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    Attorney for Claimant
    DAVID E. JOPSON
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 7
                   IN THE UNITED STATES DISTRICT COURT
 8
                  FOR THE EASTERN DISTRICT OF CALIFORNIA
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10
    UNITED STATES OF AMERICA,
                                        NO. 2:11-cv-02038-JAM-DAD
11
                   Plaintiff,
                                        APPLICATION FOR ORDER
12
                                        APPOINTING COUNSEL;
                                        ORDER
13
         V.
14
   REAL PROPERTY LOCATED AT 1251
    PLEASANT GROVE ROAD, RIO OSO,
15
    CALIFORNIA, SUTTER COUNTY,
    APN: 28-140-015 INCLUDING ALL
   APPURTENANCES AND
16
    IMPROVEMENTS THERETO,
17
18
              Defendant.
19
         David E. Jopson applies to the Court for an order appointing
20
    John R. Manning to represent him in the above case pursuant to 18
    U.S.C. \$ 983(b)(1)(A).
21
22
         Section 983, subd. (b) (1) (A) of Title 18, United States
23
    Code, provides as follows:
2.4
        If a person with standing to contest the forfeiture of
        property in a civil judicial forfeiture proceeding under
25
        a civil forfeiture statute is financially unable to
        obtain representation by counsel, and the person is
26
        represented by counsel appointed under section 3006A of
        this title in connection with a related criminal case,
27
        the court may authorize counsel to represent that person
        with respect to the claim.
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The property subject to this action is owned jointly by David E. Jopson; Sandra L. Jopson (wife); Thomas W. Jopson (brother) and Margaret S. Jopson (sister-in-law). The property is not a residence, but is several acres and contains two, large, commercial greenhouse in addition to multiple "out buildings" including a large shop.

On June 22, 2011, the Magistrate Judge determined David E. Jopson was financially unable to hire counsel. The Court therefore appointed John R. Manning to represent Mr. Jopson in a case charging violation of 21 U.S.C. §§ 846 and 841 (a)(1) (conspiracy to manufacture marijuana). That case began with a law enforcement search of the property subject to this action and is presently pending before this Court as <u>United States v. David Jopson, 2:11 CR 275 JAM</u>.

Accordingly, Claimant David E. Jopson respectfully requests this Court authorize counsel to represent him with respect to his claim.

A proposed order is attached for the Court's convenience.

2.4

Dated: September 1, 2011

Respectfully submitted,

/s/ John R. Manning
JOHN R. MANNING
Attorney for Defendant
David Jopson

## ORDER

John R. Manning is hereby authorized to represent David E. Jopson in case no. 2:11-cv-02038-JAM-DAD, pursuant to 18 U.S.C. § 983(b).

IT IS SO ORDERED.

Dated: September 9, 2011 

/s/ John A. Mendez HON. John A. Mendez United States District Judge