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

10

11 UNITED STATES OF AMERICA,)
)
 12 Plaintiff,)
)
 13 v.)
)
 14 2001 VOLKSWAGEN BEETLE, VIN:)
 3VWCK21C91M47415, CALIFORNIA)
 15 LICENSE PLATE NUMBER: 5SBH743,)
 and)
 16)
 APPROXIMATELY \$9,323.36 IN U.S.)
 17 CURRENCY SEIZED FROM BANK OF)
 AMERICA SAVINGS ACCOUNT)
 18 NUMBER XXXXXX5024,)
)
 19 Defendants.)
)
 20

1:07-CV-0300-LJO-(NEW) WMW
**APPLICATION AND ORDER FOR
 PUBLICATION**

21 The United States of America, Plaintiff herein, applies for an order of publication as
 22 follows:

23 1. Rule G(4) of the Supplemental Rules for Certain Admiralty and Maritime Claims
 24 (hereafter "Supplemental Rules") provides that the Plaintiff shall cause public notice of the
 25 action and arrest to be given in a newspaper of general circulation, designated by order of the
 26 Court;

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

1 3. The defendant 2001 Volkswagen Beetle, VIN: 3VWCK21C91M47415,
2 California License Plate Number: 5SBH743 (hereafter "defendant vehicle") was seized in the
3 City of Stockton, in San Joaquin County, California. The defendant approximately \$9,323.36 in
4 U.S. Currency seized from Bank of America Savings Account Number XXXXXX5024
5 (hereafter "defendant funds") was seized in the City of Fresno, in Fresno County, California.
6 The Drug Enforcement Administration ("DEA") published notice of the nonjudicial forfeiture of
7 the defendant vehicle and defendant funds (hereafter collectively referred to as "defendant
8 assets") on November 20, 27, and December 4, 2006 in the Wall Street Journal.

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

10 a. One publication;

11 b. In the following newspapers, legal newspapers of general circulation,
12 located in the counties in which the defendant vehicle and defendant currency were seized:
13 Stockton Record and Fresno Business Journal;

14 c. The publications are to include the following:

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

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

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

18 (4) The name, address, and telephone number of the attorney for the
19 Plaintiff;

20 (5) A statement that claims of persons entitled to possession or
21 claiming an interest pursuant to Supplemental Rule G(5) must be filed with the Clerk and served
22 on the attorney for the Plaintiff within 30 days after the date of publication;

23 (6) A statement that answers to the Complaint or a motion under Rule
24 12 of the Federal Rules of Civil Procedure ("Fed. R. Civ. P.") must be filed and served within 20
25 days after the filing of the claims and, in the absence thereof, default may be entered and
26 condemnation ordered;

27 (7) A statement that applications for intervention under Fed. R. Civ.
28 P., Rule 24 by persons claiming maritime liens or other interests shall be filed within the 30 days

1 allowed for claims for possession; and

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

4 Dated: 2/23/07 McGREGOR W. SCOTT
5 United States Attorney

6
7 /s/ Stephanie Hamilton Borchers
8 STEPHANIE HAMILTON BORCHERS
9 Assistant United States Attorney

10 IT IS SO ORDERED.

11 **Dated: March 1, 2007 /s/ William M. Wunderlich**
12 **mmkd34UNITED STATES MAGISTRATE JUDGE**