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

10  
 11 UNITED STATES OF AMERICA,

2:13-CV-00202-KJM-EFB

12 Plaintiff,

13 v.

FINAL JUDGMENT OF  
 FORFEITURE

14 APPROXIMATELY \$50,001.71 IN U.S.  
 CURRENCY SEIZED FROM SAFE  
 15 CREDIT UNION PERSONAL SAVINGS  
 ACCOUNT NUMBER 409977-0,

16 Defendant.  
 17

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

19 1. This is a civil action *in rem* brought against Approximately \$50,001.71 in  
 20 U.S. Currency seized from Safe Credit Union Personal Savings Account Number  
 21 409977-0 (hereafter “defendant funds”), which was seized on or about September 21,  
 22 2012.

23 2. A Verified Complaint for Forfeiture *In Rem* (“Complaint”) was filed on  
 24 February 1, 2013, alleging that said defendant currency is subject to forfeiture to the  
 25 United States pursuant to 18 U.S.C. §§ 981(a)(1)(A) and 984, and 31 U.S.C. § 5317(c)(2).

26 3. On February 4, 2013, the Clerk issued a Warrant for Arrest for the  
 27 defendant currency, and that warrant was duly executed on February 22, 2013.  
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1           4.       Beginning on February 6, 2013, for at least 30 consecutive days, the United  
2 States published Notice of the Forfeiture Action on the official internet government  
3 forfeiture site [www.forfeiture.gov](http://www.forfeiture.gov). A Declaration of Publication was filed on March 8,  
4 2013.

5           5.       In addition to the public notice on the official internet government forfeiture  
6 site [www.forfeiture.gov](http://www.forfeiture.gov), claimant was served by U.S. Mail and personal service.

7           6.       Claimant filed a Verified Claim on March 1, 2013 alleging an interest in the  
8 defendant funds. No other parties have filed claims or answers in this matter, and the  
9 time in which any person or entity may file a claim and answer has expired.

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

12           7.       The Court adopts the Stipulation for Final Judgment of Forfeiture entered  
13 into by and between the parties to this action.

14           8.       Judgment is hereby entered against claimant Michael P. Baddley and all  
15 other potential claimants who have not filed claims in this action.

16           9.       Upon entry of a Final Judgment of Forfeiture, \$10,000.00 of the \$50,001.71  
17 in U.S. Currency, together with any interest that may have accrued on the total amount  
18 seized, shall be forfeited to the United States pursuant to 18 U.S.C. §§ 981(a)(1)(A) and  
19 984, and 31 U.S.C. § 5317(c)(2), to be disposed of according to law.

20           10.      Upon entry of a Final Judgment of Forfeiture herein, but no later than 60  
21 days thereafter, \$40,001.71 of the \$50,001.71 in U.S. Currency shall be returned to  
22 claimant.

23           11      That the United States and its servants, agents, and employees and all other  
24 public entities, their servants, agents, and employees, are released from any and all  
25 liability arising out of or in any way connected with the seizure, arrest, or forfeiture of the  
26 defendant currency. This is a full and final release applying to all unknown and  
27 unanticipated injuries, and/or damages arising out of said seizure, arrest, or forfeiture, as  
28

1 well as to those now known or disclosed. The parties waived the provisions of California  
2 Civil Code § 1542.

3 12. Claimant waived any and all claim or right to interest that may have  
4 accrued on the defendant funds.

5 13. That pursuant to the stipulation of the parties, and the allegations set forth  
6 in the Complaint filed on February 1, 2013, the Court finds that there was reasonable  
7 cause for the seizure and arrest of the defendant funds, and for the commencement and  
8 prosecution of this forfeiture action, and a Certificate of Reasonable Cause pursuant to 28  
9 U.S.C. § 2465 shall be entered accordingly.

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

11 15. The U.S. District Court for the Eastern District of California, Hon. Kimberly  
12 J. Mueller, District Judge, shall retain jurisdiction to enforce the terms of this Final  
13 Judgment of Forfeiture.

14 SO ORDERED THIS 19th day of December, 2013.

15  
16   
17 UNITED STATES DISTRICT JUDGE

18  
19 **CERTIFICATE OF REASONABLE CAUSE**

20 Based upon the allegations set forth in the Complaint filed February 1, 2013, and  
21 the Stipulation for Final Judgment of Forfeiture filed herein, the Court enters this  
22 Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465, that there was reasonable  
23 cause for the seizure and arrest of the defendant funds, and for the commencement and  
24 prosecution of this forfeiture action.

25 Dated: December 19, 2013.

26   
27 UNITED STATES DISTRICT JUDGE