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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiffs,

No. CIV S-04-1495 WBS GGH

vs.

FINDINGS & RECOMMENDATIONS

APPROXIMATELY \$14,173.00 IN  
U.S. CURRENCY,

Defendant.

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This matter came on for an ex parte hearing before the Honorable Gregory G. Hollows on plaintiff United States' motion for default judgment. Assistant U.S. Attorney Kristin S. Door appeared for plaintiff United States. There was no appearance by or on behalf of any other person or entity claiming an interest in defendant property to oppose plaintiff's motion. Based on plaintiff's motion and the files and records of the court, THE COURT FINDS as follows:

1. This action arose out of a Verified Complaint for Forfeiture in Rem filed July 29, 2004.
2. Plaintiff United States of America has moved this court, pursuant to Local Rule A-540, for entry of default judgment of forfeiture against the following potential claimants:

- 1 a. Orlando Flores;
- 2 b. Patricia Valdez;
- 3 c. Andres Valdez, Jr.

4 3. Plaintiff has shown that a complaint for forfeiture was filed; that potential  
5 claimants received actual notice of the forfeiture action; that the potential claimants identified  
6 above filed claims but that Orlando Flores and Patricia Valdez withdrew their claims; that  
7 Andres Valdez, Jr.'s claim has been dismissed; that any and all other unknown potential  
8 claimants have been served by publication; and that grounds exist for entry of a final judgment of  
9 forfeiture.

10 Therefore, IT IS RECOMMENDED as follows:

11 1. That Orlando Flores, Patricia Valdez, having withdrawn their claims, and  
12 Andres Valdez, Jr., whose claim was dismissed, have left the case with no one to oppose the  
13 government's claim despite proper notice;

14 2. That a judgment by default be entered against any right, title or interest of  
15 potential claimants Orlando Flores, Patricia Valdez, and Andres Valdez, Jr. in the defendant  
16 currency;

17 3. That a final judgment be entered, forfeiting all right, title and interest in the  
18 defendant currency to the United States of America, to be disposed of according to law;

19 4. That the Final Judgment of Forfeiture lodged herein be signed by the  
20 Honorable William B. Shubb and filed by the Clerk of the Court.

21 DATED: 3/13/06

/s/ Gregory G. Hollows

22 UNITED STATES MAGISTRATE JUDGE

23 \$14,730.00