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11 IN THE UNITED STATES DISTRICT COURT
12 EASTERN DISTRICT OF CALIFORNIA

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 APPROXIMATELY \$18,220.00 IN U.S.
17 CURRENCY,

18 Defendant.

19 2:09-CV-00182-GEB-CMK

20 FINAL JUDGMENT OF
21 FORFEITURE

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

23 1. This is a civil action against Approximately \$18,220.00 in U.S. Currency
24 (“defendant currency”) seized on or about August 13, 2008.

25 2. A Verified Complaint for Forfeiture *In Rem* (“Complaint”) was filed on
26 January 21, 2009, alleging that said defendant currency is subject to forfeiture to the
27 United States pursuant to 21 U.S.C. § 881(a)(6).

28 3. On January 22, 2009, the Clerk issued a Warrant for Arrest for the
defendant currency, and that warrant was duly executed on January 26, 2009.

4. Beginning on January 26, 2009, for at least 30 consecutive days, the United
States published Notice of the Forfeiture Action on the official internet government
forfeiture site www.forfeiture.gov. A Declaration of Publication was filed on March 2,
2009.

1 5. In addition to the public notice on the official internet government forfeiture
2 site www.forfeiture.gov, actual notice or attempted notice was given to:

3 a. Manh Saechao
4 b. Victor Alvarez
5 c. Juan Alvarez

6 6. Claimant Manh Saechao filed an answer on February 19, 2009 and a claim
7 alleging an interest in the defendant currency on March 31, 2009. No other parties have
8 filed claims or answers in this matter, and the time in which any person or entity may file
9 a claim and answer has expired.

10 7. The Clerk of the Court entered a Clerk's Certificate of Entry of Default
11 against Victor Alvarez and Juan Alvarez on March 26, 2009. Pursuant to Local Rule 540,
12 the United States and claimant thus join in a request that as part of this Final Judgment
13 of Forfeiture the Court enter a default judgment against the interests, if any, of Victor
14 Alvarez and Juan Alvarez without further notice.

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

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

19 2. Judgment is hereby entered against claimant Victor Alvarez and Juan
20 Alvarez and all other potential claimants who have not filed claims in this action.

21 3. Upon entry of this Final Judgment of Forfeiture, \$9,500.00 of the
22 Approximately \$18,220.00 in U.S. Currency, together with any interest that may have
23 accrued on the total amount seized, shall be forfeited to the United States pursuant to 21
24 U.S.C. § 881(a)(6), to be disposed of according to law.

25 4. Upon entry of this Final Judgment of Forfeiture, but no later than 60 days
26 thereafter, \$8,500.00 of the Approximately \$18,220.00 in U.S. Currency shall be returned
27 to claimant Manh Saechao, through her attorney Danny D. Brace, Jr.

28 5. The United States and its servants, agents, and employees and all other

1 public entities, their servants, agents, and employees, are released from any and all
2 liability arising out of or in any way connected with the seizure, arrest, or forfeiture of the
3 defendant currency. This is a full and final release applying to all unknown and
4 unanticipated injuries, and/or damages arising out of said seizure, arrest, or forfeiture, as
5 well as to those now known or disclosed. The parties waived the provisions of California
6 Civil Code § 1542.

7 6. Claimant waived any and all claim or right to interest that may have
8 accrued on the defendant currency.

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

10 8. The U.S. District Court for the Eastern District of California, Hon. Garland
11 E. Burrell, District Judge, shall retain jurisdiction to enforce the terms of this Final
12 Judgment of Forfeiture.

13 9. Based upon the allegations set forth in the Complaint filed January 21,
14 2009, and the Stipulation for Final Judgment of Forfeiture filed herein, the Court enters
15 this Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465, that there was
16 reasonable cause for the seizure and arrest of the defendant currency, and for the
17 commencement and prosecution of this forfeiture action.

18 SO ORDERED

Dated: April 15, 2015

GARLAND E. BURRELL, JR.
Senior United States District Judge