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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,	) 1:11-CV-01937-AWI-SAB
12 Plaintiff,	) <b>FINAL JUDGMENT OF</b>
13 v.	) <b>FORFEITURE</b>
14	)
15 APPROXIMATELY \$7,624.85 IN U.S.	)
CURRENCY,	)
16 APPROXIMATELY \$6,099.37 IN U.S.	)
CURRENCY SEIZED FROM	)
17 RIVER CITY BANK	)
ACCOUNT NUMBER 1810009790,	)
18 and	)
19 APPROXIMATELY \$17,316.20 IN	)
U.S CURRENCY SEIZED FROM	)
20 WELLS FARGO BANK	)
ACCOUNT NUMBER 8123978010,	)
21 Defendants.	)
22	)

23 Pursuant to the Stipulation for Final Judgment of Forfeiture filed June 14,  
 24 2013, the Court finds:

25 1. This is a civil forfeiture action against Approximately \$7,624.85 in  
 26 U.S. Currency, approximately \$6,099.37 in U.S. Currency seized from River City  
 27 Bank account number 1810009790, and approximately \$17,316.20 in U.S. Currency  
 28 seized from Wells Fargo Bank account number 8123978010 (hereafter collectively

1 “defendant funds”).

2 2. A Verified Complaint for Forfeiture *In Rem* was November 18, 2011,  
3 alleging that said defendant funds are subject to forfeiture to the United States of  
4 America pursuant to 21 U.S.C. § 881(a)(6).

5 3. On December 15, 2011, the Clerk issued a Warrant for Arrest for the  
6 defendant funds. The warrant for the defendant funds was duly executed on  
7 December 22, 2011.

8 4. Beginning on December 20, 2011, for at least 30 consecutive days, the  
9 United States published notice of this action on the official government forfeiture  
10 site [www.forfeiture.gov](http://www.forfeiture.gov). A Declaration of Publication was filed with the Court on  
11 September 10, 2012.

12 5. In addition to public notice on the official internet government  
13 forfeiture site [www.forfeiture.gov](http://www.forfeiture.gov), actual notice or attempted notice was given to  
14 the following individuals:

- 15 a. Sara Herrin
- 16 b. Daniel Herrin
- 17 c. Jana Evans
- 18 d. Nancy Smith
- 19 e. Today’s Health Collective c/o Sara Herrin

20 6. On February 6, 2012, Sara Herrin, Jana Evans, and Nancy Smith each  
21 filed a Verified Claim to the defendant funds. On February 8, 2012, Sara Herrin,  
22 Jana Evans, and Nancy Smith each filed an Answer to the Verified Complaint for  
23 Forfeiture *In Rem*.

24 7. Claimants Sara Herrin, Jana Evans, and Nancy Smith state that they  
25 are the sole owners of the defendant funds and have authority to enter into this  
26 agreement.

27 8. No other parties have filed claims or answers in this matter, and the  
28 time for which any person or entity may file a claim and answer has expired.

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

3           **ORDERED AND ADJUDGED:**

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

6           2.       That judgment is hereby entered against Claimants Sara Herrin, Jana  
7 Evans, and Nancy Smith, and all other potential claimants who have not filed  
8 claims in this action.

9           3.       Upon entry of a Final Judgment of Forfeiture herein \$13,724.22 in  
10 U.S. Currency of the defendant funds, together with any interest that may have  
11 accrued on the full amount of the defendant funds, shall be forfeited to the United  
12 States pursuant to 21 U.S.C. § 881(a)(6), to be disposed of according to law.

13          4.       Within 60 days of entry of a Final Judgment of Forfeiture, \$17,316.20  
14 of the defendant funds, shall be returned to Claimants via their counsel of record,  
15 Ms. Carrie Hagin, at 506 Broadway St., San Francisco, CA 94133.

16          5.       That plaintiff United States of America and its servants, agents, and  
17 employees, and all other public entities, their servants, agents, and employees, are  
18 released from any and all liability arising out of or in any way connected with the  
19 seizure, arrest, or forfeiture of the defendant funds. This is a full and final release  
20 applying to all unknown and unanticipated injuries, and/or damages arising out of  
21 said seizure, arrest, or forfeiture, as well as to those now known or disclosed. The  
22 parties waived the provisions of California Civil Code § 1542.

23          6.       That pursuant to the stipulation of the parties, and the allegations set  
24 forth in the Complaint filed on or about November 18, 2011, the Court finds that  
25 there was reasonable cause for the seizure and arrest of the defendant funds, and  
26 for the commencement and prosecution of this forfeiture action, and a Certificate of  
27 Reasonable Cause pursuant to 28 U.S.C. § 2465 shall be entered accordingly.

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1 7. Pursuant to the Stipulation for Final Judgment of Forfeiture entered  
2 into between the parties, no party “substantially prevailed” within the meaning of  
3 28 U.S.C. § 2465. All parties shall bear their own costs and attorneys’ fees.

4 8. The Court shall maintain jurisdiction to enforce the terms of this Final  
5 Judgment of Forfeiture.

6 CERTIFICATE OF REASONABLE CAUSE

7 Based upon the allegations set forth in the Complaint for Forfeiture *In Rem*  
8 filed November 18, 2011, and the Stipulation for Final Judgment of Forfeiture filed  
9 June 14, 2013, the Court enters this Certificate of Reasonable Cause pursuant to 28  
10 U.S.C. § 2465, that there was reasonable cause for the seizure or arrest of the  
11 defendant funds, and for the commencement and prosecution of this forfeiture  
12 action.

13 IT IS SO ORDERED.

14 Dated: June 21, 2013



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16 SENIOR DISTRICT JUDGE  
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