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8 IN THE UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA  
10

11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 v.  
14 39.77 ACRES OF LAND, MORE OR LESS,  
SITUATE IN TULARE COUNTY, et al.,  
15 Defendants.  
16

CASE NO. 1:14-cv-01819 SAB  
ORDER GRANTING EX PARTE  
APPLICATION FOR ORDER FOR DEPOSIT  
OF FUNDS IN REGISTRY OF COURT  
[GENERAL ORDER 531; L.R. 150(b)]

17  
18 The United States of America hereby requests that the Court issue an order requiring the Clerk of  
19 the Court to accept from the United States of America a check in the amount of SEVEN HUNDRED  
20 FORTY SEVEN THOUSAND FIVE HUNDRED DOLLARS AND 00/100 (\$747,500.00) for deposit in  
21 the registry of the Court pending further order of the Court. In support whereof, the United States  
22 represents as follows:

23 1. The United States is in the process of exercising its authority to condemn and otherwise  
24 take property under 40 U.S.C. § 3114. Section 3114 provides that on “filing the declaration of taking  
25 and depositing in the court . . . the amount of estimated compensation stated in the declaration—(1) title  
26 to the estate or interest specified in the declaration vests in the Government; (2) the land is condemned  
27 and taken for the use of the Government; and (3) the right to just compensation for the land vests in the  
28

1 persons entitled to the compensation.” Hence, the United States is required to file a declaration of  
2 taking and deposit an amount of estimated compensation in order to comply with 40 U.S.C. § 3114.

3 2. Concurrently herewith, the United States is filing a Declaration of Taking pursuant to 40  
4 U.S.C. § 3114.

5 WHEREFORE, the United States of America requests that the Court issue an order requiring the  
6 Clerk of the Court to accept from the United States of America a check in the amount of SEVEN  
7 HUNDRED FORTY SEVEN THOUSAND FIVE HUNDRED DOLLARS AND 00/100 (\$747,500.00)  
8 for deposit in the registry of the Court pending further order of the Court.

9 DATED: November 19, 2014

BENJAMIN B. WAGNER  
United States Attorney

11 /s/ Lynn Trinka Ernce  
12 LYNN TRINKA ERNCE  
Assistant United States Attorney

14 **ORDER**

16 IT IS SO ORDERED.

17 Dated: November 21, 2014

  
Jerry A. Base  
UNITED STATES MAGISTRATE JUDGE