

1 STEPHANIE YONEKURA
 Acting United States Attorney
 2 ROBERT E. DUGDALE
 Assistant United States Attorney
 3 Chief, Criminal Division
 STEVEN R. WELK
 4 Assistant United States Attorney
 Chief, Asset Forfeiture
 5 FRANK D. KORTUM
 Assistant United States Attorney
 6 Asset Forfeiture Section
 California Bar No. 110984
 7 United States Courthouse
 8 312 North Spring Street, 14th Floor
 Los Angeles, California 90012
 9 Telephone: (213) 894-5710
 Facsimile: (213) 894-7177
 10 E-Mail: Frank.Kortum@usdoj.gov

11 Attorneys for Plaintiff
 12 UNITED STATES OF AMERICA

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

15 UNITED STATES OF AMERICA,) No.: SACV 14-00206-AG (JPRx)
)
 16 Plaintiff,) ~~PROPOSED~~
)
 17 vs.) CONSENT JUDGMENT [40]
)

18 \$721,701.00 SEIZED FROM MERRILL)
 LYNCH BROKERAGE ACCOUNT)
 19 NO. '2504; \$398,093.00 SEIZED)
 FROM CREDIT SUISSE BROKERAGE)
 20 ACCOUNT NO. '5863; \$234,915.00)
 SEIZED FROM FIDELITY BROKERAGE)
 21 SERVICES, LLC BROKERAGE ACCOUNT)
 NO. '5228; \$201,000.00 SEIZED)
 22 FROM FIDELITY BROKERAGE)
 SERVICES, LLC BROKERAGE ACCOUNT)
 23 NO. '8194; \$150,918.00 SEIZED)
 FROM CITIGROUP GLOBAL MARKETS,)
 24 INC. BROKERAGE ACCOUNT NO.)
 '2856; \$110,344.41 SEIZED FROM)
 25 WELLS FARGO BANK ACCOUNT NO.)
 '3577; \$59,599.00 SEIZED FROM)
 26 CREDIT SUISSE BROKERAGE ACCOUNT)
 NO. '7108; \$59,561.00 SEIZED)
 27 FROM CREDIT SUISSE BROKERAGE)
 ACCOUNT NO. '7090; \$59,558.00)
 28 SEIZED FROM CREDIT SUISSE)

[This Judgment disposes of one of the defendant assets and one claimant. It is not case-dispositive]

1 BROKERAGE ACCOUNT NO. '7082;)
 2 AND \$59,526.00 SEIZED FROM)
 3 CREDIT SUISSE BROKERAGE ACCOUNT)
 4 NO. '7074,)
 5)
 6 Defendants.)
 7)
 8)
 9)
 10)
 11)
 12)
 13)
 14)
 15)
 16)
 17)
 18)
 19)
 20)
 21)
 22)
 23)
 24)
 25)
 26)
 27)
 28)

7 This civil forfeiture action was commenced on February 12,
 8 2014. Timothy DeCinces ("DeCinces") (the "Claimant") filed a
 9 timely claim on March 19, 2014 to the defendant \$150,918 seized
 10 from Citigroup Global Markets, Inc. Brokerage Account No. '2856
 11 (Asset ID No. 09-IRS-0996) ("defendant asset"). Dkt. 9. No
 12 party other than DeCinces has made a claim against the defendant
 13 asset and no other party is believed to have an interest in the
 14 defendant asset. Plaintiff and Claimant have made a stipulated
 15 request for the entry of this consent judgment of forfeiture
 16 resolving all claims concerning the defendant asset.

18 The Court has been duly advised of and has considered the
 19 matter. Based upon the Stipulation and mutual consent of
 20 plaintiff United States and DeCinces, and good cause appearing
 21 therefor, the Court hereby **ORDERS, ADJUDGES AND DECREES** as
 22 follows:

23 **\$75,459.00** of the \$150,918 seized from Citigroup Global
 24 Markets, Inc. Brokerage Account '2856 and fifty percent (50%) of
 25 all interest earned by the government on the entirety of the
 26 defendant asset since seizure, shall be forfeited to the United
 27 States, and no other right, title, or interest shall exist
 28 therein. The remaining portion of the defendant asset,

1 **\$75,459.00**, and fifty percent (50%) of all interest earned by
2 the government on the entirety of the defendant asset since
3 seizure, shall be returned to the Claimant. The funds are to be
4 made payable via ACH deposit to the Trust Account of the Law
5 Office of David W. Wiechert at David W. Wiechert Law Offices,
6 115 Avenida Miramar, San Clemente, California 92672. Claimant
7 shall provide all information needed by the government to make
8 said payment in accordance with federal law.

9 The Court finds that there was reasonable cause for the
10 seizure of the defendant asset and the institution of this
11 action against the defendant asset. This consent judgment shall
12 be construed as a certificate of reasonable cause pursuant to 28
13 U.S.C. § 2465. Each of the parties shall bear its own fees and
14 costs in connection with the seizure, retention and forfeiture
15 of the defendant asset.

16 DATED: March 27, 2015

David O. Carter

17 THE HONORABLE DAVID O. CARTER
18 UNITED STATES DISTRICT JUDGE

19 Presented by:

20 STEPHANIE YONEKURA
21 Acting United States Attorney
22 ROBERT E. DUGDALE
23 Assistant United States Attorney
24 Chief, Criminal Division
25 STEVEN R. WELK
26 Assistant United States Attorney
27 Chief, Asset Forfeiture Section

28 _____ /S/

FRANK D. KORTUM
Assistant United States Attorney

Attorney for Plaintiff
UNITED STATES OF AMERICA