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 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-DAD
		)	
12	Plaintiff,	)	FINAL JUDGMENT
		)	OF FORFEITURE
13		)	
	v.	)	
14		)	
	APPROXIMATELY \$7,081.00 IN U.S.	)	
15	CURRENCY,	)	
		)	
16	2006 HONDA CRF450R MOTORCYCLE, VIN:)	)	
	JH2PE05336M413204, CALIFORNIA	)	
17	LICENSE NUMBER: 83C47Y,	)	
		)	
18	2004 HONDA CRF250X MOTORCYCLE, VIN:)	)	
	JH2ME11184K000863, CALIFORNIA	)	
19	LICENSE NUMBER: Z26N82,	)	
		)	
20	2006 YAMAHA TT-R230 MOTORCYCLE,	)	
	VIN: 9C6CG19Y560013660,	)	
21	CALIFORNIA LICENSE NUMBER:	)	
	14E21L, and	)	
22		)	
	1984 CASE 580E BACKHOE WITH	)	
23	SCRAPER BUCKET, VIN: 17033151.	)	
		)	
24	Defendants.	)	
		)	

25  
 26 Pursuant to the Stipulation for Final Judgment of Forfeiture,  
 27 the Court finds:

28 1. This is a civil forfeiture action against Approximately

1 \$7,081.00 in U.S. Currency (hereafter "defendant currency"); a 2006  
2 Honda CRF450R Motorcycle, VIN: JH2PE05336M413204, California  
3 license number: 83C47Y; a 2004 Honda CRF250X Motorcycle, VIN:  
4 JH2ME11184K000863, California license number: Z26N82; a 2006 Yamaha  
5 TT-R230 Motorcycle, VIN: 9C6CG19Y560013660, California license  
6 number: 14E21L (hereafter "defendant motorcycles"); and a 1984 Case  
7 580E Backhoe with scraper bucket, VIN: 17033151 (hereafter  
8 "defendant backhoe"). The defendant currency, defendant  
9 motorcycles, and defendant backhoe (collectively referred to as  
10 "defendant assets") were seized on or about September 22, 2009.

11 2. A Verified Complaint for Forfeiture *In Rem* ("Complaint")  
12 was filed on March 3, 2010, alleging that the defendant currency,  
13 defendant motorcycles, and defendant backhoe are subject to  
14 forfeiture to the United States pursuant to 21 U.S.C. §§ 881(a)(6)  
15 and/or 881(a)(4).

16 3. On or about March 5, 2010, the Clerk issued a Warrant for  
17 Arrest for the defendant assets, and that warrant was executed on  
18 March 10 and 15, 2010.

19 4. Beginning on March 11, 2010, for at least 30 consecutive  
20 days, the United States published Notice of the Forfeiture Action  
21 on the official internet government forfeiture site  
22 [www.forfeiture.gov](http://www.forfeiture.gov). A Declaration of Publication was filed on June  
23 8, 2010.

24 5. In addition to the public notice on the official internet  
25 government forfeiture site [www.forfeiture.gov](http://www.forfeiture.gov), actual notice or  
26 attempted notice was given to the following individuals:

- 27 a. Jonathan Todd Farrell  
28 b. Birdy Cadena

1 c. Paco Garcia

2 6. Claimant Jonathan Todd Farrell filed a Verified Claim to  
3 the defendant assets on April 5, 2010, an *Amended* Verified Claim to  
4 the defendant assets on April 7, 2010, and an Answer to the  
5 complaint on April 22, 2010. No other parties have filed claims or  
6 answers in this matter, and the time in which any person or entity  
7 may file a claim and answer has expired.

8 7. The Clerk of the Court entered a Clerk's Certificate of  
9 Entry of Default against Birdy Cadena and Paco Garcia on August 24,  
10 2010. Pursuant to Local Rule 540, the United States requests that  
11 as part of this Final Judgment of Forfeiture the Court enter a  
12 default judgment against the interest, if any, of Birdy Cadena and  
13 Paco Garcia without further notice.

14 Based on the above findings, and the files and records of the  
15 Court, it is hereby ORDERED AND ADJUDGED:

16 1. The Court adopts the Stipulation for Final Judgment of  
17 Forfeiture entered into by and between the parties to this action.

18 2. That judgment is hereby entered against claimant Jonathan  
19 Todd Farrell and all other potential claimants who have not filed  
20 claims in this action.

21 3. All right, title, and interest of Jonathan Todd Farrell in  
22 the following defendant assets, together with any interest that may  
23 have accrued, shall be forfeited to the United States pursuant to  
24 21 U.S.C. §§ 881(a)(6) and/or 881(a)(4), to be disposed of  
25 according to law:

- 26 a. Approximately \$7,081.00 in U.S. Currency,  
27 b. 2006 Honda CRF450R Motorcycle, VIN:  
JH2PE05336M413204, California license number:  
83C47Y,  
28 c. 2004 Honda CRF250X Motorcycle, VIN:

1 JH2ME11184K000863, California license number:  
2 Z26N82,  
3 d. 2006 Yamaha TT-R230 Motorcycle, VIN:  
4 9C6CG19Y560013660, California license number:  
5 14E21L, and  
6 e. 1984 Case 580E Backhoe with scraper bucket, VIN:  
7 17033151.

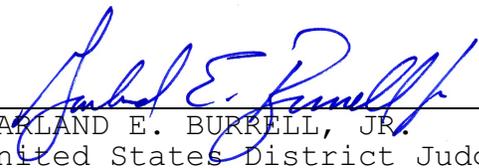
8 4. That the United States and its servants, agents, and  
9 employees and all other public entities, their servants, agents,  
10 and employees, are released from any and all liability arising out  
11 of or in any way connected with the seizure, arrest, or forfeiture  
12 of the defendant assets. This is a full and final release applying  
13 to all unknown and unanticipated injuries, and/or damages arising  
14 out of said seizure, arrest, or forfeiture, as well as to those now  
15 known or disclosed. The parties waived the provisions of  
16 California Civil Code § 1542.

17 5. Claimant Jonathan Todd Farrell waived any and all claim or  
18 right to interest that may have accrued on the defendant currency  
19 being forfeited to the United States.

20 6. All parties are to bear their own costs and attorneys'  
21 fees.

22 7. The U.S. District Court for the Eastern District of  
23 California, Hon. Garland E. Burrell, Jr., District Judge, shall  
24 retain jurisdiction to enforce the terms of this Final Judgment of  
25 Forfeiture.

26 Dated: February 24, 2012

27   
28 GARLAND E. BURRELL, JR.  
United States District Judge