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 UNITED STATES OF AMERICA

12 UNITED STATES DISTRICT COURT
 13 FOR THE CENTRAL DISTRICT OF CALIFORNIA
 14 WESTERN DIVISION
 15

16 UNITED STATES OF AMERICA,) No. CV 13-1876-SJO(SHx)
)
 17 Plaintiff,) **CONSENT JUDGMENT OF FORFEITURE**
)
 18 v.)
)
 19 \$113,300.00 IN U.S.)
 CURRENCY,)
 20)
 Defendant.)
 21)
)
 22 JONAS HELLER,)
)
 23 Claimant.)
)
 24)

25
 26 On or about March 15, 2013, Plaintiff United States of
 27 America ("the government," "the United States of America" or
 28 "plaintiff") filed a Complaint for Forfeiture alleging that the

1 defendant \$113,300.00 in U.S. Currency (the "defendant
2 currency") is subject to forfeiture pursuant to 21 U.S.C.
3 § 881(a)(6).

4 Claimant Jonas Heller ("claimant") filed a claim to the
5 defendant currency on or about March 21, 2013 and an answer to
6 the Complaint on or about March 22, 2013. No other parties have
7 appeared in this case and the time for filing claims and answers
8 has expired.

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

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

15 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

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

19 2. The Complaint for Forfeiture states a claim for relief
20 pursuant to 21 U.S.C. § 881(a)(6).

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

26 4. The sum of \$9,500.00 only (without interest), less any
27 debts or other amounts owed by claimant or his attorney of
28 record in this case which the United States of America is

1 entitled to offset pursuant to 31 U.S.C. § 3716,¹ shall be
2 returned to claimant. The remainder of the defendant currency
3 (i.e., \$103,800.00), plus the interest earned by the United
4 States of America on the defendant currency shall be condemned
5 and forfeited to the United States of America, which shall
6 dispose of those funds in accordance with law.

7 5. The funds to be returned to claimant pursuant to
8 paragraph 4 above shall be paid to claimant by electronic
9 transfer directly into the client trust account of Ronald
10 Richards, Esq., attorney of record for claimant in this case.
11 Claimant (through his attorney of record Ronald Richards, Esq.)
12 shall provide all information and complete all documents
13 requested by the United States of America in order for the
14 United States of America to complete the transfer and determine
15 the government's right to any offset pursuant to 31 U.S.C.
16 § 3716 including, without limitation, providing claimant's
17 social security and taxpayer identification numbers (if any),
18 claimant's attorney of record's taxpayer identification number,
19 and the identity of the bank, the bank's address and the account
20 name, account number, account type and wire transfer routing
21 number for the Ronald Richards client trust account to which the
22 transfer of funds is to be made.

23
24 ¹31 U.S.C. § 3716, the Debt Collection Improvement Act of
25 1996 requires the United States of America to offset from its
26 payments delinquent debts owed to the United States of America
27 and delinquent debts owed to States, including past-due child
28 support enforced by States. For purposes of determining an
offset pursuant to 31 U.S.C. § 3716, \$5,000.00 of the returned
amount shall be deemed to constitute attorney fees belonging to
claimant's attorney of record in this case (i.e., the Law
Offices of Ronald Richards & Associates, A.P.C.), while the
remainder of the returned amount (i.e., \$4,500.00) shall be
deemed to belong to claimant.

1 6. Claimant hereby releases the United States of America,
2 its agencies, agents, officers, employees and representatives,
3 including, without limitation, all agents, officers, employees
4 and representatives of the Drug Enforcement Administration or
5 the Department of Justice and their respective agencies, as well
6 as all agents, officers, employees and representatives of any
7 state or local governmental or law enforcement agency involved
8 in the investigation or prosecution of this matter, from any and
9 all claims, actions or liabilities arising out of or related to
10 this action, including, without limitation, any claim for
11 attorney fees, costs and interest, which may be asserted by or
12 on behalf of claimant, whether pursuant to 28 U.S.C. § 2465 or
13 otherwise.

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

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

21
22 Dated: October 28, 2013

S. James Otero

23
24 THE HONORABLE S. JAMES OTERO
UNITED STATES DISTRICT JUDGE

