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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-02325-FCD-KJM
)
 12 Plaintiff,) FINDINGS AND RECOMMENDATIONS
)
 13 v.)
)
 14 2007 VOLKSWAGEN CONVERTIBLE)
 BEETLE, VIN:3VWRG31Y37M406108,)
 15 LICENSE NUMBER 5ZWJ419,)
)
 16 Defendant.)
)
 17

18 This matter came before the Honorable Judge Kimberly J.
 19 Mueller 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 vehicle to
 22 oppose plaintiff's motion. Based on plaintiff's motion and the
 23 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 August 30, 2010.

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1 2. Plaintiff United States of America has moved this Court,
2 pursuant to Local Rule 540, for entry of default judgment of
3 forfeiture against potential claimants Asmara Malika Barnes and
4 Maurice Dewayne Wilkes.

5 3. Plaintiff has shown that a complaint for forfeiture was
6 filed; that potential claimants Asmara Malika Barnes and Maurice
7 Dewayne Wilkes received notice of the forfeiture action; that any
8 and all other unknown potential claimants have been served by
9 publication; and that grounds exist for entry of a final judgment
10 of forfeiture.

11 Therefore, IT IS RECOMMENDED as follows:

12 4. That Asmara Malika Barnes and Maurice Dewayne Wilkes be
13 held in default;

14 5. That plaintiff's motion for default judgment and final
15 judgment of forfeiture be granted;

16 6. That a judgment by default be entered against any right,
17 title, or interest of potential claimants Asmara Malika Barnes
18 and Maurice Dewayne Wilkes in the defendant vehicle;

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

22 8. That the Default Judgment and Final Judgment of
23 Forfeiture lodged herein be signed by the district judge assigned
24 to this action and filed by the Clerk of the Court.

25 Dated: November 22, 2010.

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28 U.S. MAGISTRATE JUDGE