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14 IN THE UNITED STATES DISTRICT COURT
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16 EASTERN DISTRICT OF CALIFORNIA

17 UNITED STATES OF AMERICA,
18 Plaintiff,
19 v.
20 APPROXIMATELY \$95,240.00 IN U.S.
21 CURRENCY,
22 Defendant.

23 CASE NO. 1:17-MC-00030-DAD
24 CONSENT JUDGMENT OF FORFEITURE

25 Pursuant to the Stipulation for Consent Judgment of Forfeiture, the Court finds:

26 1. On October 18, 2016, agents with the Drug Enforcement Administration (“DEA”)
27 contacted Raymond Agee Richardson (hereafter “Richardson” or “Potential Claimant”) at the Fresno
28 Yosemite International Airport in Fresno, California. Approximately \$95,240.00 in U.S. Currency
(hereafter the “Defendant Currency”) was seized from Richardson during this encounter.

29 2. The DEA commenced administrative forfeiture proceedings, sending direct written notice
30 to all known potential claimants and publishing notice to all others. On or about February 14, 2017, the
31 DEA received a claim from Richardson asserting an ownership interest in the Defendant Currency.

32 3. The United States represents that it could show at a forfeiture trial that on October 18,
33 2016, agents with the Fresno Resident Office Drug Enforcement Administration (“DEA”) responded to
34 the Fresno Yosemite International Airport and made contact with Austen Glen McCoy (hereafter
35 “McCoy”). DEA agents observed Richardson make an attempt to separate himself from McCoy as they

1 both disembarked from flight AA2533. A detective with the Fresno County Sheriff's Office asked
2 Richardson to join McCoy. A DEA agent asked Richardson the purpose for his travel to Fresno.
3 Richardson answered, "I'd rather not say." When asked how long Richardson planned on staying in
4 Fresno, Richardson answered, "I'd rather not say." When asked if he carried any weapons, drugs, or
5 explosive devices, Richardson answered, "No." When asked if he carried any large sums of currency,
6 Richardson looked away and did not answer. DEA agents observed that Richardson exhibited a pattern
7 of nervous behavior. DEA agents advised Richardson that he was free to leave at any time. Richardson
8 consented to a search of his luggage. Inside the luggage, agents located the Defendant Currency.

9 4. The United States could further show at a forfeiture trial that the Defendant Currency is
10 forfeitable to the United States pursuant to 21 U.S.C. § 881(a)(6).

11 5. Without admitting the truth of the factual assertions contained above, Richardson
12 specifically denying the same, and for the purpose of reaching an amicable resolution and compromise
13 of this matter, Potential Claimant agrees that an adequate factual basis exists to support forfeiture of the
14 Defendant Currency. Potential Claimant hereby acknowledges that he is the sole owner of the
15 Defendant Currency, and that no other person or entity has any legitimate claim of interest therein.
16 Should any person or entity institute any kind of claim or action against the government with regard to
17 its forfeiture of the Defendant Currency, Potential Claimant shall hold harmless and indemnify the
18 United States, as set forth below.

19 6. This Court has jurisdiction in this matter pursuant to 28 U.S.C. §§ 1345 and 1355, as this
20 is the judicial district in which acts or omissions giving rise to the forfeiture occurred.

21 7. This Court has venue pursuant to 28 U.S.C. § 1395, as this is the judicial district in which
22 the Defendant Currency was seized.

23 8. The parties herein desire to settle this matter pursuant to the terms of a duly executed
24 Stipulation for Consent Judgment of Forfeiture.

25 Based upon the above findings, and the files and records of the Court, it is hereby ORDERED
26 AND ADJUDGED:

27 9. The Court adopts the Stipulation for Consent Judgment of Forfeiture entered into by and
28 between the parties.

1 10. Upon entry of the Consent Judgment of Forfeiture, \$15,000.00 of the Defendant
2 Currency (and any accrued interest) shall be forfeited to the United States pursuant to 21 U.S.C. §
3 881(a)(6), to be disposed of according to law.

4 11. Upon entry of the Consent Judgment of Forfeiture, but no later than 60 days thereafter,
5 \$80,240.00 of the Defendant Currency shall be returned to Potential Claimant through his attorney
6 Thomas S. Brown, Foley & Lardner LLP, 555 California Street, Suite 1700, San Francisco, CA 94104-
7 1520, telephone (415) 434-4484.

8 12. The United States of America and its servants, agents, and employees and all other public
9 entities, their servants, agents and employees are released from any and all liability arising out of or in
10 any way connected with the seizure or forfeiture of the Defendant Currency. This is a full and final
11 release applying to all unknown and unanticipated injuries, and/or damages arising out of said seizure or
12 forfeiture, as well as to those now known or disclosed. Potential Claimant waives the provisions of
13 California Civil Code § 1542.

14 13. No portion of the stipulated settlement, including statements or admission made therein,
15 shall be admissible in any criminal action pursuant to Rules 408 and 410(a)(4) of the Federal Rules of
16 Evidence.

17 14. All parties will bear their own costs and attorney's fees.

18 15. Pursuant to the Stipulation for Consent Judgment of Forfeiture filed herein, the Court
19 enters this Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465, that there was reasonable
20 cause for the seizure of the above-described Defendant Currency.

21 IT IS SO ORDERED.

22 IT IS SO ORDERED.

23 Dated: August 8, 2017

Dale A. Drayd
24 _____
UNITED STATES DISTRICT JUDGE