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

10  
11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 2006 BMW 750LI, VIN:  
15 WBAHN83506DT30035, LICENSE  
NUMBER: 5RLP132,

16 Defendant.

2:13-CV-00194-MCE-KJN

*AMENDED* APPLICATION AND  
ORDER FOR PUBLICATION

17  
18 The United States of America applies for an order of publication as follows:

19 1. Rule G(4) of the Supplemental Rules for Admiralty or Maritime Claims and  
20 Asset Forfeiture Actions (hereafter “Supplemental Rules”) provides that the United States  
21 shall cause public notice of the action to be given in a newspaper of general circulation or  
22 on the official internet government forfeiture site;

23 2. Local Rule 171, Eastern District of California, provides that the Court shall  
24 designate by order the appropriate newspaper or other vehicle for publication;

25 3. The defendant 2006 BMW 750Li, VIN: WBAHN83506DT30035, License  
26 Number: 5RLP132 was seized in the city of Antelope, in Sacramento County, California.

27 The Internal Revenue Service – Criminal Investigation published notice of the non-judicial  
28

1 forfeiture of the defendant vehicle on October 4, 11 and 18, 2012, in *The Daily Recorder*<sup>1</sup>;

2 4. The United States proposes that publication be made as follows:

3 a. One publication;

4 b. Thirty (30) consecutive days;

5 c. On the official internet government forfeiture site [www.forfeiture.gov](http://www.forfeiture.gov);

6 d. The 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 seized/posted;

10 (4) The name and address of the attorney for the United States;

11 (5) A statement that claims of persons entitled to possession or

12 claiming an interest pursuant to Supplemental Rule G(5) must be filed with the Court and  
13 served on the attorney for the United States no later than 60 days after the first day of  
14 publication on the official internet government forfeiture site; and

15 (6) A statement that answers to the Complaint or a motion under  
16 Rule 12 of the Federal Rules of Civil Procedure ("Fed. R. Civ. P.") must be filed  
17 and served within 21 days after the filing of the claims and, in the absence thereof, default  
18 may be entered and condemnation ordered.

19 Dated: 2/7/13

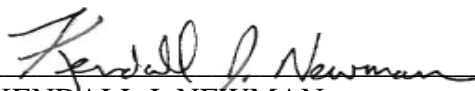
BENJAMIN B. WAGNER  
United States Attorney

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21 By: /s/ Kevin C. Khasigian  
KEVIN C. KHASIGIAN  
Assistant U.S. Attorney

22  
23 **ORDER**

24 IT IS SO ORDERED.

Date: 2/11/2013

25   
KENDALL J. NEWMAN  
26 UNITED STATES MAGISTRATE JUDGE

27 <sup>1</sup> The original Application and Order for Publication, filed on February 1, 2013, contained a typographical error concerning  
28 the name of the newspaper used to publish the non-judicial forfeiture. The misspelling has been corrected to reflect that  
publication was completed in the "*The Daily Recorder*," and not "*The Dailey Recorder*."