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12	UNITED STATE	S DISTRICT COURT
13	FOR THE CENTRAL DISTRICT OF CALIFORNIA	
14	SOUTHERN DIVISION	
15	SOUTILI	
16	UNITED STATES OF AMERICA,	No. 5:18-CV-00613-DOC (KESx)
17	Plaintiff,	
18	V.	CONSENT JUDGMENT [21]
19	ONE 2013 TOYOTA RAV-4,	
20	Defendant.	
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22	AIMAN ALEXANDER ATABA,	
23	Claimant.	
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		Dockets.Jus

Dockets.Justia.com

Plaintiff and Claimant Aiman Alexander Ataba ("Ataba") have made a stipulated request for the entry of this Consent Judgment, resolving this action in its entirety.

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

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

The government has given and published notice of this action as required by law, including Supplemental Rule G for Admiralty or Maritime Claims and Asset Forfeiture Actions, Federal Rules of Civil Procedure, and the Local Rules of this Court. All potential claimants to the defendant One 2013 Toyota RAV-4 ("defendant vehicle") other than Ataba are deemed to have admitted the allegations of the Complaint. The allegations set out in the Complaint are sufficient to establish a basis for forfeiture.

3. The United States of America shall sell the defendant vehicle in the same manner in which it sells forfeited vehicles, and the funds generated by the sale shall be distributed in the following order of priority:

a. First, to the United States for any and all of its costs and expenses related to this seizure, including but not limited to towing, storage, maintenance and sale of the defendant vehicle; and,

b. Second, to the extent there are any remaining funds, the United States Marshal Service shall deliver a check in that amount to "The Clerk of the Court" to be applied to the restitution ordered in the related criminal case, *United States v. Aiman Alexander Ataba*, SA CR 17-0024-DOC, Docket 97.

4. Ataba shall execute further documents, to the extent necessary, to convey
clear title to the defendant vehicle to Plaintiff and to further implement the terms of this
Judgment.

26 5. The Court shall retain jurisdiction to resolve any issues with respect to
27 either party's obligations under this Judgment.

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- Each party shall bear its own attorneys' fees and costs.
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1	7. The Court finds that there was reasonable cause for the seizure of the	
2	defendant vehicle and institution of these proceedings. This consent judgment shall be	
3	construed as a certificate of reasonable cause pursuant to 28 U.S.C. § 2465.	
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5	Dated: September 5, 2018 Alavid O. Carter	
6	THE HONORABLE DAVID O. CARTER UNITED STATES DISTRICT JUDGE	
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8	Presented by:	
9		
10	NICOLA T. HANNA United States Attorney	
11	LAWRENCE S. MIDDLETON Assistant United States Attorney Chief, Criminal Division STEVEN R. WELK Assistant United States Attorney	
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13		
14	Chief, Asset Forfeiture Section	
15	/s/	
16	KATHARINE SCHONBACHLER	
17	Assistant United States Attorney	
18	Attorneys for Plaintiff UNITED STATES OF AMERICA	
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