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

10  
 11 UNITED STATES OF AMERICA,  
 12 Plaintiff,

CASE NO. 1:14-CV-00859-LJO-SAB

**FINAL JUDGMENT OF FORFEITURE**

13 v.

14 APPROXIMATELY \$20,420.00 IN U.S.  
 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 approximately \$20,420.00 in U.S. Currency  
 20 (hereafter "Defendant Currency").

21 2. The Verified Complaint for Forfeiture *In Rem* ("Complaint") was filed on June 6,  
 22 2014, alleging that said Defendant Currency is subject to forfeiture to the United States of  
 23 America pursuant to 21 U.S.C. § 881(a)(6).

24 3. On July 23, 2014, the Clerk issued a Warrant for Arrest for the Defendant  
 25 Currency, which was duly executed.

26 4. Beginning on July 1, 2014, and continuing for at least 30 consecutive days, the  
 27  
 28

1 United States published notice of this action on the official government forfeiture site  
2 [www.forfeiture.gov](http://www.forfeiture.gov). A Declaration of Publication was filed with the Court on October 3,  
3 2014.

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. Bryon Thornton
- 8 b. Brian Thornton
- 9 c. John Balazs, attorney

10 6. On August 22, 2014, Bryon Thornton filed his verified claim in this action. To date,  
11 no other parties have filed claims or answers in this matter, and the time in which any  
12 person or entity may file a claim and answer has expired.

13 7. The Clerk of the Court entered a Clerk's Certificate of Entry of Default against  
14 Brian Thornton on October 10, 2014. Pursuant to Local Rule 540, the United States and  
15 Claimant Bryon Thornton thus join in a request that as part of the Final Judgment of  
16 Forfeiture in this case the Court enter a default judgment against the interests, if any, of  
17 Brian Thornton.

18 8. Claimant Bryon Thornton represents and warrants that he is the sole owner of the  
19 Defendant Currency and that no other person or entity has any legitimate claim of  
20 interest therein. Should any person or entity institute any kind of claim or action against  
21 the United States with regard to its forfeiture of all or part of the Defendant Currency,  
22 Claimant shall hold harmless and indemnify the United States.

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

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

27 2. That judgment is hereby entered against Claimant Bryon Thornton, Brian  
28 Thornton, and all other potential claimants who have not filed claims in this action.

1 3. Upon full execution of this Stipulation and entry of the Final Judgment of  
2 Forfeiture, \$14,420.00 in U.S. Currency of the Defendant Currency, together with any  
3 interest that may have accrued on the full amount of the Defendant Currency, shall be  
4 forfeited to the United States pursuant to 21 U.S.C. § 881(a)(6), to be disposed of according  
5 to law.

6 4. Within 60 days of entry of the Final Judgment of Forfeiture herein or 60 days after  
7 Claimant has provided the necessary electronic funds transfer paperwork—whichever is  
8 later, \$6,000.00 of the Defendant Currency shall be returned to Claimant Bryon Thornton  
9 via his counsel of record, Mr. John Balazs at 916 Second Street, Suite F, Sacramento, CA  
10 95814.

11 5. That plaintiff United States of America and its servants, agents, and employees,  
12 and all other Public entities, their servants, agents, and employees, are released from any and  
13 all liability, arising out of or in any way connected with the seizure, arrest, or forfeiture of the  
14 Defendant Currency. This is a full and final release applying to all unknown and  
15 unanticipated injuries, and/or damages arising out of said seizure, arrest, or forfeiture, as well  
16 as to those now known or disclosed. Claimant has waived the provisions of California Civil  
17 Code § 1542.

18 6. That pursuant to the stipulation of the parties, and the allegations set forth in the  
19 Complaint filed on or about June 6, 2014, the Court finds that there was reasonable cause for  
20 the seizure and arrest of the Defendant Currency, and for the commencement and prosecution  
21 of this forfeiture action, and a Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465  
22 shall be entered accordingly.

23 7. Pursuant to the Stipulation for Final Judgment of Forfeiture entered into between  
24 the parties, no party “substantially prevailed” within the meaning of 28 U.S.C. § 2465. All  
25 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.

3 **SO ORDERED**

4 **Dated: October 30, 2014**

5 /s/ Lawrence J. O'Neill  
6 **United States District Judge**

7 **CERTIFICATE OF REASONABLE CAUSE**

8 Based upon the allegations set forth in the Complaint for Forfeiture *In Rem* filed June  
9 6, 2014, and the Stipulation for Final Judgment of Forfeiture filed herewith, this Court enters  
10 this Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465, that there was reasonable  
11 cause for the seizure or arrest of the Defendant Currency, and for the commencement and  
12 prosecution of this forfeiture.

13 **SO ORDERED**

14 **Dated: October 30, 2014**

15 /s/ Lawrence J. O'Neill  
16 **United States District Judge**