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 7
 8 IN THE UNITED STATES DISTRICT COURT
 9 FOR THE EASTERN DISTRICT OF CALIFORNIA

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11 UNITED STATES OF AMERICA,)	2:11-CV-01964-GEB-KJN
)	
12 Plaintiff,)	FINDINGS AND RECOMMENDATIONS
)	(PROPOSED)
13 v.)	
)	
14 APPROXIMATELY \$18,040.00 IN)	
U.S. CURRENCY, and)	
15)	
APPROXIMATELY \$9,410.00 IN)	
16 U.S. CURRENCY,)	
)	
17 Defendants.)	
)	

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19 This matter came before the Honorable Judge Kendall J.
 20 Newman on the United States' *ex parte* motion for default
 21 judgment. There has been no appearance by or on behalf of any
 22 other person or entity claiming an interest in the above-
 23 captioned defendant currency to oppose the United States' motion.
 24 Based on the United States' motion and the court's record, THE
 25 COURT FINDS as follows:

- 26 1. This action arose out of a Verified Complaint for
 27 Forfeiture *In Rem* filed July 26, 2011 (Dkt. No. 1).
 28 2. The United States has moved this Court, pursuant to
 Local Rule 540(d), for entry of default judgment of forfeiture

1 against potential claimants Kenny J. Heim and Patrick Harding.

2 3. The United States has shown that a complaint for
3 forfeiture was filed; that potential claimants Kenny J. Heim and
4 Patrick Harding received notice of the forfeiture action; that
5 any and all other unknown potential claimants have been served by
6 publication; and that grounds exist for entry of a final judgment
7 of forfeiture.

8 Accordingly, IT IS HEREBY RECOMMENDED that:


9 1. Plaintiff's ex parte motion for default judgment
10 (Dkt. No. 13) be granted.

11 2. A judgment by default be entered against any right,
12 title, or interest of potential claimants Kenny J. Heim and
13 Patrick Harding in the defendant currency referenced above in the
14 caption.

15 3. A final judgment be entered, forfeiting all right,
16 title, and interest in the defendant currency to the United
17 States, to be disposed of according to law.

18 4. The Default Judgment and Final Judgment of
19 Forfeiture lodged herein be signed by the Honorable Garland E.
20 Burrell, Jr. and filed by the Clerk of the Court.

21 DATED: October 4, 2011

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24 KENDALL J. NEWMAN
25 UNITED STATES MAGISTRATE JUDGE
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