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**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF CALIFORNIA**

<b>UNITED STATES OF AMERICA,</b>	)	<b>NO. 1:06-CV-01630 AWI GSA</b>
	)	
<b>Plaintiff,</b>	)	<b>ORDER TO VACATE PROPERTY</b>
	)	
<b>v.</b>	)	
	)	
<b>CHARLES WAYNE UPTERGROVE,</b>	)	
<b>et al.,</b>	)	
	)	
<b>Defendants.</b>	)	
_____	)	

WHEREFORE, the Plaintiff, the United States of America, having requested and been granted the foreclosure of its liens upon the real property commonly known as 26662 Road 23, Chowchilla, California, 93613 (the "subject property"), and the United States having requested an Order of this Court that the Defendants Charles W. Uptergrove and Martha G. F. Uptergrove (the "taxpayers"), and all other parties acting in concert with, or on their behalf, or residing thereon, vacate and depart from the subject property at, on or before 12:00 o'clock noon on September 27, 2010, and good cause having been found,

IT IS HEREBY ORDERED, ADJUDGED, and DECREED that the Defendants Charles W. Uptergrove and Martha G. F. Uptergrove and all other persons acting in concert with them, or on their behalf, or residing at the subject property, shall, no later than 12:00 o'clock noon on September 27, 2010, vacate and depart from the subject property, and

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1 IT IS FURTHER ORDERED that the United States Marshal is authorized and directed to  
2 enforce this Order at any time that he deems appropriate after 12:00 o'clock noon on September  
3 27, 2010, by (1) entering the subject property, and any and all structures and vehicles located  
4 thereon, (2) evicting any unauthorized persons from all locations on the property, including, but  
5 no limited to, the structures, vehicles, and grounds, and (3) using force as necessary to  
6 accomplish this mission. When the United States Marshal concludes that all unauthorized  
7 persons have vacated, or been evicted from the property, he shall relinquish possession and  
8 custody of the subject property, and any personal property found thereon, to an Internal Revenue  
9 Service Property Appraisal and Liquidation Specialist, and

10 IT IS FURTHER ORDERED that, should Defendants Charles W. Uptergrove and Martha  
11 G. F. Uptergrove or any person acting on their behalf, or in concert with them, or residing  
12 thereon, either fail to vacate and depart from the subject property by 12:00 o'clock noon on  
13 September 27, 2010, or attempt to enter onto the subject property after that date and time, that  
14 person shall be subject to being found in contempt of this Order of this court, which may subject  
15 that person to a fine, incarceration, or both, and

16 IT IS FURTHER ORDERED that the United States Marshal, within ten days of the entry  
17 of this Order, provide notice of it to Defendants Charles W. Uptergrove and Martha G. F.  
18 Uptergrove or any person residing at the subject property, by hand delivery of a copy of this  
19 Order, or by leaving a copy of this Order posted in a prominent location at the building at the  
20 subject property.

21  
22 IT IS SO ORDERED.

23 Dated: August 30, 2010

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26 CHIEF UNITED STATES DISTRICT JUDGE  
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