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

10

11 UNITED STATES OF AMERICA,) 2:10-CV-01713-MCE-DAD
)
 12 Plaintiff,) FINDINGS AND RECOMMENDATIONS
)
 13 v.)
)
 14 APPROXIMATELY \$16,540.00 IN)
 U.S. CURRENCY,)
 15)
 Defendant.)
 16)

17 This matter came before the Honorable Judge Dale A.
 18 Drozd on plaintiff United States' *ex parte* motion for default
 19 judgment. There was no appearance by or on behalf of any other
 20 person or entity claiming an interest in the defendant currency
 21 to oppose plaintiff's motion. Based on plaintiff's motion and
 22 the files and records of the court, the Court finds as follows:

23 1. This action arose out of a Verified Complaint for
 24 Forfeiture *In Rem* filed July 2, 2010.

25 2. Plaintiff United States of America has moved this
 26 Court, pursuant to Local Rule 540, for entry of default judgment
 27 of forfeiture against potential claimants Michael Devon Johnson,
 28 Brandon Marcus Bivens, Terrance Spencer Brown, and Natasha

1 Billeci.

2 3. Plaintiff has shown that a complaint for forfeiture
3 was filed; that potential claimants Terrance Spencer Brown and
4 Brandon Marcus Bivens received actual notice and plaintiff made
5 diligent attempts to notice potential claimants Michael Devon
6 Johnson and Natasha Billeci of the forfeiture action; that any
7 and all other unknown potential claimants have been served by
8 publication; and that grounds exist for entry of a final judgment
9 of forfeiture.

10 Therefore, IT IS RECOMMENDED that:

11 1. Michael Devon Johnson, Natasha Billeci, Terrance
12 Spencer Brown, and Brandon Marcus Bivens be held in default;

13 2. Plaintiff's motion for default judgment and final
14 judgment of forfeiture (Doc. No. 15) be granted;

15 3. A judgment by default be entered against any right,
16 title, or interest of potential claimants Michael Devon Johnson,
17 Natasha Billeci, Terrance Spencer Brown, and Brandon Marcus
18 Bivens in the defendant currency;

19 4. A final judgment be entered, forfeiting all right,
20 title, and interest in the defendant currency to the United
21 States of America, to be disposed of according to law; and

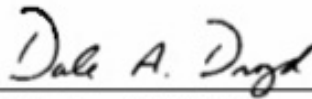
22 5. The Default Judgment and Final Judgment of
23 Forfeiture lodged herein be signed by the Honorable Morrison C.
24 England, Jr. and filed by the Clerk of the Court.

25 DATED: January 24, 2011.

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DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

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