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Attorneys for Plaintiff
United States of America

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

UNITED STATES OF AMERICA,)	2:08-cv-02898-FCD-JFM
)	
Plaintiff,)	APPLICATION AND ORDER FOR
)	PUBLICATION
v.)	
)	
APPROXIMATELY \$63,786.12 IN U.S.)	
CURRENCY SEIZED FROM WELLS FARGO)	
BANK ACCOUNT NUMBER 5306090506)	
HELD IN THE NAME OF BEST GAS AND)	
BEAR RIVER MARKET, and)	
)	
APPROXIMATELY \$55,888.87 IN U.S.)	
CURRENCY SEIZED FROM WELLS FARGO)	
BANK ACCOUNT NUMBER 5306078386)	
HELD IN THE NAME OF ALTA SIERRA)	
STATION,)	
)	
Defendants.)	

The United States of America, Plaintiff herein, applies for
an order of publication as follows:

1. Rule G(4) of the Supplemental Rules for Admiralty or
Maritime Claims and Asset Forfeiture Actions (hereafter
"Supplemental Rules") provides that the Plaintiff shall cause
public notice of the action and arrest to be given in a newspaper
of general circulation or on the official internet government
forfeiture site;

1 2. Local Rule 83-171, Eastern District of California,
2 provides that the Court shall designate by order the appropriate
3 newspaper or other vehicle for publication;

4 3. The defendant Approximately \$63,786.12 in U.S. Currency
5 Seized from Wells Fargo Bank Account Number 5306090506 held in
6 the name of Best Gas and Bear River Market and the defendant
7 Approximately \$55,888.87 in U.S. Currency Seized from Wells Fargo
8 Bank Account Number 5306078386, held in the name of Alta Sierra
9 Station (hereafter "the defendant funds") were seized in the city
10 of Davis, Yolo County, California. The Department of the
11 Treasury, Internal Revenue Service published notice of the
12 nonjudicial forfeiture of the defendant funds on July 31, August
13 7, 14 and 21, 2008 in The Davis Enterprise and The Union.

14 4. Plaintiff proposes that publication be made as follows:

15 a. One publication;
16 b. Thirty (30) consecutive days;
17 c. On the official internet government forfeiture
18 site www.forfeiture.gov;

19 d. The publication is to include the following:

20 (1) The Court and case number of the action;

21 (2) The date of the arrest/seizure;

22 (3) The identity and/or description of the
23 property arrested/seized;

24 (4) The name and address of the attorney for the
25 Plaintiff;

26 (5) A statement that claims of persons entitled
27 to possession or claiming an interest pursuant to Supplemental
28 Rule G(5) must be filed with the Court and served on the attorney

1 for the Plaintiff no later than 60 days after the first day of
2 publication on the official internet government forfeiture site;
3 and

4 (6) A statement that answers to the Complaint or
5 a motion under Rule 12 of the Federal Rules of Civil Procedure
6 ("Fed. R. Civ. P.") must be filed and served within 20 days after
7 the filing of the claims and, in the absence thereof, default may
8 be entered and condemnation ordered.

9 Dated: 12/1/08

McGREGOR W. SCOTT
United States Attorney

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11
12 /s/ Kristin S. Door
KRISTIN S. DOOR
Assistant U.S. Attorney

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14
15 **ORDER**

16 IT IS SO ORDERED.

17 Dated: February 10, 2009.

18
19 
20 UNITED STATES MAGISTRATE JUDGE

21 /wellsfargo.ord
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