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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
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11 UNITED STATES OF AMERICA,

12 Petitioner,

13 v.

14 TINA BARELA,

15 Respondent.
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Case No. 1:16-cv-01805-LJO-EPG

ORDER RELEASING RESPONDENT TINA
BARELA; REQUIRING HER TO APPEAR
ON NOVEMBER 27, 2017 TO ANSWER
FOR CIVIL CONTEMPT CHARGES AND
TO PRODUCE DOCUMENTS
RESPONSIVE TO THE IRS SUBPOENA;
AND DISCHARGING WARRANT OF
ARREST

(ECF No. 18)

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19 On November 30, 2016, the United States of America filed a petition to enforce an
20 Internal Revenue Service summons. (ECF No. 1.) On March 24, 2017, an order issued requiring
21 Tina Barela to appear and comply with the tax summons. (ECF No. 10.) On August 31, 2017,
22 the United States of America filed a petition to find Tina Barela in contempt for her failure to
23 comply with the March 24, 2017 order. (ECF No. 11.) An order to show cause re contempt
24 issued on September 5, 2017, requiring Tina Barela to appear on October 17, 2017 and show
25 cause why contempt sanctions should not issue for her failure to comply. (ECF No. 14.) Tina
26 Barela did not appear on October 17, 2017 as ordered. (ECF No. 15.) On October 23, 2017, an
27 order issued finding Tina Barela in civil contempt and an arrest warrant issued requiring her to
28 be brought before Chief Judge Lawrence J. O'Neill. (ECF Nos. 17, 18.)

1 On November 21, 2017, Tina Barela appeared in custody before the undersigned pursuant
2 to the arrest warrant. The Court shall order Tina Barela released, and she is required to appear
3 on November 27, 2017 before Chief Judge O'Neill to answer for her civil contempt and to
4 comply with the tax summons.

5 Accordingly, IT IS HEREBY ORDERED that:

- 6 1. Tina Barela is RELEASED from custody;
- 7 2. Tina Barela SHALL APPEAR on **November 27, 2017, at 2:00 p.m. in**
8 **Courtroom 4** before Chief Judge Lawrence J. O'Neill;
- 9 3. At her appearance on November 27, 2017, Tina Barela SHALL PRODUCE for
10 examining and copying the books, checks, records, papers and other data
11 demanded by the IRS summons issued on December 16, 2015;
- 12 4. The arrest warrant issued October 23, 2017 is DISCHARGED;
- 13 5. Tina Barela is advised that the failure to appear on November 27, 2017, will result
14 in this Court finding her in civil contempt; and
- 15 6. Failure to comply with this order will result in the issuance of an arrest warrant.

16 IT IS SO ORDERED.

17 Dated: **November 21, 2017**

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20 UNITED STATES MAGISTRATE JUDGE
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