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8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 UNITED STATES OF AMERICA,
12 Plaintiff,

13 v.

14 APPROXIMATELY \$700.00 IN U.S.
15 CURRENCY,

16 APPROXIMATELY \$10,474.21 SEIZED
17 FROM WELLS FARGO ACCOUNT
NUMBER 7064503779, AND

18 APPROXIMATELY \$3,236.05 SEIZED
19 FROM BANK OF THE WEST
ACCOUNT NUMBER 028561662,

20 Defendants.
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CASE NO. 1:13-CV-01064-SAB

FINAL JUDGMENT OF FORFEITURE

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

23 1. This is a civil forfeiture action against approximately \$700.00 in U.S. Currency,
24 approximately \$10,474.21 in U.S. Currency seized from Wells Fargo Bank account number
25 7064503779, and approximately \$3,236.05 in U.S. Currency seized from Bank of the West
26 account number 028561662 (collectively hereafter “defendant funds”). The defendant
27 funds were seized on January 11, 2013 and January 17, 2013, respectively.
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1 2. The Verified Complaint for Forfeiture *In Rem* ("Complaint") was filed on July 11,
2 2013, alleging that said defendant funds are subject to forfeiture to the United States of
3 America pursuant to 21 U.S.C. § 881(a)(6).

4 3. On August 28, 2013, the Clerk issued a Warrant for Arrest for the defendant funds.
5 The warrant was executed on September 4, 2013 and the warrant return was filed on
6 October 11, 2013.

7 4. Beginning on November 23, 2013, and continuing for at least 30 consecutive days,
8 the United States published notice of this action on the official government forfeiture site
9 www.forfeiture.gov. A Declaration of Publication was filed with the Court on July 25,
10 2014.

11 5. In addition to the public notice on the official internet government forfeiture site
12 www.forfeiture.gov, direct notice or attempted direct notice was given to the following
13 individuals:

- 14 a. Jorge Soto
- 15 b. Rosalinda Soto
- 16 c. Victor M. Perez, attorney

17 6. On September 27, 2013, Jorge Soto and Rosalinda Soto filed verified answers.
18 To date, no other parties have filed claims or answers in this matter, and the time in
19 which any person or entity may file a claim and answer has expired.

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

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

24 2. That judgment is hereby entered against Claimant Jorge Soto, Claimant Rosalinda
25 Soto and, and all other potential claimants who have not filed claims in this action.

26 3. Upon entry of the Final Judgment of Forfeiture herein, \$10,037.31 of the defendant
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1 funds including any interest that has accrued on the entire amount of defendant funds,
2 shall be forfeited to the United States pursuant to 21 U.S.C. § 881(a)(6) to be disposed of
3 according to law.

4 4. Within 90 days of entry of the Final Judgment of Forfeiture herein or 90 days after
5 Claimants have provided the necessary electronic funds transfer paperwork—whichever is
6 later, \$4,372.95 of the defendant funds shall be returned to Claimants through their
7 attorney Victor M. Perez, The Perez Law Firm, 1304 W. Center Ave., Visalia, CA 93291,
8 (559) 625-2626.
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10 5. The United States of America and its servants, agents, and employees and all
11 other public entities, their servants, agents, and employees, are released from any and all
12 liability arising out of or in any way connected with the seizure, arrest, or forfeiture of the
13 defendant funds. This is a full and final release applying to all unknown and
14 unanticipated injuries, and/or damages arising out of said seizure, arrest, or forfeiture, as
15 well as to those now known or disclosed. The parties to this agreement agree to waive the
16 provisions of California Civil Code § 1542.

17 6. That pursuant to the stipulation of the parties, and the allegations set forth in the
18 Complaint filed on July 11, 2013, the Court finds that no party substantially prevailed
19 within the meaning of 28 U.S.C. § 2465, that there was probable cause for arrest and
20 seizure of the defendant vehicle and defendant funds, and for the commencement and
21 prosecution of this forfeiture action, and a Certificate of Reasonable Cause pursuant to 28
22 U.S.C. § 2465 shall be entered accordingly.

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

24 8. The U.S. District Court for the Eastern District of California shall retain
25 jurisdiction to enforce the terms of the parties' Stipulation for Final Judgment of

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1 Forfeiture, and this Final Judgment of Forfeiture.

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3 IT IS SO ORDERED.

4 Dated: September 12, 2014



UNITED STATES MAGISTRATE JUDGE

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