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

UNITED STATES OF AMERICA,)	2:09-CV-01940-GEB-(TEMP)
Plaintiff,)	GGH
v.)	FINDINGS AND
REAL PROPERTY LOCATED AT 1 MILE)	RECOMMENDATIONS
UP HENNESSEY ROAD, BURNT RANCH,)	
CALIFORNIA, TRINITY COUNTY,)	
APN: 008-430-02, INCLUDING)	
ALL APPURTENANCES AND)	
IMPROVEMENTS THERETO,)	
Defendant.)	

Plaintiff United States' motion for default judgment is submitted on the papers. Based on plaintiff's motion and the files and records of the court, THE COURT FINDS as follows:

1. This action arose out of a Verified Complaint for Forfeiture *In Rem* filed July 16, 2009.
2. The United States has moved this Court, pursuant to Local Rule 540, for entry of default judgment against potential claimants Thomas A. Pickle, James E. Pickle and Terry J. Williams, and default was entered by the Clerk.
3. The United States has shown that a complaint for forfeiture was filed; that potential claimants Thomas A. Pickle, James E. Pickle, and Terry J. Williams

1 received notice of the forfeiture action; that any and all other unknown potential
2 claimants have been served by publication; and that grounds exist for entry of a
3 default judgment against the interests of Thomas A. Pickle, James E. Pickle, and
4 Terry J. Williams.

5 4. None of the individuals identified in the pervious paragraph have
6 attempted to oppose entry of default judgment.

7 5. No default judgment is sought at this time against Erlinda Pickle or Chase
8 Home Finance.

9 6. Because this is not an action for damages, no reason exists to delay entry
10 of default judgment against Thomas Pickle, James E. Pickle, and Terry J. Williams.

11 Therefore, IT IS RECOMMENDED as follows:

12 1 That United States' motion for default judgment be granted;

13 2. That a judgment by default be entered against any right, title or interest
14 of potential claimants Thomas A. Pickle, James E. Pickle, and Terry J. Williams in
15 the defendant real property located at 1 Mile Up Hennessey Road, Burnt Ranch,
16 California, Trinity County, APN: 008-430-02;

17 3. That the Default Judgment Against Thomas A. Pickle, James E. Pickle,
18 and Terry J. Williams lodged herein be signed by the Honorable Garland E. Burrell,
19 Jr. and filed by the Clerk of the Court.

20 4. That the action remain open to adjudicate the claims of Erlinda Pickle and
21 Chase Home Finance.

22 These findings and recommendations are submitted to the United States District Judge
23 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
24 after being served with these findings and recommendations, any party may file written
25 objections with the court and serve a copy on all parties. Such a document should be captioned
26 "Objections to Magistrate Judge's Findings and Recommendations." Any reply to the objections
27 shall be served and filed within fourteen days after service of the objections. The parties are

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1 advised that failure to file objections within the specified time may waive the right to appeal the
2 District Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

3 Dated: May 18, 2011

/s/ Gregory G. Hollows

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5 GREGORY G. HOLLOWS
United States Magistrate Judge

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