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8 IN THE UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA  
10

11 UNITED STATES OF AMERICA,  
12 Plaintiff,

13 v.

14 APPROXIMATELY \$70,563.22 IN U.S.  
15 CURRENCY SEIZED FROM MISSION  
16 BANK ACCOUNT NUMBER 3000288,  
17 Defendant.

CASE NO. 1:13-CV-00602-JLT

**FINAL JUDGMENT OF FORFEITURE**

(Doc. 25)

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

20 1. This is a civil forfeiture action against approximately \$70,563.22 in U.S. Currency  
21 seized from Mission Bank account 3000288 (hereafter "defendant funds"), seized on or  
22 about November 7, 2012.

23 2. The Verified Complaint for Forfeiture *In Rem* ("Complaint") was filed on April 24,  
24 2013, alleging that said defendant funds are subject to forfeiture to the United States of  
25 America pursuant to 18 U.S.C. § 984 and 31 U.S.C. §§ 5317 and 5317(c)(2).

26 3. On May 9, 2013, the Clerk issued a Warrant for Arrest for the defendant funds.  
27 The warrant for the defendant funds was duly executed.  
28

1 4. Beginning on May 10, 2013, for at least 30 consecutive days, the United States  
2 published notice of this action on the official government forfeiture site  
3 [www.forfeiture.gov](http://www.forfeiture.gov). A Declaration of Publication was filed on August 7, 2013.

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

- 7 a. James Park
- 8 b. Helen Park
- 9 c. Ellis Park, attorney

10 6. On July 3, 2013, James Park filed a claim and on August 9, 2013, filed an  
11 Answer. To date, no other parties have filed claims or answers in this matter, and the  
12 time in which any person or entity may file a claim and answer has expired.

13 Based on the above findings, and the files and records of the Court, it is hereby  
14 ORDERED AND ADJUDGED:

15 1. The Court adopts the Stipulation for Final Judgment of Forfeiture entered into by  
16 and between the parties to this action, and incorporates it by reference herein.

17 2. That judgment is hereby entered against Claimant James Park, Potential Claimant  
18 Helen Park, and all other potential claimants who have not filed claims in this action.

19 3. Upon entry of a Final Judgment of Forfeiture herein, \$56,450.58 of the defendant  
20 funds, together with any interest that has accrued on the entire amount of defendant  
21 funds, shall be forfeited to the United States pursuant to 18 U.S.C. § 984 and 31 U.S.C. §§  
22 5317 and 5317(c)(2), to be disposed of according to law.

23 4. Within 90 days of entry of the Final Judgment of Forfeiture herein or 90 days after  
24 Claimants have provided the necessary electronic funds transfer paperwork—whichever is  
25 later, \$14,112.64 of the defendant funds shall be returned to Claimants through their  
26 attorney Ellis Park, PILG, 2312 Park Ave., Suite # 210, Tustin, California, telephone (949)  
27 910-9840.  
28

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

8 6. That pursuant to the stipulation of the parties, and the allegations set forth in the  
9 Complaint filed on April 24, 2013, the Court finds that no party substantially prevailed  
10 within the meaning of 28 U.S.C. § 2465, that there was probable cause for arrest and  
11 seizure of the defendant funds, and for the commencement and prosecution of this  
12 forfeiture action, and a Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465 shall  
13 be entered accordingly.

14 7. All parties are to bear their own costs and attorney's fees.

15 8. The U.S. District Court for the Eastern District of California shall retain  
16 jurisdiction to enforce the terms of the parties' Stipulation for Final Judgment of  
17 Forfeiture, and this Final Judgment of Forfeiture.

18  
19 IT IS SO ORDERED.

20 Dated: September 12, 2014

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE