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

10

11 UNITED STATES OF AMERICA,	)	2:09-cv-02114-MCE-GGH
	)	
12 Plaintiff,	)	APPLICATION AND ORDER FOR
	)	PUBLICATION
13 v.	)	
	)	
14 APPROXIMATELY \$45,734.15 IN	)	
U.S. CURRENCY SEIZED FROM BANK	)	
15 OF STOCKTON ACCOUNT NUMBER	)	
2134574001, HELD IN THE NAME	)	
16 OF AHMAD KHAN dba SMOKE SHOP &	)	
SNACKS, and	)	
17	)	
2002 CADILLAC ESCALADE EXT,	)	
18 VIN: 3GYEK63N12G221478,	)	
CALIFORNIA LICENSE NUMBER:	)	
19 8L68104,	)	
	)	
20 Defendants.	)	
	)	

21

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

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

1 site;

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

5 3. The defendant Approximately \$45,734.15 in U.S. Currency  
6 seized from Bank of Stockton account number 2134574001, held in  
7 the name of Ahmad Khan dba Smoke Shop & Snacks (hereafter "the  
8 defendant funds"), and the defendant 2002 Cadillac Escalade EXT,  
9 VIN: 3GYEK63N12G221478, California License Number: 8L68104  
10 (hereafter "defendant vehicle") were both seized in the city of  
11 Stockton, in San Joaquin County, California. The Department of  
12 Treasury, Internal Revenue Service, Criminal Investigation  
13 published notice of the non-judicial forfeiture of the defendant  
14 funds and the defendant vehicle on April 1, 8 and 15, 2009, in  
15 *The Stockton Record*.

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

17 a. One publication;

18 b. Thirty (30) consecutive days;

19 c. On the official internet government forfeiture  
20 site [www.forfeiture.gov](http://www.forfeiture.gov);

21 d. The publication is to include the following:

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

23 (2) The date of the seizure/posting;

24 (3) The identity and/or description of the  
25 property seized/posted;

26 (4) The name and address of the attorney for the  
27 Plaintiff;

28 (5) A statement that claims of persons entitled

1 to possession or claiming an interest pursuant to Supplemental  
2 Rule G(5) must be filed with the Court and served on the attorney  
3 for the Plaintiff no later than 60 days after the first day of  
4 publication on the official internet government forfeiture site;  
5 and

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

11 Dated: July 30, 2009 LAWRENCE G. BROWN  
12 Acting United States Attorney

13  
14 /s/ Kristin S. Door  
15 KRISTIN S. DOOR  
16 Assistant United States Attorney

17 **ORDER**

18 IT IS SO ORDERED.

19 Dated: August 4, 2009  
20 \_\_\_\_\_ /s/ Gregory G. Hollows  
21 UNITED STATES MAGISTRATE JUDGE

22 \$45,734.15.ord  
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