

1 LAWRENCE G. BROWN
 Acting United States Attorney
 2 DEANNA L. MARTINEZ
 Assistant United States Attorney
 3 United States Courthouse
 2500 Tulare Street, Suite 4401
 4 Fresno, California 93721
 Telephone: (559) 497-4000
 5 Facsimile: (559) 497-4099

6 Attorneys for Plaintiff

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

10

11 UNITED STATES OF AMERICA,)	1:08-CV-01641-OWW-SMS
12 Plaintiff,)	
13 v.)	
14 APPROXIMATELY \$84,563.00 IN U.S.)	FINAL JUDGMENT OF FORFEITURE
15 CURRENCY, and)	
16 APPROXIMATELY \$11,460.00 IN U.S.)	
17 CURRENCY,)	
18 Defendants.)	

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19 Pursuant to the Stipulation for Final Judgment of Forfeiture filed herein, the Court finds:

20 1. This is a civil forfeiture action against defendants approximately \$84,563.00 in U.S.

21 Currency and approximately \$11,460.00 in U.S. Currency (hereafter "defendant currency").

22 2. A Verified Complaint for Forfeiture *In Rem* was filed on October 28, 2008, seeking

23 the forfeiture of the defendant currency, alleging the defendant currency is subject to forfeiture to

24 the United States of America pursuant to 21 U.S.C. § 881(a)(6) because the defendant currency

25 constitutes moneys or other things of value furnished or intended to be furnished in exchange for a

26 controlled substance or listed chemical, all proceeds traceable to such an exchange and/or was used

27 or intended to be used to facilitate one or more violations of 21 U.S.C. § 841 *et seq.*

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1 3. On November 3, 2008, in accordance with said Complaint, a Warrant for Arrest of
2 Articles *In Rem* for the defendant currency was issued and duly executed on November 10, 2008.

3 4. Beginning on December 18, 2008, for at least 30 consecutive days, the United States
4 published notice of this action on the official internet government forfeiture site www.forfeiture.gov
5 as required by Rule G(4) of the Supplemental Rules for Admiralty or Maritime Claims and Asset
6 Forfeiture Actions. The Declaration of Publication was filed with the Court on February 26, 2009.

7 5. In addition to the Public Notice of Arrest having been completed, actual notice was
8 personally served upon Claimant Charles King and My-Hanh Dills aka My-Hanh Haynh Dills. To
9 date no parties have filed claims or answers in this matter, and the time for which any person or
10 entity may file a claim and answer has expired.

11 6. The Clerk of the Court entered a Clerk's Certificate of Entry of Default against My-
12 Hanh Dills aka My-Hanh Haynh Dills on March 3, 2009. Pursuant to Local Rule A-540, the United
13 States and Claimant Charles King thus join in a request that as part of this Final Judgment of
14 Forfeiture in this case the Court enter a default judgment against the interests, if any, of My-Hanh
15 Dills aka My-Hanh Haynh Dills.

16 7. Claimant Charles King represents and warrants that he is the sole owner of the
17 defendant currency.

18 Based on the above findings, and the files and records of the Court, it is hereby

19 ORDERED AND ADJUDGED:

20 1. The Court adopts the Stipulation for Final Judgment of Forfeiture entered into by and
21 between the parties to this action.

22 2. Judgment is hereby entered against Charles King, My-Hanh Dills aka My-Hanh
23 Haynh Dills, and all other potential claimants who have not filed claims in this action.

24 3. Upon entry of a Final Judgment of Forfeiture, \$79,563.00 of the defendant
25 approximately \$84,563.00 in U.S. Currency, together with any interest that may have accrued on the
26 full amount of the defendant approximately \$84,563.00 in U.S. Currency, and the defendant
27 approximately \$11,460.00 in U.S. Currency, together with any interest that may have accrued on this
28 amount shall be forfeited to the United States pursuant to 21 U.S.C. § 881(a)(6), to be disposed of

1 according to law.

2 4. Within 45 days of entry of a Final Judgment of Forfeiture herein, \$5,000.00 of the
3 defendant approximately \$84,563.00 in U.S. Currency shall be returned to Claimant Charles King,
4 through his attorney of record, R. Frank Butler at 1327 N. Street, Fresno, California 93721.

5 5. Plaintiff United States of America and its servants, agents, and employees, and all
6 other public entities, their servants, agents, and employees, are released from any and all liability
7 arising out of or in any way connected with the arrest, seizure, or forfeiture of the defendant
8 currency. This is a full and final release applying to all unknown and unanticipated injuries, and/or
9 damages arising out of said arrest, seizure, or forfeiture, as well as to those now known or disclosed.
10 The parties waive the provisions of California Civil Code § 1542.

11 6. There was reasonable cause for the seizure and arrest of the defendant currency, and
12 the Court may enter a Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465.

13 7. All parties shall bear their own costs and attorneys' fees.

14 SO ORDERED THIS 3rd day of April, 2009.

15
16 /s/ OLIVER W. WANGER
17 OLIVER W. WANGER
18 United States District Judge

19 CERTIFICATE OF REASONABLE CAUSE

20 Based upon the allegations set forth in the Complaint for Forfeiture *In Rem* filed October 28,
21 2008, and the Stipulation for Final Judgment of Forfeiture filed herein, the Court enters this
22 Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465, that there was reasonable cause for
23 the seizure and arrest of the defendant currency.

24 Dated: April 3, 2009

25 /s/ OLIVER W. WANGER
26 OLIVER W. WANGER
27 United States District Judge