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BENJAMIN B. WAGNER United States Attorney KEVIN C. KHASIGIAN Assistant U. S. Attorney 501 I Street, Suite 10-100 Sacramento, CA 95814 Telephone: (916) 554-2700 Attorneys for the United States 6 7 IN THE UNITED STATES DISTRICT COURT 8 EASTERN DISTRICT OF CALIFORNIA 9 10 11 UNITED STATES OF AMERICA, 2:10-CV-01272-JAM-EFB 12 Plaintiff. 13 FINAL JUDGMENT OF v. **FORFEITURE** 14 APPROXIMATELY \$75,750.00 IN U.S. CURRENCY, 15 APPROXIMATELY \$27,910.00 IN U.S. 16 CURRENCY, and 17 2006 BRISTERS TW413 TRAIL WAGON UTV, VIN:BDMUTXH1K7A09112A, 18 Defendants. 19 20 Pursuant to the Stipulation for Final Judgment of Forfeiture, the Court finds: 21 1. This is a civil action in rem brought against Approximately \$75,750.00 in 22 U.S. Currency; Approximately \$27,910.00 in U.S. Currency; and a 2006 Bristers 23 TW413 Trail Wagon UTV, VIN: BDMUTXH1K7A09112A (hereafter collectively "defendant assets"). The defendant assets were seized on or about November 4, 2009. 24 25 2. A Verified Complaint for Forfeiture In Rem ("Complaint") was filed on 26 May 21, 2010, alleging that defendant assets are subject to forfeiture to the United 27 States pursuant to 21 U.S.C. §§ 881(a)(4) and (a)(6).

- 3. On May 26, 2010, the Clerk issued a Warrant for Arrest for the defendant assets and that warrant was duly executed on May 27, 2010 for the defendant currency and June 2, 2010 for the defendant vehicle.
- 4. Beginning on May 27, 2010, for at least thirty consecutive days, the United States published Notice of the Forfeiture Action on the official internet government forfeiture site www.forfeiture.gov. A Declaration of Publication was filed on July 22, 2013.
- 5. In addition to the public notice on the official internet government forfeiture site www.forfeiture.gov, actual notice or attempted notice was given to the following individual(s):
 - a. Clifford Josef Young
 - b. Kathleen Marie Dockstader
 - c. Frances Jaynes
- 6. Claimants filed claims alleging an interest in the defendant assets on June 25, 2010 and filed answers on July 14, 2010. No other parties have filed claims or answers in this matter, and the time in which any person or entity may file a claim and answer has expired.

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

- 7. The Court adopts the Stipulation for Final Judgment of Forfeiture entered into by and between the parties to this action.
- 8. Judgment is hereby entered against claimants Clifford Josef Young, Kathleen Marie Dockstader, Frances Jaynes and all other potential claimants who have not filed claims in this action.
- 9. All right, title, and interest of Clifford Josef Young, Kathleen Marie Young (Dockstader) and Frances Jaynes in the following defendant assets, together with any interest that may have accrued, shall be forfeited to the United States pursuant to 21 U.S.C. §§ 881(a)(4) and (a)(6), to be disposed of according to law:

- a. Approximately \$75,750.00 in U.S. Currency;
- b. Approximately \$27,910.00 in U.S. Currency; and
- c. 2006 Bristers TW413 Trail Wagon UTV, VIN: BDMUTXH1K7A09112A.
- 10. That the United States and its servants, agents, and employees and all other public entities, their servants, agents, and employees, are released from any and all liability arising out of or in any way connected with the seizure, arrest, or forfeiture of the defendant currency. This is a full and final release applying to all unknown and unanticipated injuries, and/or damages arising out of said seizure, arrest, or forfeiture, as well as to those now known or disclosed. The parties waived the provisions of California Civil Code § 1542.
 - 11. All parties are to bear their own costs and attorneys' fees.
- 12. As part of his plea agreement in the following parallel criminal case 2:10-CR-00222-JAM, Clifford Josef Young agrees to forfeit the 2009 Chrysler PT Cruiser, VIN: 3A8FY48909T513125 in the criminal case and all the assets listed in 9(a-c) of the instant action. The United States agrees to execute a Stipulation for Dismissal in the following related case: U.S. v. Real Property located at 28953 State Highway 49, North San Juan, California, 2:10-CV-02614 JAM/EFB.
- 13. The U.S. District Court for the Eastern District of California, Hon. John A. Mendez, District Judge, shall retain jurisdiction to enforce the terms of this Final Judgment of Forfeiture.
 - SO ORDERED THIS 3rd day of March, 2014.

/s/ John A. Mendez JOHN A. MENDEZ United States District Court Judge