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7 Attorneys for Petitioner United States of America

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

10
11 UNITED STATES OF AMERICA,
12
13 Petitioner,
14 v.
15 MARCELO RIVAS, President, Champs
Transportation, Inc.,
16 Respondent.

1:13-cv-01050-AWI-BAM

**PETITIONER'S NOTICE AND
REQUEST TO VACATE HEARING
AND CLOSE FILE; ORDER**

**Taxpayer:
CHAMPS TRANSPORTATION, INC.**

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18 TO THIS HONORABLE COURT:

19 PLEASE TAKE NOTICE that Respondent, Marcelo Rivas, President, Champs
20 Transportation, Inc., has recently gone out of business. This change has left him with no
21 apparent income and, for lack of assets, no ability to pay. Before the change, he was able to be
22 found at his business location; now, his whereabouts are unknown and he cannot be served with
23 process. Therefore Petitioner requests that the September 6, 2013, hearing on the order to show
24 cause be vacated, and that the case be closed.

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1 Dated: August 8, 2013

Respectfully submitted,

2 BENJAMIN B. WAGNER
3 United States Attorney

4 By: /s/ YHimel
5 YOSHINORI H. T. HIMEL
6 Assistant U.S. Attorney
7 Attorneys for Petitioner

United States of America

8 **ORDER**

9 Upon Petitioner's notice, good cause appearing, the hearing set for September 6, 2013, is
10 VACATED and the Application is DISMISSED.

11 The Clerk of the Court shall close this file.

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14 IT IS SO ORDERED.

15 Dated: August 8, 2013


16 SENIOR DISTRICT JUDGE