

1 BENJAMIN B. WAGNER  
United States Attorney  
2 HEATHER MARDEL JONES  
Assistant United States Attorney  
3 United States Courthouse  
2500 Tulare Street, Suite 4401  
4 Fresno, California 93721  
(559) 497-4000 Telephone  
5 (559) 497-4099 Facsimile  
6 Attorneys for the United States

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

10  
11 UNITED STATES OF AMERICA, ) 1:10-CV-01013-AWI-GSA  
12 Plaintiff, ) **FINAL JUDGMENT OF FORFEITURE**  
13 v. )  
14 REAL PROPERTY LOCATED AT 2421 )  
CAROLYN LANE, KINGSBURG, )  
15 CALIFORNIA, FRESNO COUNTY, )  
APN: 394-203-25, INCLUDING ALL )  
16 APPURTENANCES AND )  
IMPROVEMENTS THERETO, )  
17  
18 REAL PROPERTY LOCATED AT 2639 W. )  
FAIRMONT AVENUE, #204, FRESNO, )  
CALIFORNIA, FRESNO COUNTY, APN: )  
19 424-222-24, INCLUDING ALL )  
APPURTENANCES AND )  
20 IMPROVEMENTS THERETO, )  
21  
22 REAL PROPERTY LOCATED AT 4136 N. )  
THESTA STREET #5, FRESNO, )  
CALIFORNIA, FRESNO COUNTY, )  
23 APN: 436-350-06, INCLUDING ALL )  
APPURTENANCES AND )  
24 IMPROVEMENTS THERETO, )  
25  
26 REAL PROPERTY LOCATED AT 2131 S. )  
VAN NESS AVENUE, FRESNO, )  
CALIFORNIA, FRESNO COUNTY, )  
27 APN: 480-132-24-01, INCLUDING ALL )  
APPURTENANCES AND )  
IMPROVEMENTS THERETO )  
28 Defendants. )

1 Pursuant to the Waiver, Consent, and Stipulation, the Court finds:

2 1. This is a civil forfeiture action against defendants real property located at 2421  
3 Carolyn Lane, Kingsburg, California, Fresno County, APN: 394-203-25, including any right,  
4 title, and interest in the whole of any lot or tract of land any appurtenances or  
5 improvements thereon, real property located at 2421 Carolyn Lane, Kingsburg, California,  
6 Fresno County, APN: 394-203-25, including any right, title, and interest in the whole of any  
7 lot or tract of land any appurtenances or improvements thereon, 2639 W. Fairmont Avenue  
8 #204, Fresno, California, Fresno County, APN: 424-222-24, including any right, title, and  
9 interest in the whole of any lot or tract of land any appurtenances or improvements  
10 thereon, 4136 N. Thesta Street #5, Fresno, California, Fresno County, APN: 436-350-06,  
11 including any right, title, and interest in the whole of any lot or tract of land any  
12 appurtenances or improvements thereon, and, 2131 S. Van Ness Avenue, Fresno,  
13 California, Fresno County, APN: 480-132-24, including any right, title, and interest in the  
14 whole of any lot or tract of land any appurtenances or improvements thereon (hereafter  
15 collectively “defendant real properties”).

16 2. A Verified Complaint for Forfeiture *In Rem* (“Complaint”) was filed on June 3,  
17 2010, alleging that said defendant properties are subject to forfeiture to the United States  
18 of America pursuant to 21 U.S.C. §§ 881(a)(6) 881(a)(7).

19 3. Beginning on June 15, 2010, for at least 30 consecutive days, the United States  
20 published notice of this action on the official government forfeiture site [www.forfeiture.gov](http://www.forfeiture.gov).

21 4. In addition to the public notice on the official internet government forfeiture  
22 site [www.forfeiture.gov](http://www.forfeiture.gov), actual notice or attempted notice was given to the following  
23 individuals:

- 24 a. Edwan Khalid Dablan
- 25 b. Amira Fattah
- 26 c. Horieh Jordanan Khalid Dablan
- 27 d. Anthony P. Capozzi, attorney

28 5. On September 26, 2011, Edwan Dablan and Horieh Jordanan Khalid Dablan

1 filed a claim. No answers were filed<sup>1/</sup>. To date, no other parties have filed claims or  
2 answers in this matter, and the time in which any person or entity may file a claim and  
3 answer has expired.

4 6. As part of their plea in the related criminal case of United States v. Edwan  
5 Dablan, et al., 1:10-CR-00173-AWI-SKO, defendants Edwan Dablan, Khamal Dablan,  
6 and Manuel Vasquez, executed a Waiver, Consent, and Stipulation to the forfeiture of  
7 their right, title, and interest of the defendant real properties, subject to the terms set  
8 forth below. In addition, claimants Millenium 1, Inc., Sadeddeen Dablan, Horieh  
9 Jordanan Khalid Dablan, Nasry Khalid Dablan, Nabila Dablan, and potential claimants  
10 Amira Fattah, Ahlam S. Ibrahim, and Hamed Ibrahim have executed the same Waiver,  
11 Consent, and Stipulation.

12 7. On March 5, 2013, the United States received cashier's checks in the total  
13 amount of \$30,000.00 which represents the substitute res in lieu of the real property  
14 located at 2421 Carolyn Lane, Kingsburg, California, Fresno County, APN: 394-203-25. A  
15 Notice of Withdrawal of Lis Pendens was recorded on May 9, 2013.

16 8. On May 2, 2013, the United States received cashier's checks in the total  
17 amount of \$100,000.00 which represents the substitute res in lieu of the real property  
18 located at 2131 S. Van Ness Avenue, Fresno, California, Fresno County, APN: 480-132-  
19 24-01. A Notice of Withdrawal of Lis Pendens was recorded on May 9, 2013.

20 9. In accordance with the Waiver, Consent and Stipulation and the Stipulation  
21 and Application for Preliminary Order of Forfeiture filed in the related criminal case, the  
22 substitute res was to be received by the United States on or before the date of defendant  
23 Edwan Dablan's sentencing, which occurred on May 13, 2013. No other substitute res,  
24 except for that as enumerated in paragraphs 7 and 8 above, has been paid.

25 Based on the above findings, and the files and records of the Court, it is hereby  
26

27 \_\_\_\_\_  
28 <sup>1/</sup> Prior to the deadline upon which to file an answer, the instant matter was stayed  
pending resolution of the related criminal action, United States v. Edwan Dablan, et al.,  
1:10-CR-00173-AWI-SKO.

1 ORDERED AND ADJUDGED:

2 1. The Court adopts the Waiver, Consent, and Stipulation entered into by and  
3 between the parties to this action.

4 2. That judgment is hereby entered against Edwan Dablan, Millenium 1, Inc.,  
5 Hana Sadeddeen Dablan, Horieh Jordanan Khalid Dablan, Amira Fattah, Ahlam S.  
6 Ibrahim, Hamed Ibrahim, Nasry Khalid Dablan, Nabila Dablan, Khamal Dablan, and all  
7 other potential claimants.

8 3. Upon entry of a Final Judgment of Forfeiture herein, the defendant real  
9 property located at 2639 W. Fairmont Avenue #204, Fresno, California, Fresno County,  
10 APN: 424-222-24, more particularly described as:

11 THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF FRESNO,  
12 STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

13 (A) UNIT NO. 4 OF LOT 14 OF WEST SHAW ESTATES, IN THE CITY OF FRESNO, COUNTY OF  
14 FRESNO, STATE OF CALIFORNIA, AS SHOWN UPON AMENDED MAP ENTITLED TRACT NO.  
15 2253, WEST SHAW ESTATES, RECORDED IN BOOK 25, PAGE 44 OF PLATS, FRESNO COUNTY  
16 RECORDS, AND AS SHOWN ON EXHIBIT "A" ATTACHED TO THE CONDOMINIUM PLAN  
17 DATED JUNE 1, 1970, RECORDED JUNE 19, 1970, IN BOOK 5795, PAGE 848 OF OFFICIAL  
18 RECORDS, AND AS DEFINED IN THE DECLARATION OF RESTRICTIONS (ENABLING  
19 DECLARATION ESTABLISHING A PLAN FOR CONDOMINIUM OWNERSHIP OF A PORTION  
20 OF WEST SHAW ESTATES) DATED JUNE 16, 1970, RECORDED JUNE 19, 1970, IN BOOK 5795,  
21 PAGE 848 OF OFFICIAL RECORDS;

22 (B) AN UNDIVIDED 1/4 INTEREST IN COMMON AREA "A" OF LOT NO. 14 AS SHOWN ON  
23 EXHIBIT "A" AFORESAID AND AS DEFINED IN THE DECLARATION OF RESTRICTIONS,  
24 BEING ALL OF SUCH LOT NO. 14 AND THE IMPROVEMENTS THEREON, EXCEPT FOR THE  
25 UNITS;

26 (C) AN UNDIVIDED 1/228 INTEREST IN COMMON AREA "B" AS SHOWN ON SUCH EXHIBIT  
27 "A" AND AS DEFINED IN SUCH RESTRICTIONS, BEING LOT 22 AND THE IMPROVEMENTS  
28 THEREON AS SHON UPON THE AMENDED MAP ENTITLED TRACT NO. 2253, WEST SHAW  
ESTATES, RECORDED MAY 10, 1970 IN BOOK 25, PAGE 44 OF PLATS, FRESNO COUNTY  
RECORDS, AND

(D) THE RIGHT OF INGRESS AND EGRESS OVER AND ACROSS THOSE PORTIONS OF LAND  
SHOWN AND DESIGNATED AS "ALLEY" ON EXHIBIT "A" AFORESAID.  
APN: 424-222-24

and defendant real property located at 4136 N. Thesta Street #5, Fresno, California, Fresno  
County, APN: 436-350-06, more particularly described as:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF FRESNO, COUNTY  
OF FRESNO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

1 PARCEL 1:

2 UNIT 5 OF TRACT NO. 3513, MANCHESTER REGENCY CONDOMINIUMS, IN THE CITY OF  
3 FRESNO, COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE MAP  
4 THEREOF, RECORDED IN BOOK 43, PAGES 54, 55 AND 56 OF PLATS, FRESNO COUNTY  
5 RECORDS.

6 PARCEL 2:

7 AN UNDIVIDED 1/38TH INTEREST IN AND TO THE COMMON AREA AS SHOWN ON THE  
8 MAP OF TRACT NO. 3513, MANCHESTER REGENCY CONDOMINIUMS, ACCORDING TO THE  
9 MAP THEREOF RECORDED IN BOOK 43, PAGES 54, 55 AND 56 OF PLATS, FRESNO COUNTY  
10 RECORDS, AND FURTHER DESCRIBED IN THE DECLARATION OF COVENANTS,  
11 CONDITIONS AND RESTRICTIONS AND EASEMENTS ESTABLISHING A PLAN FOR  
12 CONDOMINIUM OWNERSHIP, RECORDED SEPTEMBER 17, 1985 AS DOCUMENT NO.  
13 85093102, FRESNO COUNTY RECORDS, EXCEPTING THEREFROM, UNITS 1 TO 38 INCLUSIVE  
14 OF SAID MANCHESTER REGENCY CONDOMINIUMS PLAN ABOVE REFERRED TO.

15 APN: 436-350-06

16 shall be forfeited to the United States pursuant to 21 U.S.C. §§ 881(a)(6) and 881(a)(7), to  
17 be disposed of according to law.

18 4. Upon entry of a Final Judgment of Forfeiture herein, the \$30,000.00 sub res in  
19 lieu of the defendant real property located at 2421 Carolyn Lane, Kingsburg, California,  
20 Fresno County, APN: 394-203-25, and the \$100,000.00 sub res in lieu of the real property  
21 located at 2131 S. Van Ness Avenue, Fresno, California, Fresno County, APN: 480-132-24-  
22 01, including any interest that may have accrued on those amounts, shall be forfeited to the  
23 United States pursuant to 21 U.S.C. §§ 881(a)(6) and 881(a)(7), to be disposed of according  
24 to law.

25 5. That the United States of America and its servants, agents, and employees  
26 and all other public entities, their servants, agents, and employees, are released from any  
27 and all liability arising out of or in any way connected with the seizure, arrest, or forfeiture  
28 of the defendant real properties. This is a full and final release applying to all unknown  
and unanticipated injuries, and/or damages arising out of said seizure, arrest, or forfeiture,  
as well as to those now known or disclosed. The parties to this agreement agree to waive  
the provisions of California Civil Code § 1542.

6. That pursuant to the stipulation of the parties, and the allegations set forth in  
the Complaint filed on June 3, 2010, the Court finds that there was probable cause for

1 arrest and seizure of the defendant real properties, and for the commencement and  
2 prosecution of this forfeiture action, and a Certificate of Reasonable Cause pursuant to 28  
3 U.S.C. § 2465 shall be entered accordingly.

4 7. That according to the stipulation of the parties and pursuant to 28 U.S.C. §  
5 2465, Claimants did not substantially prevail in this action, and all parties are to bear their  
6 own costs and attorney's fees.

7 8. The U.S. District Court for the Eastern District of California shall retain  
8 jurisdiction to enforce the terms of this Final Judgment of Forfeiture.

9  
10  
11  
12 CERTIFICATE OF REASONABLE CAUSE

13 Based upon the allegations set forth in the Complaint filed June 3, 2010, and the  
14 Waiver, Consent, and Stipulation filed herein, the Court enters this Certificate of  
15 Reasonable Cause pursuant to 28 U.S.C. § 2465, that there was reasonable cause for the  
16 seizure or arrest of the defendant properties, and for the commencement and prosecution of  
17 this forfeiture action.

18  
19 IT IS SO ORDERED.

20 Dated: August 7, 2013

21   
22  
23  
24  
25  
26  
27  
28 SENIOR DISTRICT JUDGE