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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

v.

MICHAEL CAREY; LEONE CAREY;
DOUGLAS CARPA and ROBERT TALBOT
(or their successor trustees),
as Trustees of the RANCH HOLDING
TRUST; MICHAEL BLOOMQUIST (or his
successor trustee), as Trustee of
the HIDDEN MEADOWS HOLDING TRUST;
PAMELA GRAFF; PATRICIA WELCH (aka
PATRICIA KOERNER); STATE OF
CALIFORNIA FRANCHISE TAX BOARD,
and STATE OF CALIFORNIA DEPARTMENT
OF INDUSTRIAL RELATIONS,

Defendants.

No. 2:05-cv-02176-MCE-CMK

**ORDER GRANTING MOTION
FOR ORDER OF EJECTMENT;
ORDER OF EJECTMENT**

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WHEREFORE, the plaintiff, the United States of America,
having requested and been granted the foreclosure of its liens
upon the real properties commonly known as 22510 Heartwood Lane,
Palo Cedro, California, 96703, 3041 Lawrence Road, Redding,
California, 96002; and 23658 Highway 299E, Bella Vista,
California, 96008 (collectively, "the Properties");

1 The United States having requested an Order of this Court
2 that the defendants Michael Carey and Leone Carey, and all other
3 parties acting in concert with Michael and Leone Carey, or on
4 their behalf, or occupying any of the Properties, vacate and
5 depart from each of the Properties;

6 All occupants of the said Properties having been notified of
7 the United States' Motion for Order of Ejectment and having had
8 an opportunity to make their respective claims for a right of
9 possession known to this Court;

10 The entry of such an order of ejectment being necessary to
11 the execution of a previously-entered judgment in this case;

12 The Court, having reviewed the papers submitted in
13 Opposition to the United States' Motion, found the Oppositions
14 submitted on behalf of Michael and Leone Carey, John, Byron and
15 George Carey, and Ernest Aldridge to be completely without merit
16 inasmuch as 1) this Court is not deprived of subject matter
17 jurisdiction in this matter because of anything that happened in
18 Michael and Leone Carey's Chapter 7 bankruptcy proceedings; and
19 2) this Court finds any alleged ownership interest in the
20 Properties claimed by either John, Byron or George Carey, or by
21 Ernest Aldridge has already been foreclosed by the Court's
22 Memorandum and Order filed on July 5, 2007 and the Judgment
23 subsequently entered in accordance with that Memorandum and
24 Order;

25 And other good cause having been found,

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1 The United States' Motion for Order of Ejectment (Docket
2 No. 140) is GRANTED.¹

3 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that the
4 defendants Michael Carey and Leone Carey and all other persons
5 acting in concert with them, or on their behalf, or occupying any
6 of the Properties, shall, no later than 12 o'clock p.m. (noon) on
7 June 18, 2010, vacate and depart from each of the Properties, and

8 IT IS FURTHER ORDERED that the United States Marshal is
9 authorized and directed to enforce this Order at any time that he
10 deems appropriate after 12 o'clock p.m. (noon) on June 18, 2010,
11 by (1) entering any of the Properties, and any and all structures
12 and vehicles located upon such Property, (2) evicting any
13 unauthorized persons from all locations on the Property,
14 including, but not limited to, the structures, vehicles, and
15 grounds, and (3) using force as necessary to do so. When the
16 United States Marshal concludes that all unauthorized persons
17 have vacated, or been evicted from any of the Properties, he
18 shall relinquish possession and custody of such Property and any
19 personal property found thereon to an Internal Revenue Service
20 Property Appraisal and Liquidation Specialist, and

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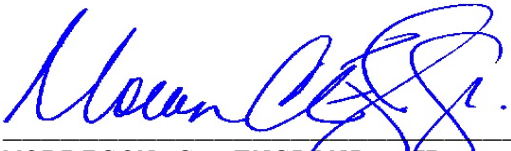
27 ¹ Because oral argument was not of material assistance, the
28 Court ordered this matter submitted on the briefing. E.D. Local
Rule 230(g).

1 IT IS FURTHER ORDERED that, should Michael Carey, Leone
2 Carey, or any person acting on their behalf, or in concert with
3 them, or occupying the Properties, either fail to vacate and
4 depart from each of the Properties by 12 o'clock p.m. (noon) on
5 June 18, 2010, or attempt to enter onto any of the Properties
6 after that date and time, or purport to authorize, permit, or in
7 any way allow any person to remain on any of the Properties or to
8 enter onto any of the Properties after 12 o'clock p.m. (noon) on
9 June 18, 2010, that person shall be subject to being found in
10 contempt of this Order of this Court, which may subject that
11 person to a fine, incarceration, or both, and

12 IT IS FURTHER ORDERED that the United States Marshal, within
13 ten days of the entry of this Order, shall provide notice of this
14 Order to the occupants of the Properties, either by hand delivery
15 of this Order to an occupant of each Property or by affixing this
16 Order in a prominent location on the main building upon each
17 Property. In the event this Order is posted, the United States
18 shall mail a copy of this Order to each of the Properties.

19 IT IS SO ORDERED.

20 Dated: May 26, 2010

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23 MORRISON C. ENGLAND, JR.
24 UNITED STATES DISTRICT JUDGE
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