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 7
 8 IN THE UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,
 12 Plaintiff,
 13 v.

2:08-CV-02148 LKK-DAD
 FINAL JUDGMENT OF
 FORFEITURE

14 APPROXIMATELY \$180,534.29 IN U.S.
 CURRENCY SEIZED FROM SAFE
 15 CREDIT UNION ACCOUNT NUMBER
 342139-00, AND
 16 APPROXIMATELY \$10,000.00 IN U.S.
 17 CURRENCY SEIZED FROM SAFE
 CREDIT UNION ACCOUNT NUMBER
 18 342139-20,
 19 Defendants.

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

22 1. This is a civil forfeiture action against Approximately \$180,534.29 in U.S.
 23 Currency seized from Safe Credit Union Account Number 342139-00, and
 24 Approximately \$10,000.00 in U.S. Currency seized from Safe Credit Union Account
 25 Number 342139-20 (hereafter “defendant funds”) seized on or about April 24, 2008.

26 2. A Verified Complaint for Forfeiture *In Rem* (“Complaint”) was filed on
 27 September 12, 2008, alleging that said defendant funds are subject to forfeiture to the
 28 United States pursuant to 18 U.S.C. § 981(a)(1)(A), 18 U.S.C. § 981(a)(1)(C), and 21

1 U.S.C. § 881(a)(6).

2 3. On September 12, 2008, the Clerk issued a Warrant for Arrest for the
3 defendant funds, and that warrant was duly executed on September 19, 2008.

4 4. Beginning on September 28, 2008, for at least 30 consecutive days, the
5 United States published Notice of the Forfeiture Action on the official internet
6 government forfeiture site www.forfeiture.gov. A Declaration of Publication was filed
7 on October 29, 2008.

8 5. In addition to the public notice on the official internet government
9 forfeiture site www.forfeiture.gov, actual notice or attempted notice was given to the
10 following individuals:

- 11 a. Frank W. Blue, Jr.
- 12 b. Margaret Chavez-Blue
- 13 c. Miguel Vasquez, Jr.

14 6. Claimants Frank W. Blue, Jr. and Margaret Chavez-Blue filed a Verified
15 Statement of Interest on October 19, 2008, alleging an interest in the defendant funds
16 and an Answer to Complaint for Forfeiture on November 3, 2008. No other parties
17 have filed claims or answers in this matter, and the time in which any person or entity
18 may file a claim and answer has expired.

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

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

23 2. That judgment is hereby entered against claimants Frank W. Blue, Jr.
24 and Margaret Chavez-Blue and all other potential claimants who have not filed claims
25 in this action.

26 3. Upon entry of this Final Judgment of Forfeiture, \$100,534.29 of the
27 \$180,534.29 in U.S. Currency seized from Safe Credit Union Account Number 342139-
28 00 and \$10,000.00 in U.S. Currency seized from Safe Credit Union Account Number

1 342139-20, together with any interest that may have accrued on those amounts, shall
2 be forfeited to the United States pursuant to 18 U.S.C. § 981(a)(1)(A), 18 U.S.C. §
3 981(a)(1)(C), and 21 U.S.C. § 881(a)(6), to be disposed of according to law.

4 4. Upon entry of this Final Judgment of Forfeiture, but no later than 60 days
5 thereafter, \$80,000.00 of the \$180,534.29 in U.S. Currency seized from Safe Credit
6 Union Account Number 342139-00, together with any interest that may have accrued
7 on that amount, shall be returned to claimants Frank W. Blue, Jr. and Margaret
8 Chavez-Blue through their attorney Gregory S. Warner.

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

16 6. Claimants Frank W. Blue, Jr. and Margaret Chavez-Blue waived any and
17 all claim or right to interest that may have accrued on the defendant funds being
18 forfeited to the United States.

19 7. That pursuant to the stipulation of the parties, and the allegations set
20 forth in the Complaint filed on September 12, 2008, the Court finds that there was
21 reasonable cause for the seizure and arrest of the defendant funds, and for the
22 commencement and prosecution of this forfeiture action, and a Certificate of
23 Reasonable Cause pursuant to 28 U.S.C. § 2465 shall be entered accordingly.

24 8. All parties are to bear their own costs and attorneys' fees.

25 9. The U.S. District Court for the Eastern District of California, Hon.


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1 Lawrence K. Karlton, District Judge, shall retain jurisdiction to enforce the terms of
2 this Final Judgment of Forfeiture.


3 SO ORDERED THIS 9th day of July, 2012.

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5 
6 LAWRENCE K. KARLTON
7 SENIOR JUDGE
8 UNITED STATES DISTRICT COURT

9 CERTIFICATE OF REASONABLE CAUSE

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

15 DATED: July 9, 2012.

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17 LAWRENCE K. KARLTON
18 SENIOR JUDGE
19 UNITED STATES DISTRICT COURT