

E-FILED 2/12/18

JS-6

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

\$129,380.00 IN U.S. CURRENCY.

Defendant.

) NO. CV 16-9397-PSG (GJSx)

) ~~[PROPOSED]~~ CONSENT JUDGMENT OF
) FORFEITURE

Plaintiff and Claimant Rayshawn Darnell Reed ("Claimant") have made a stipulated request for the entry of this Consent Judgment, resolving this action in its entirety. The defendant currency was seized from Claimant, and he asserts an interest in the defendant currency and has filed a claim and answer to the complaint. No other claims or answers were filed, and the time for filing claims and answers has expired.

1 The Court, having considered the stipulation of the
2 parties, and good cause appearing therefor, **HEREBY ORDERS**
3 **ADJUDGES AND DECREES:**

4 1. The government has given and published notice of this
5 action as required by law, including Rule G of the Supplemental
6 Rules for Admiralty or Maritime Claims and Asset Forfeiture
7 Actions, Federal Rules of Civil Procedure, and the Local Rules
8 of this Court. Claimant has filed a claim and answer to contest
9 the forfeiture of the defendant currency. No other claims were
10 filed, and the time for filing claims and answers has expired.
11 This Court has jurisdiction over the parties to this judgment
12 and the defendant currency. Any potential claimants to the
13 defendant currency other than Claimant are deemed to have
14 admitted the allegations of the complaint with respect to the
15 defendant currency.

16 2. The following defendant currency shall be returned to
17 Claimant as follows:

18 a. \$64,690.00, without interest.

19 The United States shall return the above-listed currency in
20 Paragraph 2 not later than 45 days after (a) the court enters
21 this Consent Judgment and (b) Claimant provides to the
22 government the bank routing and personal identifiers needed to
23 effect a wire transfer of any returned funds, whichever is
24 later. If the United States elects to make the payment by
25 check, the check will be payable to "Gurovich, Berk &
26 Associates, Attorney Client Trust Account," and mailed to
27 Rayshawn Darnell Reed, in care of his attorney, Elon Berk, Esq.
28 at Gurovich, Berk & Associates APC, 15250 Ventura Blvd.,

1 Suite 1220, Sherman Oaks, CA 91403. If the United States elects
2 to make the payment by wire transfer, the funds will be wire
3 transferred to "Gurovich, Berk & Associates Attorney Client
4 Trust Account."

5 3. The following currency shall be forfeited to the United
6 States, and no other right, title or interest shall exist
7 therein. The Government shall dispose of the following
8 according to law:

9 a. \$64,690.00.

10 4. Claimant has agreed to release the United States of
11 America, its agencies, agents, and officers, including employees
12 and agents of the Drug Enforcement Administration, as well as
13 all agents, officers, employees and representatives of any state
14 or local government or law enforcement agency involved in the
15 investigation or prosecution of this matter, from any and all
16 claims, actions or liabilities arising out of or related to the
17 seizure and retention of the defendant currency and/or the
18 commencement of this civil forfeiture action, including, without
19 limitation, any claim for attorneys' fees, costs or interest
20 which may be asserted on behalf of Claimant against the United
21 States, whether pursuant to 28 U.S.C. § 2465 or otherwise.
22 Claimant has waived any rights he may have to seek remission or
23 mitigation of the forfeiture.

24 5. The court finds that there was reasonable cause for the
25 seizure of the defendant currency and the institution of this
26 action as to the defendant currency. This judgment constitutes
27 a certificate of reasonable cause pursuant to 28 U.S.C. § 2465
28 as to the defendant currency.

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

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5 DATED: 02/09, 2018

PHILIP S. GUTIERREZ

THE HONORABLE PHILIP S. GUTIERREZ
UNITED STATES DISTRICT JUDGE

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8 Prepared by:

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