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

UNITED STATES OF AMERICA,)	2:09-CV-01459-MCE-KJM
)	
Plaintiff,)	FINDINGS AND RECOMMENDATIONS
)	
v.)	
)	
2005 FORD F-150 SUPERCREW)	
LARIAT TRUCK,)	
VIN: 1FTPW14575FA28567,)	
CALIFORNIA LICENSE NUMBER:)	
7V57073,)	
)	
2002 DODGE 1500 QUAD CAB)	
TRUCK, VIN: 3D7HU18Z62G194781,)	
CALIFORNIA LICENSE NUMBER)	
7S43194,)	
)	
1998 SKI CENTURION FALCON)	
SPORT BOWRIDER BOAT,)	
VIN: FINU7556A898, CALIFORNIA)	
LICENSE NUMBER 0476PG AND)	
TRAILER)	
)	
Defendants.)	
)	

This matter came before the Honorable Kimberly J. Mueller on plaintiff United States' ex parte motion for default judgment. There was no appearance by or on behalf of any other person or entity claiming an interest in the defendant properties to oppose plaintiff's motion. Based on plaintiff's motion and the files

1 and records of the court, THE COURT FINDS as follows:

2 1. This action arose out of a Verified Complaint for
3 Forfeiture In Rem filed May 27, 2009.

4 2. Plaintiff United States of America has moved this
5 Court, pursuant to Local Rule A-540, for entry of default
6 judgment of forfeiture against potential claimants Oscar Saucedo
7 Cuevas and Elda Vianey Lopez.

8 3. Plaintiff has shown that a verified complaint for
9 forfeiture was filed in this action; that potential claimants
10 Oscar Saucedo Cuevas, Elda Vianey Lopez, and Plumas Bank received
11 notice of this forfeiture action; that a stipulation was entered
12 into with the lienholder of the defendant Ford truck; that any
13 and all other unknown potential claimants have been served by
14 publication; and that grounds exist for entry of a final judgment
15 of forfeiture.

16 Therefore, IT IS RECOMMENDED as follows:

17 4. That Oscar Saucedo Cuevas and Elda Vianey Lopez be held
18 in default;

19 5. That plaintiff's motion for default judgment and final
20 judgment of forfeiture be granted;

21 6. That a judgment by default be entered against any right,
22 title or interest of potential claimants Oscar Saucedo Cuevas and
23 Elda Vianey Lopez in the defendant properties;

24 7. That the Stipulation for Final Judgment of Forfeiture
25 entered into between the United States and lienholder, Plumas
26 Bank ("Stipulation"), filed herewith be incorporated herein;

27 8. That a final judgment be entered, forfeiting all right,
28 title and interest in the defendant properties to the United

1 States of America, subject to the interest of lienholder Plumas
2 Bank in the defendant 2005 Ford F-150 Supercrew Lariat Truck
3 pursuant to the Stipulation, to be disposed of according to law.

4 8. That the Default Judgment and Final Judgment of
5 Forfeiture lodged herein be signed by the district judge assigned
6 to this case and filed by the Clerk of the Court.

7 Dated: October 2, 2009.

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U.S. MAGISTRATE JUDGE