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

11 UNITED STATES OF AMERICA,)
 12 Plaintiff,)
 13 v.)
 14)
 15 2002 AMGN UT HUMMER,)
 VIN:137FA90382E200946, LICENSE)
 NO. 5JEU580,)
 16)
 17 1970 FORD MUSTANG FASTBACK,)
 VIN: 0R02F100917, LICENSE NO.)
 2YSD525,)
 18)
 19 2004 PACE AMERICAN CARRY ON)
 UTILITY TRAILER, VIN:)
 4P2FB12124U054420, LICENSE NO.)
 20 4FG6946, and)
 21)
 22 2007 FOUR WINNS 220 HORIZON)
 BOAT, VIN: GFNMA1451607, LICENSE)
 NO. 5258 TK,)
 23 Defendants.)
 24)

1:09-CV-01614-OWW-GSA
**AMENDED APPLICATION AND ORDER
 FOR PUBLICATION**

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

27 1. Rule G(4) of the Supplemental Rules for Admiralty or Maritime Claims and Asset
 28 Forfeiture Actions (hereafter "Supplemental Rules") provides that the Plaintiff shall cause public

1 notice of the action to be given in a newspaper of general circulation or on the official internet
2 government forfeiture site;

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

5 3. The defendants a 2002 AMGN UT Hummer, VIN:137FA90382E200946, License
6 No. 5JEU580 (defendant Hummer); a1970 Ford Mustang Fastback, VIN: 0R02F100917, License
7 No. 2YSD525 (defendant Mustang); and a 2004 Pace American Carry on Utility Trailer, VIN:
8 4P2FB12124U054420, License No. 4FG6946 (defendant trailer) hereafter collectively
9 “defendant vehicles,” and defendant 2007 Four Winns 220 Horizon Boat, VIN:
10 GFNMA1451607, License No. 5258 TK (hereafter “defendant water craft”) were seized in the
11 city of Woodlake, Tulare County, California, and are in the custody of the U.S. Marshals Service,
12 Eastern District of California. The Drug Enforcement Administration published notice of the
13 nonjudicial forfeiture of the defendant Hummer and defendant Mustang on June 1, 8, and 15,
14 2009, in the *Wall Street Journal*. The Drug Enforcement Administration published notice of the
15 nonjudicial forfeiture of the defendant trailer and defendant water craft on June 8, 15, and 22,
16 2009, in the *Wall Street Journal*.

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

- 18 a. One publication;
- 19 b. Thirty (30) consecutive days;
- 20 c. On the official internet government forfeiture site www.forfeiture.gov;
- 21 d. The publication is to include the following:
 - 22 (1) The Court and case number of the action;
 - 23 (2) The date of the seizure/posting;
 - 24 (3) The identity and/or description of the property seized/posted;
 - 25 (4) The name and address of the attorney for the Plaintiff;

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

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

9
10 Dated: 9/17/09

LAWRENCE G. BROWN
United States Attorney

11
12 /s/ Deanna L. Martinez
13 DEANNA L. MARTINEZ
Assistant United States Attorney

14
15
16 IT IS SO ORDERED.

17 Dated: September 30, 2009

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE