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6 Attorneys for Plaintiff

7  
 8 IN THE UNITED STATES DISTRICT COURT  
 9 FOR THE EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA, )  
 12 Plaintiff, )  
 13 v. )  
 14 2005 HUMMER H-2, )  
 15 VIN: 5GRGN23U65H118099, )  
 16 LICENSE NO. 5LRC762, )  
 Defendant. )

1:09-CV-00182-LJO-GSA  
**APPLICATION AND ORDER FOR  
 PUBLICATION**

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

- 19 1. Rule G(4) of the Supplemental Rules for Admiralty or Maritime Claims and Asset  
 20 Forfeiture Actions (hereafter "Supplemental Rules") provides that the Plaintiff shall cause public notice  
 21 of the action and arrest to be given in a newspaper of general circulation or on the official internet  
 22 government forfeiture site;
- 23 2. Local Rule 83-171, Eastern District of California, provides that the Court shall designate  
 24 by order the appropriate newspaper or other vehicle for publication;
- 25 3. The defendant 2005 Hummer H-2, VIN: 5GRGN23U65H118099, License No. 5LRC762  
 26 (hereafter "defendant vehicle") was seized in Cathedral City, in Riverside County, California.

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

2 a. One publication;

3 b. Thirty (30) consecutive days;

4 c. On the official internet government forfeiture site [www.forfeiture.gov](http://www.forfeiture.gov);

5 d. The publication is to include the following:

6 (1) The Court and case number of the action;

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

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

9 (4) The name and address of the attorney for the Plaintiff;

10 (5) A statement that claims of persons entitled to possession or claiming an  
11 interest pursuant to Supplemental Rule G(5) must be filed with the Court and served on the attorney for  
12 the Plaintiff no later than 60 days after the first day of publication on the official internet government  
13 forfeiture site; and

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

17  
18 Dated: 1/30/09

LAWRENCE G. BROWN  
Acting United States Attorney

19  
20 /s/ Deanna L. Martinez  
21 DEANNA L. MARTINEZ  
Assistant United States Attorney

22 **ORDER**

23  
24 IT IS SO ORDERED.

25 Dated: February 4, 2009

/s/ Gary S. Austin  
UNITED STATES MAGISTRATE JUDGE