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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 \$93,500.00 IN U.S.
CURRENCY,

15 Defendant.
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CASE NO. 1:13-CV-01225-AWI-SKO

FINAL JUDGMENT OF FORFEITURE

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

19 1. This is a civil forfeiture action against Approximately \$93,500.00 in U.S. Currency
20 (hereafter “defendant currency”).

21 2. A Verified Complaint for Forfeiture *In Rem* was filed on August 6, 2013, alleging
22 that said defendant currency is subject to forfeiture pursuant to 21 U.S.C. § 881(a)(6).

23 3. On August 9, 2013, the Clerk issued a Warrant for Arrest for the defendant
24 currency. The warrant for the defendant currency was duly executed on August 15, 2013.

25 4. Beginning on August 11, 2013, for at least 30 consecutive days, the United States
26 published notice of this action on the official government forfeiture site www.forfeiture.gov. A
27 Declaration of Publication was filed on January 22, 2014.

28 5. In addition to public notice on the official internet government forfeiture site

1 www.forfeiture.gov, actual notice or attempted notice was given to the following individuals:

- 2 a. Edy Salazar
- 3 b. Mario Moreno
- 4 c. Matthew Lombard, attorney

5 6. Potential Claimant Edy Salazar filed a claim with the Drug Enforcement
6 Administration (DEA) in the administrative proceeding. To date, no other parties have filed
7 either administrative or judicial claims or answers in this matter, and the time in which any
8 person or entity may file a claim and answer has expired.

9 7. On February 27, 2014, the United States sought and obtained a Clerk's Entry of
10 Default against Mario Moreno. On May 16, 2014, the Court granted the United States Motion
11 for Default against Mario Moreno.

12 8. Potential Claimant represents and warrants that he is the sole owner of the
13 defendant currency and that no other person or entity has any legitimate claim of interest
14 therein.

15 9. No other parties have filed claims or answers in this matter, and the time for which
16 any person or entity may file a claim and answer has expired.

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 Potential Claimant Edy Salazar, Mario
22 Moreno and all other potential claimants who have not filed claims in this action.

23 3. Upon entry of a Final Judgment of Forfeiture herein \$83,215.00 of the defendant
24 currency of approximately \$93,500.00, together with any interest that has accrued on the
25 entire amount of defendant currency, shall be forfeited to the United States pursuant to 21
26 U.S.C. § 881(a)(6), to be disposed of according to law.

27 4. Upon entry of a Final Judgment of Forfeiture herein, but no later than 60 days after
28 Potential Claimant has provided the necessary electronic funds transfer paperwork,

1 \$10,285.00 of the defendant currency of approximately \$93,500.00, shall be returned to
2 Potential Claimant through his attorney Matthew J. Lombard, at The Law Offices of Matthew
3 J. Lombard, 2115 Main Street, Santa Monica, CA, 90405, telephone (310) 399-3259.

4 5. Plaintiff United States of America and its servants, agents, and employees,
5 and all other Public entities, their servants, agents, and employees, are released from any and
6 all liability, arising out of or in any way connected with the seizure, arrest, or forfeiture of the
7 defendant currency. This is a full and final release applying to all unknown and
8 unanticipated injuries, and/or damages arising out of said seizure, arrest, or forfeiture, as well
9 as to those now known or disclosed. The parties waived the provisions of California Civil Code
10 § 1542.

11 6. That pursuant to the stipulation of the parties, and the allegations set forth in the
12 Complaint filed on or about August 6, 2013, the Court finds that there was reasonable cause
13 for the seizure and arrest of the defendant currency, and for the commencement and
14 prosecution of this forfeiture action, and a Certificate of Reasonable Cause pursuant to 28
15 U.S.C. § 2465 shall be entered accordingly.

16 7. Pursuant to the Stipulation for Final Judgment of Forfeiture entered into between
17 the parties, no party “substantially prevailed” within the meaning of 28 U.S.C. § 2465. All
18 parties shall bear their own costs and attorney’s fees.

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1 8. The Court shall maintain jurisdiction to enforce the terms of this Final Judgment of
2 Forfeiture.

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7 **CERTIFICATE OF REASONABLE CAUSE**

8 Based upon the allegations set forth in the Complaint for Forfeiture *In Rem* filed
9 August 6, 2013, and the Stipulation for Final Judgment of Forfeiture filed herewith, this
10 Court enters this Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465, that there
11 was reasonable cause for the seizure or arrest of the defendant funds, and for the
12 commencement and prosecution of this forfeiture.

13 IT IS SO ORDERED.

14 Dated: June 30, 2014

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17 SENIOR DISTRICT JUDGE