1 BENJAMIN B. WAGNER United States Attorney  $^{2}$ DAVID T. SHELLEDÝ Assistant U.S. Attorney 3 501 I Street, Suite 10-100 Sacramento, CA 95814 Telephone: (916)554-2799 4 5

Attorneys for the United States

7

8

9

6

## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA

10

11

12

UNITED STATES OF AMERICA, 2:11-CV-00967-MCE-KJN Plaintiff, APPLICATION AND ORDER FOR PUBLICATION v.

13

APPROXIMATELY \$658,830.00 IN 14 U.S. CURRENCY. 15

Defendant.

16

17

18

19

20 21

22

24

23

25

26 27

28

The United States applies for an order of publication as follows:

- 1. Rule G(4) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions (hereafter "Supplemental Rules") provides that the United States shall cause public notice of the action to be given in a newspaper of general circulation or on the official internet government forfeiture site;
- 2. Local Rule 171, Eastern District of California, provides that the Court shall designate by order the appropriate newspaper or other vehicle for publication;
- 3. The defendant Approximately \$658,830.00 in U.S. Currency (hereafter "defendant currency") was seized in the city of West Sacramento, in Yolo County, California. The Drug Enforcement Administration published notice of the nonjudicial forfeiture of the defendant currency on August 13, 20 and 27, 2010, in The Wall Street Journal.

1	4.	4. The United States proposes that publication be made as follows:			
2		a.	One j	publication;	
3		b.	Thirty (30) consecutive days;		
4		c.	On the official internet government forfeiture		
5	site <u>www.forfeiture.gov</u> ;				
6		d.	The p	publication is to include the following:	
7			(1)	The Court and case number of the action;	
8			(2)	The date of the seizure/posting;	
9			(3)	The identity and/or description of the property	
10	seized/posted;				
11			(4)	The name and address of the attorney for the United	
12	States;				
13			(5)	A statement that claims of persons entitled to possession	
14	or claiming an interest pursuant to Supplemental Rule G(5) must be filed with the				
15	Court and served on the attorney for the United States no later than 60 days after				
16	the first day of publication on the official internet government forfeiture site; and				
17			(6)	A statement that answers to the Complaint or a motion	
18	under Rule 12 of the Federal Rules of Civil Procedure ("Fed. R. Civ. P.") must be				
19	///				
20	///				
21	///				
22	///				
23	///				
24	///				
25	///				
26	///				
27	///				
28	///				

1	filed and served within 21 days after the filing of the claims and, in the absence				
2	thereof, default may be entered and condemnation ordered.				
3	Dated: 4/11/11 BENJAMIN B. WAGNER				
4	United States Attorney				
5	Pro /a/ David T. Shallada				
6	By: /s/ David T. Shelledy DAVID T. SHELLEDY Assistant U.S. Attorney				
7	Assistant U.S. Attorney				
8					
9	ORDER				
10	IT IS SO ORDERED.				
11					
12	Dated: April 14, 2011				
13	Mountle 1.				
14	MORRISON C. ENGLAND) JR. UNITED STATES DISTRICT JUDGE				
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					