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

10 UNITED STATES OF AMERICA,
11 Plaintiff,

12 v.

13 APPROXIMATELY \$17,020.00 IN U.S.
14 CURRENCY,
15 Defendant.

Case No. 1:15-CV-01057-BAM

FINAL JUDGMENT OF FORFEITURE

16
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 \$17,020.00 in U.S. Currency
20 (hereafter “defendant currency”).
21 2. A Verified Complaint for Forfeiture *In Rem* was filed on July 9, 2015, alleging
22 that said defendant currency is subject to forfeiture to the United States of America pursuant
23 to 21 U.S.C. §881(a)(6).
24 3. On July 14, 2015, the Clerk of the Court issued a Warrant for Arrest for the
25 defendant currency. The warrant for the defendant currency was duly executed on July 15,
26 2015.
27 4. Beginning on July 15, 2015, for at least 30 consecutive days, the United States
28

1 published notice of this action on the official government forfeiture site www.forfeiture.gov. A
2 Declaration of Publication was filed with the Court on October 2, 2015.

3 5. In addition to public notice on the official internet government forfeiture site
4 www.forfeiture.gov, actual notice or attempted notice was given to the following individuals:

- 5 a. Raymond Rashaud Cox
- 6 b. Sabrina Johnson
- 7 c. Miles A. Harris, Esq.

8 6. Claimant Raymond Rashaud Cox states that he is the sole owner of the Defendant
9 Currency and has authority to enter into this agreement.

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

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

14 1. The Court adopts the Stipulation for Final Judgment of Forfeiture entered into by
15 and between the parties to this action.

16 2. That judgment is hereby entered against Claimant Raymond Rashaud Cox and all
17 other potential claimants who have not filed claims in this action.

18 3. Upon entry of a Final Judgment of Forfeiture herein, \$8,520.00 in U.S. Currency of
19 the Defendant Currency, together with any interest that may have accrued on the full amount
20 of the Defendant Currency, shall be forfeited to the United States pursuant to 21 U.S.C. §
21 881(a)(6), to be disposed of according to law.

22 4. Upon entry of a Final Judgment of Forfeiture herein, but not later than 60 days
23 after the Court issued the Final Judgment of Forfeiture or 60 days after Claimant has
24 provided the necessary electronic funds transfer paperwork—whichever is later, \$8,500.00 of
25 the Defendant Currency, shall be returned to Claimant Raymond Rashaud Cox via his
26 counsel of record, Miles A. Harris, Esq.

27 5. Plaintiff United States of America and its servants, agents, and employees,
28 and all other Public entities, their servants, agents, and employees, are released from any and

1 all liability, arising out of or in any way connected with the seizure, arrest, or forfeiture of the
2 Defendant Currency. This is a full and final release applying to all unknown and
3 unanticipated injuries, and/or damages arising out of said seizure, arrest, or forfeiture, as well
4 as to those now known or disclosed. Claimant has waived the provisions of California Civil
5 Code § 1542.

6 6. Pursuant to the stipulation of the parties, and the allegations set forth in the
7 Complaint filed on or about July 9, 2015, the Court finds that there was reasonable cause for
8 the seizure and arrest of the defendant currency, and for the commencement and prosecution
9 of this forfeiture action, and a Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465
10 shall be entered accordingly.

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

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

16 **CERTIFICATE OF REASONABLE CAUSE**

17 Based upon the allegations set forth in the Complaint for Forfeiture *In Rem* filed July
18 9, 2015, and the Stipulation for Final Judgment of Forfeiture filed herewith, this Court enters
19 this Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465, that there was reasonable
20 cause for the seizure or arrest of the Defendant Currency, and for the commencement and
21 prosecution of this forfeiture.

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23 IT IS SO ORDERED.

24 Dated: February 22, 2016

25 /s/ Barbara A. McAuliffe
26 UNITED STATES MAGISTRATE JUDGE
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