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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-03534-WBS-EFB
)
 12 Plaintiff,) FINDINGS AND RECOMMENDATIONS
)
 13 v.)
)
 14 2005 HARLEY DAVIDSON ROAD KING)
 MOTORCYCLE, VIN: 1HD1JDB345Y082418,)
 15 LICENSE NUMBER: 4TENNY,)
)
 16 Defendant.)
)
 17

18 This matter came before the Honorable Judge Edmund F.
 19 Brennan on plaintiff United States' *ex parte* motion for default
 20 judgment. There was no appearance by or on behalf of any other
 21 person or entity claiming an interest in the defendant motorcycle
 22 to oppose plaintiff's motion. Based on plaintiff's motion and
 23 the files and records of the court, THE COURT FINDS as follows:

- 24 1. This action arose out of a Verified Complaint for
 25 Forfeiture *In Rem* filed December 21, 2009.
 26 2. Plaintiff United States of America has moved this Court,
 27 pursuant to Local Rule 540, for entry of default judgment of
 28 forfeiture against potential claimants Justina Denise Mays,

1 Terrill Lamar Robinson and Jacqueline Wilburn.

2 3. The Clerk entered default against potential claimants
3 Justina Denise Mays, Terrill Lamar Robinson and Jacqueline
4 Wilburn on March 23, 2010.

5 4. Plaintiff has shown that a complaint for forfeiture was
6 filed; that potential claimants Justina Denise Mays, Terrill
7 Lamar Robinson and Jacqueline Wilburn received notice of the
8 forfeiture action; that any and all other unknown potential
9 claimants have been served by publication; and that grounds exist
10 for entry of a final judgment of forfeiture.

11 Therefore, IT IS RECOMMENDED as follows:

12 1. That plaintiff's motion for default judgment and final
13 judgment of forfeiture be granted.

14 2. That a judgment by default be entered against any right,
15 title or interest of potential claimants Justina Denise Mays,
16 Terrill Lamar Robinson and Jacqueline Wilburn in the defendant
17 motorcycle.

18 3. That a final judgment be entered, forfeiting all right,
19 title and interest in the defendant motorcycle to the United
20 States of America, to be disposed of according to law.

21 4. That the Default Judgment and Final Judgment of
22 Forfeiture lodged herein be signed by the Honorable William B.
23 Shubb and filed by the Clerk of the Court.

24 Dated: May 4, 2010.

25 

26 EDMUND F. BRENNAN
27 United States Magistrate Judge
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