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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-01542 LJO SMS |
| |) | |
| 12 Plaintiff, |) | APPLICATION AND ORDER FOR |
| |) | PUBLICATION |
| 13 v. |) | |
| |) | |
| 14 2007 CHEVROLET TAHOE SUV, VIN: |) | |
| 15 1GNFC13067J251913, LICENSE: 5XLP068, |) | |
| |) | |
| 16 Defendant. |) | |

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

18 1. Rule G(4) of the Supplemental Rules for Admiralty or Maritime Claims and Asset
 19 Forfeiture Actions (hereafter "Supplemental Rules") provides that the Plaintiff shall cause public
 20 notice of the action to be given in a newspaper of general circulation or on the official internet
 21 government forfeiture site;

22 2. Local Rule 83-171, Eastern District of California, provides that the Court shall
 23 designate by order the appropriate newspaper or other vehicle for publication;

24 3. The defendant 2007 Chevrolet Tahoe SUV, VIN: 1GNFC13067J251913, License:
 25 5XLP068 (hereafter "defendant vehicle") was seized in the city of Reedley, Fresno County,
 26 California. The Drug Enforcement Administration published notice of the non-judicial forfeiture
 27 of the defendant vehicle on May 11, 18, and 25, 2009, in the *Wall Street Journal*.

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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;

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 seizure/posting;

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

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

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

18 Dated: August 28, 2009

LAWRENCE G. BROWN
United States Attorney

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20 /s/ Deanna L. Martinez
21 _____
22 DEANNA L. MARTINEZ
23 Assistant United States Attorney

24 **IT IS SO ORDERED.**

25 **Dated: September 3, 2009**

26 /s/ Sandra M. Snyder
27 _____
28 UNITED STATES MAGISTRATE JUDGE