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

11 UNITED STATES OF AMERICA,	)	1:06-CV-01259-OWW-SMS
	)	
12 Plaintiff,	)	<b>APPLICATION AND ORDER</b>
	)	<b>FOR PUBLICATION</b>
13 v.	)	
	)	
14 APPROXIMATELY \$70,000.00 IN U.S.	)	
15 CURRENCY,	)	
	)	
16 Defendant.	)	

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

- 20 1. Rule C(4) of the Supplemental Rules for Certain  
 21 Admiralty and Maritime Claims provides that the plaintiff shall  
 22 cause public notice of the action and arrest to be given in a  
 23 newspaper of general circulation in the district, designated by  
 24 order of the Court;
- 25 2. Local Rule 83-171, Eastern District of California,  
 26 provides that the Court shall designate by order the appropriate  
 27 newspaper for publication;
- 28 3. The defendant currency was seized in Stanislaus County,

1 Patterson, California;

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

3 a. Four publications;

4 b. In the following newspaper, a legal newspaper of  
5 general circulation, located in the county in which the defendant  
6 property was seized: The Modesto Bee;

7 c. The publication to include the following:

8 (1) The Court, title and number of the action;

9 (2) The date of the arrest/seizure;

10 (3) The identity and/or description of the  
11 property arrested/seized;

12 (4) The name, address and telephone number of the  
13 attorney for the plaintiff;

14 (5) A statement that claims of persons entitled  
15 to possession or claiming an interest pursuant to Supplemental  
16 Rule C(6) of the Federal Rules of Admiralty must be filed with  
17 the Clerk and served on the attorney for the plaintiff within 30  
18 days after the date of publication;

19 (6) A statement that answers to the complaint  
20 must be filed and served within 20 days after the filing of the  
21 claims and, in the absence thereof, default may be entered and  
22 condemnation ordered;

23 (7) A statement that applications for  
24 intervention under Fed. R. Civ. P. 24 by persons claiming  
25 maritime liens or other interests shall be filed within the 30  
26 days allowed for claims for possession; and

27 ///

28 ///

1 (8) The name, address, and telephone number of  
2 the U.S. Marshal and/or Department of Treasury.

3 DATED: 9/13/06

McGREGOR W. SCOTT  
United States Attorney

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5  
6 /s/ Stephanie Hamilton Borchers  
STEPHANIE HAMILTON BORCHERS  
Assistant U.S. Attorney

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8  
9 **ORDER**

10 \_\_\_\_\_  
11 IT IS SO ORDERED.

12 **Dated: September 15, 2006**  
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\_\_\_\_\_  
**/s/ Sandra M. Snyder**  
UNITED STATES MAGISTRATE JUDGE