

# JS-6

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

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
\$50,900.00 IN U.S. CURRENCY,  
Defendant.

No. SACV 16-02024-CJC (JCGx)

CONSENT JUDGMENT

DONALD KELLY,  
Claimant.

This action was filed on November 7, 2016 against the defendant \$50,900.00 in U.S. Currency (“defendant currency”). Claimant Donald Kelly (“Kelly”) filed a claim on January 20, 2017. No person other than Kelly is believed to have an interest therein. Notice has been given and published in accordance with law. No other claims or answers have been filed, and the time for filing claims and answers has expired. Plaintiff

1  
2 United States of America and Kelly have reached an agreement that is dispositive of the  
3 action and have requested that this consent judgment be entered. Nothing in this consent  
4 judgment is intended or should be interpreted as an admission of wrongdoing by Kelly.

5 WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:

6 A. This Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1345  
7 and 1355 and over the parties hereto.

8 B. The Complaint for Forfeiture states a claim for relief pursuant to 21 U.S.C.  
9 § 881(a)(6).

10 C. Notice of this action has been given in accordance with law. All potential  
11 claimants to the defendant currency other than Kelly are deemed to have admitted the  
12 allegations of the Complaint. The allegations set out in the Complaint are sufficient to  
13 establish a basis for forfeiture.

14 D. \$10,000.00 of the defendant currency shall be returned to Kelly without  
15 interest, and shall be paid to Kelly no later than sixty days of the date this Judgment is  
16 entered or the date Kelly provides the information described below, whichever is later.  
17 If the United States elects to make the payment by check, the check shall be payable to  
18 "The Lentz Law Firm Client Trust Account." If the United States elects to make the  
19 payment by wire transfer, the funds shall be wire transferred to The Lentz Law Firm  
20 Client Trust Account. Jacek Lentz agrees to provide the necessary bank account  
21 information and personal identifiers for his trust account upon request from the United  
22 States.

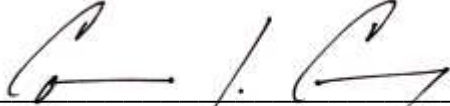
23 E. The United States of America shall have judgment as to the remaining  
24 \$40,900.00 of the defendant currency, together with all interest earned by the  
25 government on the full amount of the defendant currency since seizure, and no other  
26 person or entity shall have any right, title or interest therein.

27 F. Kelly agrees to waive any and all attorney fees and costs.  
28

1 G. Kelly has released the United States of America, its agencies, agents,  
2 officers, employees and representatives, including, without limitation, all agents,  
3 officers, employees and representatives of the United States Postal Inspection Service  
4 and the Department of Justice and their respective agencies, as well as all agents,  
5 officers, employees and representatives of any state or local governmental or law  
6 enforcement agency involved in the investigation or prosecution of this matter, from any  
7 and all claims (including, without limitation, any petitions for remission, which Kelly  
8 hereby withdraws), actions or liabilities arising out of or related to this action, including,  
9 without limitation, any claim for attorney fees, costs and interest, which may be asserted  
10 by or on behalf of Kelly, whether pursuant to 28 U.S.C. § 2465 or otherwise.

11 H. The Court finds that there was reasonable cause for the institution of these  
12 proceedings. This Judgment shall be construed as a certificate of reasonable cause  
13 pursuant to 28 U.S.C. § 2465.

14 Dated: February 14, 2017

  
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THE HONORABLE CORMAC J. CARNEY  
UNITED STATES DISTRICT JUDGE