

1 BENJAMIN B. WAGNER  
United States Attorney  
2 KRISTIN S. DOOR, SBN 84307  
Assistant United States Attorney  
3 501 I Street, Suite 10-100  
Sacramento, CA 95814  
4 Telephone: (916)554-2723  
5 Attorneys for Plaintiff  
United States of America  
6  
7

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

10  
11 UNITED STATES OF AMERICA, ) 2:10-CV-00520-GEB-KJM  
12 Plaintiff, )  
13 v. ) **WARRANT FOR ARREST OF**  
14 APPROXIMATELY \$7,081.00 IN U.S. ) **ARTICLES IN REM**  
CURRENCY, )  
15 2006 HONDA CRF450R MOTORCYCLE, VIN: )  
16 JH2PE05336M413204, CALIFORNIA )  
LICENSE NUMBER: 83C47Y, )  
United States of America v. Approximately \$7,081.00 in U.S. Currency et al  
17 2004 HONDA CRF250X MOTORCYCLE, VIN: )  
18 JH2ME11184K000863, CALIFORNIA )  
LICENSE NUMBER: Z26N82, )  
19 2006 YAMAHA TT-R230 MOTORCYCLE, )  
20 VIN: 9C6CG19Y560013660, )  
CALIFORNIA LICENSE NUMBER: )  
21 14E21L, and )  
22 1984 CASE 580E BACKHOE WITH )  
SCRAPER BUCKET, VIN: 17033151. )  
23 Defendants. )  
24

25 TO THE UNITED STATES MARSHALS SERVICE OF THE EASTERN  
26 DISTRICT OF CALIFORNIA AND/OR ANY OTHER DULY AUTHORIZED LAW  
27 ENFORCEMENT OFFICER:

28 WHEREAS, a verified complaint of forfeiture has been filed

1 on March 3, 2010, in the United States District Court for the  
2 Eastern District of California, alleging that the defendant  
3 Approximately \$7,081.00 in U.S. Currency is subject to forfeiture  
4 to the United States pursuant to 21 U.S.C. § 881(a)(6) for one or  
5 more violations of 21 U.S.C. §§ 841 *et seq.*; and that the  
6 defendant 2006 Honda CRF450R Motorcycle, VIN: JH2PE05336M413204,  
7 California license number: 83C47Y; the defendant 2004 Honda  
8 CRF250X Motorcycle, VIN: JH2ME11184K000863, California license  
9 number: Z26N82; the defendant 2006 Yamaha TT-R230 Motorcycle,  
10 VIN: 9C6CG19Y560013660, California license number: 14E21L; and  
11 the defendant 1984 Case 580E Backhoe with scraper bucket, VIN:  
12 17033151 are subject to forfeiture to the United States pursuant  
13 to 21 U.S.C. § 881(a)(4) for one or more violations of 21 U.S.C.  
14 §§ 841 *et seq.*;

15 WHEREAS, Rule G(3)(b)(i) of the Supplemental Rules for  
16 Admiralty or Maritime Claims and Asset Forfeiture Actions  
17 (hereafter "Supplemental Rules") provides that when the United  
18 States files a complaint demanding a forfeiture for violation of  
19 a federal statute, the clerk must issue a warrant to arrest the  
20 property if it is in the government's possession, custody, or  
21 control. The defendant assets, captioned above, are in the  
22 custody of the United States Marshals Service for the Eastern  
23 District of California;

24 WHEREAS, in addition, United States Magistrate Judge Edmund  
25 F. Brennan has ordered that the Clerk for the United States  
26 District Court, Eastern District of California, shall issue a  
27 Warrant for Arrest of Articles *In Rem* for the defendant assets  
28 based on the Verified Complaint for Forfeiture *In Rem* and the

1 affidavit of DEA Special Agent Brian Nehring, stating that there  
2 is probable cause to believe that the defendant assets so  
3 described constitute properties that are subject to forfeiture  
4 for such violation(s);

5 YOU ARE, THEREFORE, HEREBY COMMANDED to arrest and seize the  
6 defendant assets, and use discretion and whatever means  
7 appropriate to protect and maintain said defendant assets; and

8 IT IS FURTHER ORDERED that you shall provide notice of this  
9 action to all persons thought to have an interest in or claim  
10 against the defendant assets by serving upon such persons a copy  
11 of this warrant and a copy of the Verified Complaint for  
12 Forfeiture *In Rem* in a manner consistent with the Supplemental  
13 Rules, the Federal Rules of Civil Procedure ("Fed. R. Civ. P."),  
14 and federal law. This warrant provides notice that in order to  
15 avoid forfeiture of the defendant assets, any person claiming an  
16 interest in, or right against, the property must file a  
17 verified claim, signed under penalty of perjury, identifying the  
18 interest in, or right against, the property in the manner set  
19 forth in Rule G(5) (a) of the Supplemental Rules, Federal Rules of  
20 Civil Procedure, except that in no event may such claim be filed  
21 later than 35 days after the date notice of the forfeiture action  
22 and a copy of the complaint was sent or, as applicable, 60 days  
23 after the first day of publication on the official internet  
24 government forfeiture site [www.forfeiture.gov](http://www.forfeiture.gov) posting the notice  
25 of forfeiture action. In addition, any person having filed such  
26 a claim must also file an answer to the complaint or a motion  
27 under Fed. R. Civ. P., Rule 12 no later than 21 days after the  
28 filing of the claim, with a copy thereof sent to Assistant U.S.

1 Attorney Kristin S. Door, 501 I Street, Suite 10-100, Sacramento,  
2 CA 95814.

3 IT IS FURTHER ORDERED that, promptly after execution of this  
4 process, you shall file the same in this Court with your return  
5 thereon, identifying the individuals upon whom copies were served  
6 and the manner employed.

7 Dated: MAR -5 2010, 2010

VICTORIA C. MINOR, Clerk

8  
9 By: **L. READER**  
10 Deputy Clerk  
11 United States District Court  
12 Eastern District of California  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28