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

11 UNITED STATES OF AMERICA,

1:15-CV-01539-LJO-EPG

12 Plaintiff,

**FINAL JUDGMENT OF FORFEITURE**

13 v.

14 APPROXIMATELY \$19,700.00 IN U.S.  
CURRENCY,

15 Defendant.  
16

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

20 1. This is a civil forfeiture action against Approximately \$19,700.00 in U.S. Currency  
21 (hereafter “defendant currency”).

22 2. A Verified Complaint for Forfeiture *In Rem* was filed on October 9, 2015, alleging  
23 that said defendant currency is subject to forfeiture to the United States of America pursuant  
24 to 21 U.S.C. §881(a)(6).

25 3. On October 19, 2015, the Clerk of the Court issued a Warrant for Arrest for the  
26 defendant currency. The warrant for the defendant currency was duly executed on October  
27 23, 2015.

28 4. Beginning on October 21, 2015, for at least 30 consecutive days, the United States

1 published notice of this action on the official government forfeiture site [www.forfeiture.gov](http://www.forfeiture.gov). A  
2 Declaration of Publication was filed with the Court on December 3, 2015.

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

5 a. Brian Moreno

6 b. Dixie Dan Powell, Esq.

7 6. Potential Claimant Brian Moreno states that he is the sole owner of the Defendant  
8 Currency and has authority to enter into this agreement.

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

11 Based on the above findings, and the files and records of the Court, it is hereby

12 ORDERED AND ADJUDGED:

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

15 2. That judgment is hereby entered against Potential Claimant Brian Moreno and all  
16 other potential claimants who have not filed claims in this action.

17 3. Upon entry of a Final Judgment of Forfeiture herein, \$11,700.00 in U.S. Currency of  
18 the Defendant Currency, together with any interest that may have accrued on the full amount  
19 of the Defendant Currency, shall be forfeited to the United States pursuant to 21 U.S.C. §  
20 881(a)(6), to be disposed of according to law.

21 4. Upon entry of a Final Judgment of Forfeiture herein, but not later than 60 days  
22 after the Court issued the Final Judgment of Forfeiture or 60 days after Claimant has  
23 provided the necessary electronic funds transfer paperwork—whichever is later, \$8,000.00 of  
24 the Defendant Currency, shall be returned to Claimant via his counsel of record, Dixie Dan  
25 Powell, Esq. at 602 South Main Street, Crestview, FL 32536.

26 5. Plaintiff United States of America and its servants, agents, and employees,  
27 and all other Public entities, their servants, agents, and employees, are released from any and  
28 all liability, arising out of or in any way connected with the seizure, arrest, or forfeiture of the

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

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

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

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

15 **CERTIFICATE OF REASONABLE CAUSE**

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

21  
22 IT IS SO ORDERED.

23 Dated: December 7, 2015

/s/ Lawrence J. O’Neill  
24 UNITED STATES DISTRICT JUDGE