

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  
 Telephone: (559) 497-4000  
 5 Facsimile: (559) 497-4099  
 6 Attorneys for United States

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

11 UNITED STATES OF AMERICA,	)	1:12-CV-00254-LJO-SKO
12 Plaintiff,	)	<b>APPLICATION AND ORDER FOR</b>
13 v.	)	<b>PUBLICATION</b>
14	)	
15 APPROXIMATELY \$35,900.00 IN	)	
U.S. CURRENCY,	)	
16 APPROXIMATELY \$5,500.00 IN	)	
U.S. CURRENCY,	)	
17 APPROXIMATELY \$3,125.00 IN	)	
18 U.S. CURRENCY, and	)	
19 APPROXIMATELY \$5,772.08 IN US.)	)	
CURRENCY SEIZED FROM	)	
20 UNION BANK ACCOUNT	)	
NUMBER 1540018207,	)	
21 Defendants.	)	
22	)	

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

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

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

3           3.     The defendant approximately \$35,900.00 in U.S. currency was seized  
4 on October 4, 2011, at 3100 Fowler Avenue in Clovis, California 93611; the  
5 defendant approximately \$5,500.00 in U.S. currency was seized on October 4, 2011,  
6 at 2675 Shirley Avenue in Clovis, California 93611; and the defendant  
7 approximately \$3,125.000 in U.S. currency was seized on October 4, 2011, at 16906  
8 N. Friant Road in Friant, California 93626 (hereafter collectively “defendant  
9 currency”). The defendant approximately \$5,772.08 in U.S. currency seized from  
10 Union Bank account number 1540018207 (hereafter “defendant funds”) were seized  
11 on October 6, 2011, from the Union Bank branch located in Clovis, California. The  
12 defendant currency and defendant funds are in the custody of the U.S. Marshals  
13 Service, Eastern District of California.

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

- 15           a.     One publication;
- 16           b.     Thirty (30) consecutive days;
- 17           c.     On the official internet government forfeiture site  
18                 [www.forfeiture.gov](http://www.forfeiture.gov);
- 19           d.     The publication is to include the following:

- 20                 (1)    The Court and case number of the action;
- 21                 (2)    The date of the seizure/posting;
- 22                 (3)    The identity and/or description of the property  
23 seized/posted;
- 24                 (4)    The name and address of the attorney for the Plaintiff;
- 25                 (5)    A statement that claims of persons entitled to possession  
26 or claiming an interest pursuant to Supplemental Rule G(5) must be filed with the  
27 Court and served on the attorney for the Plaintiff no later than 60 days after the  
28 first day of publication on the official internet government forfeiture site; and

1 (6) A statement that answers to the Complaint or a motion  
2 under Rule 12 of the Federal Rules of Civil Procedure must be filed and served  
3 within 21 days after the filing of the claims and, in the absence thereof, default may  
4 be entered and condemnation ordered.

5  
6 Dated: March 5, 2012

BENJAMIN B. WAGNER  
United States Attorney

7  
8 /s/ Heather Mardel Jones  
HEATHER MARDEL JONES  
Assistant United States Attorney

9  
10 **ORDER**

11  
12 IT IS SO ORDERED.

13 Dated: March 5, 2012

14 /s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE