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

11 UNITED STATES OF AMERICA,	)	1:09-CV-01086-AWI-SMS
	)	
12 Plaintiff,	)	<b>DEFAULT JUDGMENT AND FINAL</b>
	)	<b>JUDGMENT OF FORFEITURE</b>
13 v.	)	
	)	
14 RUGER 9MM HANDGUN,	)	
SERIAL NO. 305-43453	)	
	)	
15 Defendant.	)	
	)	
16	)	
17	)	

18 This matter is before the Court on plaintiff United States' *Ex Parte* Motion for Default  
 19 Judgment filed April 15, 2010. The Magistrate Judge has recommended that the United States'  
 20 motion for default judgment be granted. The time for objecting to the Findings and  
 21 Recommendations of the Magistrate Judge has passed and no timely objections have been filed.  
 22 An Order Adopting the Magistrate Judge's Findings and Recommendations was filed July 7,  
 23 2010. Based on the Magistrate Judge's Findings and Recommendations on Plaintiff's *Ex Parte*  
 24 Application for Default Judgment, the Order Adopting the Magistrate Judge's Findings and  
 25 Recommendations, and the files and records of the Court, it is

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1 ORDERED, ADJUDGED AND DECREED:

2 1. The Court adopts the Magistrate Judge's June 3, 2010, Findings and  
3 Recommendations in full.

4 2. James Michael Walters is held in default.

5 3. A judgment by default is hereby entered against any right, title, or interest in the  
6 defendant Ruger 9mm Handgun, Serial No. 305-43453 (hereafter "defendant firearm") of James  
7 Michael Walters and all other potential claimants who have not filed claims in this action.

8 4. A final judgment is hereby entered forfeiting all right, title, and interest in the  
9 defendant firearm to the United States of America, to be disposed of according to law, including  
10 all right, title, and interest of James Michael Walters.

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

12 IT IS SO ORDERED.

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14 Dated: July 15, 2010

  
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CHIEF UNITED STATES DISTRICT JUDGE