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

11 UNITED STATES OF AMERICA,	)	1:09-CV-01614-OWW-GSA
	)	
12 Plaintiff,	)	<b>APPLICATION AND ORDER FOR</b>
	)	<b>PUBLICATION</b>
13 v.	)	
	)	
14 2002 AMGN UT HUMMER,	)	
15 VIN:137FA90382E200946, LICENSE	)	
16 NO. 5JEU580,	)	
	)	
17 1970 FORD MUSTANG FASTBACK,	)	
VIN: 0R02F100917, LICENSE NO.	)	
18 2YSD525,	)	
	)	
19 2004 PACE AMERICAN CARRY ON	)	
UTILITY TRAILER, VIN:	)	
20 4P2FB12124U054420, and	)	
	)	
21 2007 FOUR WINNS 220 HORIZON	)	
BOAT, VIN: GFNMA1451607,	)	
	)	
22 Defendants.	)	
	)	
23	)	

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 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 2001 (defendant Hummer); a 1970 Ford Mustang Fastback, VIN: 0R02F100917,  
7 License No. 2YSD525 (defendant Mustang); and a 2004 Pace American Carry on Utility Trailer,  
8 VIN: 4P2FB12124U054420 (defendant trailer) hereafter collectively “defendant vehicles,” and  
9 defendant 2007 Four Winns 220 Horizon Boat, VIN: GFNMA1451607 (hereafter “defendant  
10 water craft”) were seized in the city of Woodlake, Tulare County, California, and are in the  
11 custody of the U.S. Marshals Service, Eastern District of California. The Drug Enforcement  
12 Administration published notice of the nonjudicial forfeiture of the defendant Hummer and  
13 defendant Mustang on June 1, 8, and 15, 2009, in the *Wall Street Journal*. The Drug  
14 Enforcement Administration published notice of the nonjudicial forfeiture of the defendant  
15 trailer and defendant water craft of June 8, 15, and 22, 2009, in the *Wall Street Journal*.

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

- 17 a. One publication;
- 18 b. Thirty (30) consecutive days;
- 19 c. On the official internet government forfeiture site [www.forfeiture.gov](http://www.forfeiture.gov);
- 20 d. The publication is to include the following:

- 21 (1) The Court and case number of the action;
- 22 (2) The date of the seizure/posting;
- 23 (3) The identity and/or description of the property seized/posted;
- 24 (4) The name and address of the attorney for the Plaintiff;
- 25 (5) A statement that claims of persons entitled to possession or  
26 claiming an interest pursuant to Supplemental Rule G(5) must be filed with the Court and served  
27 on the attorney for the Plaintiff no later than 60 days after the first day of publication on the  
28 official internet government forfeiture site; and

1 (6) A statement that answers to the Complaint or a motion under Rule  
2 12 of the Federal Rules of Civil Procedure ("Fed. R. Civ. P.") must be filed and served within 20  
3 days after the filing of the claims and, in the absence thereof, default may be entered and  
4 condemnation ordered.

5 Dated: 9/11/09

LAWRENCE G. BROWN  
United States Attorney

6  
7 /s/ Deanna L. Martinez  
8 DEANNA L. MARTINEZ  
Assistant United States Attorney

9  
10 **ORDER**

11 IT IS SO ORDERED.

12 **Dated: September 17, 2009**

/s/ Gary S. Austin  
13 UNITED STATES MAGISTRATE JUDGE  
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