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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,	)	1:10-CV-00535-AWI-GSA
12 Plaintiff,	)	<b>FINAL JUDGMENT OF FORFEITURE</b>
13 v.	)	
14 APPROXIMATELY \$24,120.00 IN U.S.	)	
15 CURRENCY,	)	
16 Defendant.	)	

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

19 1. This is a civil forfeiture action against defendant approximately \$24,120.00 in U.S.  
20 Currency (hereafter “defendant currency”).

21 2. A Verified Complaint for Forfeiture *In Rem* was filed on March 25, 2010, seeking  
 22 the forfeiture of the defendant currency, alleging said currency is subject to forfeiture to the United  
 23 States of America pursuant to 21 U.S.C. § 881(a)(6) because the defendant currency constitutes  
 24 moneys or other things of value furnished or intended to be furnished in exchange for a controlled  
 25 substance or listed chemical, all proceeds traceable to such an exchange and/or was used or intended  
 26 to be used to facilitate one or more violations of 21 U.S.C. § 841 *et seq.*

27 3. On March 30, 2010, in accordance with said Complaint, a Warrant for Arrest of  
28 Articles *In Rem* for the defendant currency was issued and duly executed on April 7, 2010.

1           4.       Public notice of the forfeiture action was published on the official internet  
2 government forfeiture site [www.forfeiture.gov](http://www.forfeiture.gov) for at least 30 consecutive days beginning April 10,  
3 2010, as required by Rule G(4) of the Supplemental Rules for Admiralty or Maritime Claims and  
4 Asset Forfeiture Actions. The Declaration of Publication was filed with the Court on June 30, 2010.

5           5.       In addition to the publication of the forfeiture action, actual notice was personally  
6 served upon Claimant. On April 19, 2010, Claimant filed his Verified Claim and Answer in this  
7 action. To date, no other parties have filed claims or answers in this matter, and the time for which  
8 any other person or entity may file a claim and answer has expired.

9           6.       Claimant Rafael Guzman represents and warrants that he is the sole owner of the  
10 defendant currency.

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

12           ORDERED AND ADJUDGED:

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

15           2.       Judgment is hereby entered against Rafael Guzman and all other potential claimants  
16 who have not filed claims in this action.

17           3.       Upon entry of a Final Judgment of Forfeiture, \$13,266.00 of the defendant  
18 approximately \$24,120.00 in U.S. Currency, together with any interest that may have accrued on the  
19 full amount of the defendant approximately \$24,120.00, shall be forfeited to the United States  
20 pursuant to 21 U.S.C. § 881(a)(6), to be disposed of according to law.

21           4.       Within 45 days of entry of a Final Judgment of Forfeiture, \$10,854.00 of the  
22 defendant approximately \$24,120.00 in U.S. Currency shall be returned to Claimant Rafael Guzman  
23 through his attorney Victor M. Perez at 1304 W. Center Street, Visalia, California 93277.

24           5.       Plaintiff United States of America and its servants, agents, and employees, and all  
25 other public entities, their servants, agents, and employees, are released from any and all liability  
26 arising out of or in any way connected with the arrest, seizure, or forfeiture of the defendant  
27 currency. This is a full and final release applying to all unknown and unanticipated injuries, and/or  
28 damages arising out of said arrest, seizure, or forfeiture, as well as to those now known or disclosed.

1 The parties waive the provisions of California Civil Code § 1542.

2 6. There was reasonable cause for the seizure and arrest of the defendant currency, and  
3 the Court may enter a Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465.

4 7. All parties shall bear their own costs and attorneys' fees.  
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7 CERTIFICATE OF REASONABLE CAUSE

8 Based upon the allegations set forth in the Complaint for Forfeiture *In Rem* filed March 25,  
9 2010, and the Stipulation for Final Judgment of Forfeiture filed herein, the Court enters this  
10 Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465, that there was reasonable cause for  
11 the seizure and arrest of the defendant currency.  
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13 IT IS SO ORDERED.

14 Dated: February 25, 2011

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17 CHIEF UNITED STATES DISTRICT JUDGE  
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