

JS-6

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

REAL PROPERTY LOCATED IN
LOS ANGELES, CALIFORNIA,

Defendant.

No. CV 16-09430-CAS (AGR_x)

~~{PROPOSED}~~

CONSENT JUDGMENT OF
FORFEITURE

This matter was commenced on December 21, 2016 against the Real Property Located in Los Angeles, California (the “defendant property”). Title to the defendant property is in the name of Eduardo Daniel Sanchez Aguilar, a single man.

No parties have filed claims of interest or answers in this case and the time for filing claims and answers has expired. After the Clerk entered Default against the interests of Eduardo Daniel Sanchez Aguilar (“Sanchez”) and all other potential claimants on April 19, 2017 [Dkt. No. 13], titleholder Sanchez agreed to this Proposed

1 Consent Judgment that alleviates the need for Plaintiff's motion for default judgment to
2 be decided by the Court [Dkt. No. 14].

3 Plaintiff United States of America and Sanchez have reached an agreement that is
4 dispositive of the action. Each of the signatories of this Consent Judgment of Forfeiture
5 ("Consent Judgment") represents that he or she has the full power and authority (without
6 further approvals or consents) to enter into this Consent Judgment and perform the
7 obligations set forth herein. This Consent Judgment may be signed in counterparts and
8 shall be deemed to have been equally drafted by the parties hereto.

9 Sanchez waives all appeal rights with respect to this matter. If Sanchez submitted
10 a petition for remission to the defendant property in any proceedings, he hereby
11 stipulates to withdraw the petition, and waive any right he may have to seek remission or
12 mitigation of the forfeiture described herein.

13 The parties waive the requirements of Local Rule 5.2-1 in order to effectuate this
14 Consent Judgment. The defendant property is located at 1664 Hi Point Street, Los
15 Angeles, California 90035 with Assessor's Parcel Number 5068-019-015. The legal
16 description of the defendant property is:

17 The real property in the City of Los Angeles, County of Los Angeles, State of
18 California, described as:

19 LOT 41 OF TRACT NO 3909, IN THE CITY OF LOS ANGELES,
20 COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP
21 RECORDED IN BOOK 44 PAGE 82 OF MAPS, IN THE OFFICE OF
22 THE COUNTY RECORDER OF SAID COUNTY.

23 EXCEPT THE EAST 50 FEET THEREOF.

24 ALSO EXCEPT THE SOUTH 20 FEET THEREOF, AS GRANTED TO
25 THE CITY OF LOS ANGELES, FOR STREET PURPOSES.

26 Sanchez represents that he and any other occupants have already vacated the
27 defendant property and their personal property has been removed from the defendant
28 property. The parties hereby request that the Court enter this Consent Judgment.

1 WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:

2 1. This Court has jurisdiction over the parties and the subject matter of this
3 action.

4 2. Notice of this action has been given in accordance with law. Sanchez is
5 relieved of filing a claim and answer in this matter. All potential claimants to the
6 defendant property, except for Sanchez, are deemed to have admitted the allegations of the
7 Complaint. The allegations set out in the Complaint are sufficient to establish a basis for
8 forfeiture.

9 3. The United States of America shall have judgment as to the defendant
10 property, and no other person or entity shall have any right, title or interest therein.

11 4. With respect to the defendant property, the Los Angeles County Recorder
12 shall index this judgment in the grantor index under the name of Eduardo Daniel Sanchez
13 Aguilar and in the grantee index under the name of the United States of America.

14 5. Title having vested in plaintiff United States of America, the United States of
15 America shall proceed to dispose of the defendant property in accordance with law. Upon
16 disposition of the defendant property, the proceeds of the sale of the defendant property, to
17 the extent such amounts are available, shall be payable in the following priority:

18 a. First, payment to the United States Marshals Service for all expenses
19 of forfeiture of the defendant property including, but not limited to, expenses of custody,
20 advertising and sale;

21 b. Second, payment to the County Assessor and Tax Collector of Los
22 Angeles County, California for any unpaid real property taxes assessed against the
23 defendant property up to the date of entry of this Consent Judgment of Forfeiture; and,

24 c. Third, the United States Marshals Service shall deposit and dispose of
25 the remaining proceeds from the sale of the defendant in accordance with law.

26 6. The parties shall execute further documents, to the extent necessary, to
27 convey clear title to the defendant property to Plaintiff and to further implement the terms
28 of this Judgment of Forfeiture.

1 7. The Court will retain jurisdiction to resolve any issues with respect to the
2 parties' performance under this Judgment of Forfeiture.

3 8. Each party shall bear its own attorney fees and costs. This Judgment of
4 Forfeiture is binding upon Sanchez and his successors and assigns.

5 9. Sanchez has agreed to release and hold harmless the United States, its
6 agencies, agents, officers, employees and representatives, including, without limitation, all
7 agents, officers, employees and representatives of the Drug Enforcement Administration,
8 as well as all agents, officers, employees and representatives of any state or local
9 government or law enforcement agency involved in the investigation of this matter, from
10 any and all claims, including claims for interest, actions or causes of action, damages,
11 expenses, and costs, known and unknown, which may hereafter be asserted or brought by
12 or on behalf of Sanchez, arising out of the seizure and/or forfeiture of the defendant
13 property and the institution of this matter.

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

17 IT IS SO ORDERED.



18
19 May 9 2017
20 DATE

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HONORABLE CHRISTINA A. SNYDER
UNITED STATES DISTRICT JUDGE

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22
23 **SIGNATURE OF PARTIES ARE ON NEXT PAGE**
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Approved as to Form and Content:

DATED: May 8, 2017

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DATED: May 4, 2017

/S/

GERARDO A. GONZALEZ, ESQ.

Attorney for Titleholder
EDUARDO DANIEL SANCHEZ AGUILAR

DATED: May 4 2017

/S/

EDUARDO DANIEL SANCHEZ AGUILAR
Titleholder