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

10

11 UNITED STATES OF AMERICA,)	1:10-CV-00573-LJO-GSA
)	
12 Plaintiff,)	APPLICATION AND ORDER FOR
)	PUBLICATION
13 v.)	
)	
14 2003 CHEVROLET AVALANCHE, VIN:)	
15 3GNEC13T63G317832, LICENSE: 7F73750,)	
and)	
)	
16 APPROXIMATELY \$9,067.00 IN U.S.)	
17 CURRENCY,)	
)	
18 Defendants.)	

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

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

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

26 3. The defendants 2003 Chevrolet Avalanche, VIN: 3GNEC13T63G317832, License:
 27 7F73750 (hereafter "defendant vehicle") and approximately \$9,067.00 in U.S. Currency (hereafter
 28 "defendant currency") were seized in the city of Visalia, Tulare County, California. The Drug

1 Enforcement Administration published notice of the non-judicial forfeiture of the defendant currency
2 on December 21, 28, 2009, and January 4, 2010, and of the defendant vehicle on December 28, 2009,
3 January 4 and 11, 2010, in the *Wall Street Journal*.

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

- 5 a. One publication;
- 6 b. Thirty (30) consecutive days;
- 7 c. On the official internet government forfeiture site www.forfeiture.gov;
- 8 d. The publication is to include the following:

9 (1) The Court and case number of the action;

10 (2) The date of the seizure/posting;

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

12 (4) The name and address of the attorney for the Plaintiff;

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

17 (6) A statement that answers to the Complaint or a motion under Rule 12
18 of the Federal Rules of Civil Procedure ("Fed. R. Civ. P.") must be filed and served within 21 days
19 after the filing of the claims and, in the absence thereof, default may be entered and condemnation
20 ordered.

21 Dated: April 2, 2010

BENJAMIN B. WAGNER
United States Attorney

23 /s/ Deanna L. Martinez
24 DEANNA L. MARTINEZ
Assistant United States Attorney

25 **ORDER**

26 IT IS SO ORDERED.

27 **Dated: April 2, 2010**

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