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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-00012-OWW-SMS
)	
12 Plaintiff,)	DEFAULT JUDGMENT AND FINAL
)	JUDGMENT OF FORFEITURE
13 v.)	
)	
14 2005 INFINITI QX56,)	
VIN: 5N3AA08A25N806191,)	
15 LICENSE NUMBER 6AEJ980,)	
)	
16 2004 BMW 545i,)	
VIN: WBANB33564B107506,)	
17 LICENSE NUMBER 5WOK454, and,)	
)	
18 2001 MERCEDES BENZ,)	
VIN: WDBNG78J21A194676,)	
19 LICENSE NUMBER 5WOK450,)	
)	
20 Defendants.)	

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22 This matter is before the Court on plaintiff United States' *Ex Parte* Motion for Default
23 Judgment and Final Judgment of Forfeiture filed August 7, 2009. The Magistrate Judge has
24 recommended that the United States' motion for default judgment be granted. The time for objecting
25 to the Order Vacating Hearing on Plaintiff's Motion for Default Judgment and Deeming Matter
26 Submitted for Decision (Doc. 30) Findings and Recommendations Re: Plaintiff's Motion for Default
27 Judgment (Doc. 30) Order Directing Plaintiff to Serve These Findings and Recommendations on All
28 Potential Claimants and File a Proof of Service of the Magistrate Judge have passed and no timely

1 objections have been filed. An Order Adopting Findings and Recommendations (Doc. 34) Order
2 Granting Motion for Default Judgment (Doc. 30) Order Directing Clerk to Enter Judgment -and-
3 Final Judgment of Forfeiture for Plaintiff was filed on December 15, 2009. Based on the Magistrate
4 Judge's Order Vacating Hearing on Plaintiff's Motion for Default Judgment and Deeming Matter
5 Submitted for Decision (Doc. 30) Findings and Recommendations Re: Plaintiff's Motion for Default
6 Judgment (Doc. 30) Order Directing Plaintiff to Serve These Findings and Recommendations on All
7 Potential Claimants and File a Proof of Service, the Order Adopting Findings and Recommendations
8 (Doc. 34) Order Granting Motion for Default Judgment (Doc. 30) Order Directing Clerk to Enter
9 Judgment -and- Final Judgment of Forfeiture for Plaintiff, and the files and records of the Court, it
10 is

11 ORDERED, ADJUDGED, AND DECREED:

12 1. The Court adopts the Magistrate Judge's October 27, 2009 Order Vacating Hearing
13 on Plaintiff's Motion for Default Judgment and Deeming Matter Submitted for Decision (Doc. 30)
14 Findings and Recommendations Re: Plaintiff's Motion for Default Judgment (Doc. 30) Order
15 Directing Plaintiff to Serve These Findings and Recommendations on All Potential Claimants and
16 File a Proof of Service in full.

17 2. Jorge Leal, Elisa Leal, Johanna Leal, and Vanessa Leal are held in default.

18 3. A judgment by default is hereby entered against any right, title, or interest in the
19 defendants 2005 Infiniti QX56, VIN: 5N3AA08A25N806191, License Number 6AEJ980, 2004
20 BMW 545i, VIN: WBANB33564B107506, License Number 5WOK454, and 2001 Mercedes Benz,
21 VIN: WDBNG78J21A194676, License Number 5WOK450 of Jorge Leal, Elisa Leal, Johanna Leal,
22 Vanessa Leal, and all other potential claimants who have not filed claims in this action.

23 4. A final judgment is hereby entered forfeiting all right, title, and interest in the
24 defendants 2005 Infiniti QX56, VIN: 5N3AA08A25N806191, License Number 6AEJ980, 2004
25 BMW 545i, VIN: WBANB33564B107506, License Number 5WOK454, and 2001 Mercedes Benz,
26 VIN: WDBNG78J21A194676, License Number 5WOK450 to the United States of America, to be

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1 disposed of according to law, including all right, title, and interest of Jorge Leal, Elisa Leal, Johanna
2 Leal, and Vanessa Leal.

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

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

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6 /s/ OLIVER W. WANGER
OLIVER W. WANGER
United States District Judge
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