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

10
 11 UNITED STATES OF AMERICA,
 12 Plaintiff,
 13 v.

2:12-CV-02501-JAM-DB
 FINAL JUDGMENT OF FORFEITURE

14 APPROXIMATELY \$18,000.00 SEIZED
 FROM CHASE BANK ACCOUNT NUMBER
 15 3121639956, HELD IN THE NAME OF
 MARIANO VALLEJO, and
 16 APPROXIMATELY \$5,000.00 IN U.S.
 17 CURRENCY,
 18 Defendants.

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 20 Pursuant to the Stipulation for Final Judgment of Forfeiture, the Court finds:

- 21 1. This is a civil forfeiture action against Approximately \$18,000.00 seized from Chase
 22 Bank account number 3121639956¹, held in the name of Mariano Vallejo, and Approximately \$5,000.00
 23 in U.S. Currency (hereafter “defendant funds”) seized on or about April 10 and 16, 2012.
 24 2. A Verified Complaint for Forfeiture *In Rem* (“Complaint”) was filed on October 5, 2012,
 25 alleging that said defendant funds are subject to forfeiture to the United States pursuant to 21 U.S.C. §
 26 881(a)(6) and 31 U.S.C. § 5317(c)(2).
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28 ¹ A total of \$34,000.00 was seized from the bank account based on the federal seizure warrant, but only \$18,000.00 was claimed in the administrative forfeiture proceeding.

1 3. On October 9, 2012, the Clerk issued a Warrant for Arrest for the defendant funds, and
2 that warrant was executed on October 10, 2012.

3 4. Beginning on October 22, 2012, for at least thirty consecutive days, the United States
4 published Notice of the Forfeiture Action on the official internet government forfeiture site
5 www.forfeiture.gov. A Declaration of Publication was filed on November 21, 2012.

6 5. In addition to the public notice on the official internet government forfeiture site
7 www.forfeiture.gov, actual notice or attempted notice was given to the following individuals:

8 a. Mariano Vallejo

9 b. Maricela Aceves

10 6. Claimant Mariano Montenegro Vallejo filed a Claim on November 2, 2012. Claimant
11 Maricela Aceves filed a Claim on November 21, 2012. No Answers have been filed by the claimants.
12 A Stay was entered on November 28, 2012, staying the case pending the resolution of the related
13 criminal case, United States v. Mariano Montenegro Vallejo, 2:12-CR-00156-JAM. No other parties
14 have filed claims or answers in this matter, and the time in which any person or entity may file a claim
15 and answer has expired.

16 Based on the above findings, and the files and records of the Court, it is hereby ORDERED
17 AND ADJUDGED:

18 1. Judgment is hereby entered against claimants Mariano Montenegro Vallejo and Maricela
19 Aceves, and all other potential claimants who have not filed claims in this action.

20 2. Upon entry of this Final Judgment of Forfeiture, the Approximately \$5,000.00 in U.S.
21 Currency, together with any interest that may have accrued on the total amount seized, shall be
22 forfeited to the United States pursuant to 21 U.S.C. § 881(a)(6), to be disposed of according to law.

23 3. Upon entry of this Final Judgment of Forfeiture, but no later than 60 days thereafter, the
24 Approximately \$18,000.00 seized from Chase Bank account number 3121639956, held in the name of
25 Mariano Vallejo, plus any accrued interest on that amount, shall be returned to claimants Mariano
26 Montenegro Vallejo and Maricela Aceves through attorney Michael D. Long.

27 4. The United States and its servants, agents, and employees and all other public entities,
28 their servants, agents, and employees, are released from any and all liability arising out of or in any

1 way connected with the seizure, arrest, or forfeiture of the defendant funds. This is a full and final
2 release applying to all unknown and unanticipated injuries, and/or damages arising out of said seizure,
3 arrest, or forfeiture, as well as to those now known or disclosed. Claimants Mariano Montenegro
4 Vallejo and Maricela Aceves waived the provisions of California Civil Code § 1542.

5 5. All parties are to bear their own costs and attorneys' fees.

6 6. The U.S. District Court for the Eastern District of California, Hon. John A. Mendez,
7 District Judge, shall retain jurisdiction to enforce the terms of this Final Judgment of Forfeiture.

8 7. Based upon the allegations set forth in the Complaint filed October 5, 2012, and the
9 Stipulation for Final Judgment of Forfeiture filed herein, the Court enters this Certificate of Reasonable
10 Cause pursuant to 28 U.S.C. § 2465, that there was reasonable cause for the seizure and arrest of the
11 defendant funds, and for the commencement and prosecution of this forfeiture action.

12 SO ORDERED THIS 29th day of December, 2016

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14 /s/ John A. Mendez
15 JOHN A. MENDEZ
16 United States District Court Judge
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