

1 BENJAMIN B. WAGNER  
 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

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11 UNITED STATES OF AMERICA,	)	1:09-CV-00007-OWW-SMS
	)	
12 Plaintiff,	)	<b>AMENDED DEFAULT JUDGMENT AND</b>
	)	<b>FINAL JUDGMENT OF FORFEITURE</b>
13 v.	)	
	)	
14 THE CONTENTS OF WELLS FARGO	)	
15 BANK INVESTMENT ACCOUNT NO.	)	
16 16873200 IN THE NAME OF JOHANNA	)	
LEAL, and,	)	
	)	
17 APPROXIMATELY \$6,595.50 IN U.S.	)	
18 CURRENCY SEIZED FROM WELLS	)	
FARGO BANK ACCOUNT NO.	)	
19 3393605765,	)	
	)	
20 Defendants.	)	

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21 This matter is before the Court on plaintiff United States’ *Ex Parte* Motion for Default  
 22 Judgment and Final Judgment of Forfeiture filed August 7, 2009. The Magistrate Judge has  
 23 recommended that the United States’ motion for default judgment be granted. The time for objecting  
 24 to the Order Vacating Hearing on Plaintiff’s Motion for Default Judgment and Deeming Matter  
 25 Submitted for Decision (Doc. 24) Findings and Recommendations Re: Plaintiff’s Motion for Default  
 26 Judgment (Doc. 24) Order Directing Plaintiff to Serve These Findings and Recommendations on All  
 27 Potential Claimants and File a Proof of Service of the Magistrate Judge have passed and no timely  
 28 objections have been filed. An Order Adopting Findings and Recommendations (Doc. 28) Order

1 Granting Motion for Default Judgment (Doc. 24) Order Directing Clerk to Enter Judgment -and-  
2 Final Judgment of Forfeiture for Plaintiff was filed on December 15, 2009. Based on the Magistrate  
3 Judge's Order Vacating Hearing on Plaintiff's Motion for Default Judgment and Deeming Matter  
4 Submitted for Decision (Doc. 24) Findings and Recommendations Re: Plaintiff's Motion for Default  
5 Judgment (Doc. 24) Order Directing Plaintiff to Serve These Findings and Recommendations on All  
6 Potential Claimants and File a Proof of Service, the Order Adopting Findings and Recommendations  
7 (Doc. 28) Order Granting Motion for Default Judgment (Doc. 24) Order Directing Clerk to Enter  
8 Judgment -and- Final Judgment of Forfeiture for Plaintiff, and the files and records of the Court, it  
9 is

10 ORDERED, ADJUDGED, AND DECREED:

11 1. The Court adopts the Magistrate Judge's October 27, 2009 Order Vacating Hearing  
12 on Plaintiff's Motion for Default Judgment and Deeming Matter Submitted for Decision (Doc. 24)  
13 Findings and Recommendations Re: Plaintiff's Motion for Default Judgment (Doc. 24) Order  
14 Directing Plaintiff to Serve These Findings and Recommendations on All Potential Claimants and  
15 File a Proof of Service in full.

16 2. Johanna Leal and Jorge Leal are held in default.

17 3. A judgment by default is hereby entered against any right, title, or interest in the  
18 defendant Contents of Wells Fargo Bank Investment Account No. 16873200 in the Name of Johanna  
19 Leal and defendant approximately \$6,595.50 in U.S. Currency Seized from Wells Fargo Bank  
20 Account No. 3393605765 of Johanna Leal, Jorge Leal, and all other potential claimants who have  
21 not filed claims in this action.

22 4. A final judgment is hereby entered forfeiting all right, title, and interest in the  
23 defendant Contents of Wells Fargo Bank Investment Account No. 16873200 in the Name of Johanna  
24 Leal and defendant approximately \$6,595.50 in U.S. Currency Seized from Wells Fargo Bank

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1 Account No. 3393605765 to the United States of America, to be disposed of according to law,  
2 including all right, title, and interest of Johanna Leal and Jorge Leal.

3 5. All parties shall bear their own costs and attorneys' fees.  
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5 IT IS SO ORDERED.

6 **Dated: January 26, 2010**

**/s/ Oliver W. Wanger**  
**UNITED STATES DISTRICT JUDGE**

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