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

10

11 UNITED STATES OF AMERICA,)	1:09-CV-00009-OWW-SMS
)	
12 Plaintiff,)	DEFAULT JUDGMENT AND FINAL
)	JUDGMENT OF FORFEITURE
13 v.)	
)	
14 2007 BMW CONVERTIBLE 650i, VIN:)	
15 WBAEK13577CN80379,)	
LICENSE NUMBER 6CBS415,)	
)	
16 Defendant.)	
)	

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18 This matter is before the Court on plaintiff United States' *Ex Parte* Motion for Default
 19 Judgment and Final Judgment of Forfeiture filed August 7, 2009. The Magistrate Judge has
 20 recommended that the United States' motion for default judgment be granted. The time for objecting
 21 to the Order Vacating Hearing on Plaintiff's Motion for Default Judgment and Deeming Matter
 22 Submitted for Decision (Doc. 28) Findings and Recommendations Re: Plaintiff's Motion for Default
 23 Judgment (Doc. 28) Order Directing Plaintiff to Serve These Findings and Recommendations on All
 24 Potential Claimants and File a Proof of Service of the Magistrate Judge have passed and no timely
 25 objections have been filed. An Order Adopting Findings and Recommendations (Doc. 32) Order
 26 Granting Motion for Default Judgment (Doc. 28) Order Directing Clerk to Enter Judgment -and-
 27 Final Judgment of Forfeiture for Plaintiff was filed on December 15, 2009. Based on the Magistrate
 28 Judge's Order Vacating Hearing on Plaintiff's Motion for Default Judgment and Deeming Matter

1 Submitted for Decision (Doc. 28) Findings and Recommendations Re: Plaintiff's Motion for Default
2 Judgment (Doc. 28) Order Directing Plaintiff to Serve These Findings and Recommendations on All
3 Potential Claimants and File a Proof of Service , the Order Adopting Findings and Recommendations
4 (Doc. 32) Order Granting Motion for Default Judgment (Doc. 28) Order Directing Clerk to Enter
5 Judgment -and- Final Judgment of Forfeiture for Plaintiff, and the files and records of the Court, it
6 is

7 ORDERED, ADJUDGED, AND DECREED:

8 1. The Court adopts the Magistrate Judge's October 27, 2009 Order Vacating Hearing
9 on Plaintiff's Motion for Default Judgment and Deeming Matter Submitted for Decision (Doc. 28)
10 Findings and Recommendations Re: Plaintiff's Motion for Default Judgment (Doc. 28) Order
11 Directing Plaintiff to Serve These Findings and Recommendations on All Potential Claimants and
12 File a Proof of Service in full.

13 2. Guadalupe Avina, Jorge Leal, Elisa Leal, Johanna Leal, and Vanessa Leal are held
14 in default.

15 3. A judgment by default is hereby entered against any right, title, or interest in the
16 defendant 2007 BMW Convertible 650i, VIN: WBAEK13577CN80379, License Number 6CBS415
17 of Guadalupe Avina, Jorge Leal, Elisa Leal, Johanna Leal, Vanessa Leal, and all other potential
18 claimants who have not filed claims in this action.

19 4. A final judgment is hereby entered forfeiting all right, title, and interest in the
20 defendant 2007 BMW Convertible 650i, VIN: WBAEK13577CN80379, License Number 6CBS415
21 to the United States of America, to be disposed of according to law, including all right, title, and
22 interest of Guadalupe Avina, Jorge Leal, Elisa Leal, Johanna Leal, and Vanessa Leal.

23 5. All parties shall bear their own costs and attorneys' fees.

24 SO ORDERED, this 18th day of December, 2009.

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