paid to claimant by electronic transfer  
3 directly into the client trust account of Paul Gabbert, Esq.,  
4 attorney of record for claimant in this case. Claimant (through  
5 his attorney Paul Gabbert) shall provide all information and  
6 complete all documents requested by the United States of America in  
7 order for the United States of America to process the transfer  
8 including, without limitation, providing claimant's attorney of  
9 record's taxpayer identification number, and the identity of the  
10 bank, the bank's address and the account name, account number,  
11 account type and wire transfer routing number for the Paul Gabbert  
12 client trust account to which the transfer of funds is to be made.

13           6.     Claimant hereby releases the United States of America,  
14 its agencies, agents, officers, employees and representatives,  
15 including, without limitation, all agents, officers, employees and  
16 representatives of the Drug Enforcement Administration and the  
17 Department of Justice and their respective agencies, as well as all  
18 agents, officers, employees and representatives of any state or  
19 local governmental or law enforcement agency involved in the  
20 investigation or prosecution of this matter, from any and all  
21 claims, actions, or liabilities arising out of or related to this  
22 action, including, without limitation, any claim for attorney fees,  
23 costs, and interest, which may be asserted by or on behalf of  
24 claimant, whether pursuant to 28 U.S.C. § 2465 or otherwise.

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

1           8.    The Court further finds that claimant did not  
2 substantially prevail in this action, and the parties hereto shall  
3 bear their own attorney fees and costs.

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DATED: May 8, 2013

\_\_\_\_\_/s/\_\_\_\_\_  
THE HONORABLE FERNANDO M. OLGUIN  
UNITED STATES DISTRICT JUDGE

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CONSENT

The parties hereto consent to the above judgment and waive any right of appeal.

DATED: May 2, 2013

ANDRÉ BIROTTE JR.  
United States Attorney  
ROBERT E. DUGDALE  
Assistant United States Attorney  
Chief, Criminal Division  
STEVEN R. WELK  
Assistant United States Attorney  
Chief, Asset Forfeiture Section

/s/ Victor A. Rodgers  
VICTOR A. RODGERS  
Assistant United States Attorney

Attorneys for Plaintiff  
UNITED STATES OF AMERICA

DATED: May 2, 2013

PAUL L. GABBERT

/s/ Paul L. Gabbert  
Attorneys for Claimant  
LUIS MARTIN BUENROSTRO