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7  
 8 IN THE UNITED STATES DISTRICT COURT FOR THE  
 9 EASTERN DISTRICT OF CALIFORNIA  
 10

11 UNITED STATES OF AMERICA,	)	1:09-CV-02093-OWW-GSA
	)	
12 Plaintiff,	)	<b>FINAL JUDGMENT OF FORFEITURE</b>
	)	
13 v.	)	
	)	
14 APPROXIMATELY \$12,862.00 IN U.S.	)	
15 CURRENCY,	)	
	)	
16 Defendant.	)	

17 Pursuant to the Stipulation for Final Judgment of Forfeiture filed herein, the Court finds:

- 18 1. This is a civil forfeiture action against defendant approximately \$12,862.00 in U.S.  
 19 Currency (hereafter “defendant currency”).
- 20 2. A Verified Complaint for Forfeiture *In Rem* was filed on November 30, 2009, seeking  
 21 the forfeiture of the defendant currency, alleging the defendant currency is subject to forfeiture to  
 22 the United States of America pursuant to 21 U.S.C. § 881(a)(6) because the defendant currency  
 23 constitutes moneys or other things of value furnished or intended to be furnished in exchange for a  
 24 controlled substance or listed chemical, all proceeds traceable to such an exchange and/or was used  
 25 or intended to be used to facilitate one or more violations of 21 U.S.C. § 841 *et seq.*
- 26 3. On December 2, 2009, in accordance with the Complaint, a Warrant for Arrest of  
 27 Articles *In Rem* for the defendant currency was issued and duly executed on the defendant currency  
 28 on December 8, 2009.

1           4.       Beginning on January 23, 2010, for at least 30 consecutive days, the United States  
2 published notice of this action on the official government forfeiture site [www.forfeiture.gov](http://www.forfeiture.gov). A  
3 Declaration of Publication was filed on February 22, 2010.

4           5.       In addition to the publication of the forfeiture action, actual notice was made or  
5 attempted upon Gustavo Castaneda Ramos and Rogelio Gomez Ramos. To date, only Gustavo  
6 Castaneda Ramos has filed a claim and answer to this action. No other parties have filed claims or  
7 answers in this matter, and the time for which any person or entity may file a claim and answer has  
8 expired.

9           6.       The Clerk of the Court entered a Clerk's Certificate of Entry of Default against  
10 Rogelio Gomez Ramos on January 27, 2010. Pursuant to Local Rule 540, the United States and  
11 claimant Gustavo Castaneda Ramos thus join in a request that as part of this Final Judgment of  
12 Forfeiture in this case the Court enter a default judgment against the interest, if any, of Rogelio  
13 Gomez Ramos.

14           7.       Claimant Gustavo Castaneda Ramos represents and warrants that he is the sole owner  
15 of the defendant currency.

16           Based on the above findings, and the files and records of the Court, it is hereby

17           ORDERED AND ADJUDGED:

18           1.       The Court adopts the Stipulation for Final Judgment of Forfeiture entered into by and  
19 between the parties to this action.

20           2.       Judgment is hereby entered against Gustavo Castaneda Ramos, Rogelio Gomez  
21 Ramos, and all other potential claimants who have not filed claims in this action.

22           3.       Upon entry of a Final Judgment of Forfeiture, \$6,431.00 of the defendant  
23 approximately \$12,862.00 in U.S. Currency, together with any interest that may have accrued on the  
24 full \$12,862.00 amount, shall be forfeited to the United States pursuant to 21 U.S.C. § 881(a)(6), to  
25 be disposed of according to law.

26           4.       Upon entry of a Final Judgment of Forfeiture herein, but no later than 45 days  
27 thereafter, \$6,431.00 of the defendant approximately \$12,862.00 in U.S. Currency shall be returned  
28 to Claimant Gustavo Castaneda Ramos through his attorney Dominic J. Falasco at 816 4th Street,

1 Los Banos, CA 93635.

2 5. Plaintiff United States of America and its servants, agents, and employees, and all  
3 other public entities, their servants, agents, and employees, are hereby released from any and all  
4 liability arising out of or in any way connected with the arrest, seizure, or forfeiture of the defendant  
5 currency. This is a full and final release applying to all unknown and unanticipated injuries, and/or  
6 damages arising out of said arrest, seizure, or forfeiture, as well as to those now known or disclosed.  
7 The parties to this stipulation agree to waive the provisions of California Civil Code § 1542.

8 6. Claimant Gustavo Castaneda Ramos hereby waives any and all claim or right to  
9 interest that may have accrued on the defendant currency, or any portion thereof.

10 7. There was reasonable cause for the seizure and arrest of the defendant currency and  
11 that the Court may enter a Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465.

12 8. All parties will bear their own costs and attorneys' fees.

13 SO ORDERED THIS 7<sup>th</sup> day of March, 2011.

14  
15 /s/ OLIVER W. WANGER  
United States District Judge

16 CERTIFICATE OF REASONABLE CAUSE

17 Based upon the allegations set forth in the Complaint for Forfeiture *In Rem* filed November  
18 30, 2009, and the Stipulation for Final Judgment of Forfeiture filed herein, the Court enters this  
19 Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465, that there was reasonable cause for  
20 seizure of the defendant currency.  
21

22 Dated: March 7, 2011

23 /s/ OLIVER W. WANGER  
United States District Judge