

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

7  
8 IN THE UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA

10  
11 UNITED STATES OF AMERICA, ) 1:13-CV-01075-BAM  
12 Plaintiff, )  
13 v. ) **FINAL JUDGMENT OF**  
14 APPROXIMATELY \$37,000.00 IN U.S. ) **FORFEITURE**  
15 CURRENCY, )  
16 Defendant. )

17  
18 Pursuant to the Stipulation for Final Judgment of Forfeiture, the Court finds:

- 19 1. This is a civil action against the defendant approximately \$37,000.00 in U.S.  
20 Currency (hereafter “defendant currency”) seized on or about December 20, 2012. A Verified  
21 Complaint for Forfeiture In Rem (“Complaint”) was filed on July 12, 2013, alleging that said  
22 defendant currency is subject to forfeiture to the United States of America pursuant to 21  
23 U.S.C. § 881(a)(6).
- 24 2. On September 12, 2013, the Clerk issued a Warrant for Arrest for the  
25 defendant currency. The warrant for the defendant currency was duly executed on  
26 September 16, 2013.
- 27 3. Beginning on July 18, 2013, for at least 30 consecutive days, the United States  
28 published notice of this action on the official government forfeiture site [www.forfeiture.gov](http://www.forfeiture.gov).

1 A Declaration of Publication was filed with the Court on August 27, 2013.

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

- 5 a. Nicholas Colt Vigil
- 6 b. Jason Paul Jones
- 7 c. Jeffrey D. Schwartz, Esq.

8 5. On October 10, 2013, Claimant filed a deficient claim. On October 28, 2013,  
9 Claimant filed an Answer. On that same date, October 28, 2013, Claimant filed an  
10 Amended Claim.

11 6. No other parties filed claims or answers, and the time in which any person or  
12 entity may have filed a claim and answer expired. As such, the Clerk of the court entered a  
13 Clerk's Certificate of Entry of Default against Jason Paul Jones on October 21, 2013.

14 7. The United States and Claimant hereby jointly request that, as part of the  
15 Final Judgment of Forfeiture in this case, the Court enter a default judgment against the  
16 interest, if any, of Jason Paul Jones.

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

- 19 1. The Court adopts the Stipulation for Final Judgment of Forfeiture entered into by  
20 and between the parties to this action.
- 21 2. That judgment is hereby entered against Nicholas Colt Vigil, Jason Paul Jones, and  
22 all other potential claimants.
- 23 3. After entry by the Court of a Final Judgment of Forfeiture herein, \$33,300.00 of the  
24 defendant approximately \$37,000.00 in U.S. Currency, together with any interest  
25 that has accrued on the entire \$37,000.00, shall be forfeited to the United States  
26 pursuant to 21 U.S.C. § 881(a)(6), to be disposed of according to law.
- 27 4. After entry by the Court of a Final Judgment of Forfeiture herein, and no later than  
28 60 days after Claimant has provided the necessary electronic funds transfer

1 paperwork, \$3,700.00 of the defendant funds shall be returned to Claimant, through  
2 his attorneys of record, Jeffrey D. Schwartz and Jessica M. Watson, 637 F Street,  
3 Arcata, California, 95521, telephone (737) 822-6707.

- 4 5. That pursuant to the stipulation of the parties, the United States of America and its  
5 servants, agents, and employees and all other public entities, their servants, agents,  
6 and employees, are released from any and all liability arising out of or in any way  
7 connected with the seizure, arrest, or forfeiture of the defendant funds. This is a full  
8 and final release applying to all unknown and unanticipated injuries, and/or  
9 damages arising out of said seizure, arrest, or forfeiture, as well as to those now  
10 known or disclosed. Claimant agrees to waive the provisions of California Civil Code  
11 § 1542.
- 12 6. That pursuant to the stipulation of the parties, and the allegations set forth in the  
13 Complaint filed on July 12, 2013, the Court finds that there was probable cause for  
14 arrest and seizure of the defendant currency, and for the commencement and  
15 prosecution of this forfeiture action, and a Certificate of Reasonable Cause pursuant  
16 to 28 U.S.C. § 2465 shall be entered accordingly.
- 17 7. All parties are to bear their own costs and attorney's fees.
- 18 8. The U.S. District Court for the Eastern District of California shall retain jurisdiction  
19 to enforce the terms of this Final Judgment of Forfeiture.

20 IT IS SO ORDERED.

21 Dated: March 27, 2014\_\_\_\_\_

/s/ Barbara McAuliffe\_\_\_\_\_  
BARBARA A. McAULIFFE  
United States Magistrate Judge

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CERTIFICATE OF REASONABLE CAUSE

Based upon the allegations set forth in the Complaint filed July 12, 2013, and the Stipulation for Final Judgment of Forfeiture filed herein, the Court enters this Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465, that there was reasonable cause for the seizure or arrest of the defendant currency, and for the commencement and prosecution of this forfeiture action.

IT IS SO ORDERED.

Dated: March 27, 2014

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE