

1 McGREGOR W. SCOTT
United States Attorney
2 KRISTI C. KAPETAN
Assistant U.S. Attorney
3 Federal Courthouse, Suite 4401
2500 Tulare Street
4 Fresno, California 93721
Telephone: (559) 497-4000
5
6
7

8
9 IN THE UNITED STATES DISTRICT COURT FOR THE
10 EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,

1:06-CV-00380-OWW-SMS

12 Plaintiff,

APPLICATION AND ORDER
FOR PUBLICATION

v.

13 REAL PROPERTY LOCATED AT 4720 W.
14 DONNER AVENUE, FRESNO, FRESNO
COUNTY, CALIFORNIA, APN: 311-492-29S,
15 INCLUDING ALL APPURTENANCES AND
IMPROVEMENTS THERETO,
16 Defendant.

17 The United States of America, plaintiff herein, applies for an order of publication as follows:

18 1. Rule C(4) of the Supplemental Rules for Certain Admiralty and Maritime Claims
19 provides that the plaintiff shall cause public notice of the action and arrest to be given in a newspaper
20 of general circulation in the district, designated by order of the Court;

21 2. Local Rule 83-171, Eastern District of California, provides that the Court shall
22 designate by order the appropriate newspaper for publication;

23 3. The defendant property is located in Fresno County, Fresno, California;

24 4. Plaintiff proposes that publication be made as follows:

25 a. Three publications;

26 b. In the following newspaper, a legal newspaper of general circulation, located
27 in the county in which the defendant property is located: Fresno Business Journal
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- c. The publication to include the following:
- (1) The Court, title and number of the action;
 - (2) The date of the arrest/posting;
 - (3) The identity and/or description of the property arrested/posted;
 - (4) The name, address and telephone number of the attorney for the plaintiff;
 - (5) A statement that claims of persons entitled to possession or claiming an interest pursuant to Supplemental Rule C(6) of the Federal Rules of Admiralty must be filed with the Clerk and served on the attorney for the plaintiff within 30 days after the date of publication;
 - (6) A statement that answers to the complaint must be filed and served within 20 days after the filing of the claim and, in the absence thereof, default may be entered and condemnation ordered;
 - (7) A statement that applications for intervention under Fed. R. Civ. P. 24 by persons claiming maritime liens or other interests shall be filed within the 30 days allowed for claims for possession; and
 - (8) The name, address, and telephone number of the U.S. Marshal and/or Department of Treasury.

DATED: 4/5/06

McGREGOR W. SCOTT
United States Attorney

/s/ Kristi C. Kapetan
KRISTI C. KAPETAN
Assistant U.S. Attorney

ORDER

IT IS SO ORDERED.

Dated: April 12, 2006
icido3

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE