

1 BENJAMIN B. WAGNER
 United States Attorney
 2 KRISTIN S. DOOR, SBN 84307
 Assistant United States Attorney
 3 501 I Street, Suite 10-100
 Sacramento, CA 95814
 4 Telephone: (916)554-2723
 5 Attorneys for Plaintiff
 United States of America
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8 IN THE UNITED STATES DISTRICT COURT
 9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10

11 UNITED STATES OF AMERICA,) 2:08-cv-01475-GEB-EFB
)
 12 Plaintiff,)
)
 13 v.) FINAL JUDGMENT OF FORFEITURE
)
 14 APPROXIMATELY \$46,500.00 IN)
 U.S. CURRENCY,)
 15)
 Defendant.)
 16)

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

19 1. This is a civil forfeiture action against Approximately
 20 \$46,500.00 in U.S. Currency (hereafter "defendant currency").

21 2. A Verified Complaint for Forfeiture *In Rem* ("Complaint")
 22 was filed on June 25, 2008, alleging that said defendant currency
 23 is subject to forfeiture to the United States of America pursuant
 24 to 21 U.S.C. § 881(a)(6).

25 3. On or about June 26, 2008, the Clerk issued a Warrant
 26 for Arrest for the defendant currency, and that warrant was duly
 27 executed on July 1, 2008.

28 4. On or about August 7, 2008, the United States Marshals

1 Service personally served copies of the verified complaint,
2 application and order for publication, order regarding clerk's
3 issuance of warrant for arrest, warrant for arrest, order setting
4 status conference, notice of availability of voluntary dispute
5 resolution, and notice of availability of a magistrate judge on
6 John Steven Lindsey.

7 5. On August 1, 2008, John Steven Lindsey filed a Verified
8 Claim Opposing Forfeiture. On August 18, 2008, John Steven
9 Lindsey filed a Verified Answer of Claimant to Verified Complaint
10 for Forfeiture *In Rem*.

11 6. On or about July 18, 2008, a Public Notice of Arrest of
12 the defendant currency appeared by publication in The Oroville
13 Mercury-Register, a newspaper of general circulation in the
14 county in which the defendant currency was seized (Butte County).
15 The Affidavit of Publication was filed with the Court on
16 September 19, 2008.

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

20 Based on the above findings, and the files and records of
21 the Court, it is hereby ORDERED AND ADJUDGED:

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

25 2. That judgment is hereby entered against claimant John
26 Steven Lindsey and all other potential claimants who have not
27 filed claims in this action.

28 3. Upon entry of this Final Judgment of Forfeiture,

1 \$8,910.00 of the \$46,500.00 in U.S. Currency, together with any
2 interest that may have accrued on that amount, shall be forfeited
3 to the United States pursuant to 21 U.S.C. § 881(a)(6), to be
4 disposed of according to law.

5 4. Upon entry of this Final Judgment of Forfeiture, but no
6 later than 60 days thereafter, \$37,590.00 of the \$46,500.00 in
7 U.S. Currency, together with any interest that may have accrued
8 on that amount, shall be returned to claimant John Steven
9 Lindsey.

10 5. That plaintiff United States of America and its
11 servants, agents, and employees and all other public entities,
12 their servants, agents, and employees, are released from any and
13 all liability arising out of or in any way connected with the
14 seizure, arrest, or forfeiture of the defendant currency. This
15 is a full and final release applying to all unknown and
16 unanticipated injuries, and/or damages arising out of said
17 seizure, arrest, or forfeiture, as well as to those now known or
18 disclosed. The parties waive the provisions of California Civil
19 Code § 1542.

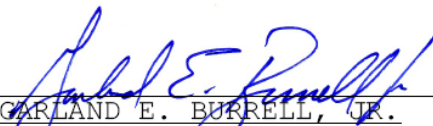
20 6. That pursuant to the stipulation of the parties, and the
21 allegations set forth in the Complaint filed on or about June 25,
22 2008, the Court finds that there was reasonable cause for the
23 seizure and arrest of the defendant currency, and a Certificate
24 of Reasonable Cause pursuant to 28 U.S.C. § 2465 shall be entered
25 accordingly.

26 7. All parties are to bear their own costs and attorneys'
27 fees.

28 8. The Court shall maintain jurisdiction to enforce the

1 terms of this Final Judgment of Forfeiture.


2 SO ORDERED THIS 3rd day of June, 2010.

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4 
5 GARLAND E. BURRELL, JR.
United States District Judge

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8 CERTIFICATE OF REASONABLE CAUSE

9 Based upon the allegations set forth in the Complaint filed
10 June 25, 2008, and the Stipulation for Final Judgment of
11 Forfeiture filed herein, the Court enters this Certificate of
12 Reasonable Cause pursuant to 28 U.S.C. § 2465, that there was
13 reasonable cause for the seizure or arrest of the defendant
14 currency, and for the commencement and prosecution of this
15 forfeiture action.

16 Dated: June 3, 2010

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18 
19 GARLAND E. BURRELL, JR.
United States District Judge