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**FILED**

APR 16 2013

CLERK, U.S. DISTRICT COURT  
 EASTERN DISTRICT OF CALIFORNIA  
 BY JMS  
 DEPUTY CLERK

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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.

14 APPROXIMATELY \$189,040.00 IN U.S.  
 CURRENCY,  
 15 Defendant.  
 16

2:13-CV-00643-JAM-KJN

**ORDER REGARDING CLERK'S  
 ISSUANCE OF WARRANT FOR  
 ARREST OF ARTICLES *IN  
 REM***

17  
 18 WHEREAS, a Verified Complaint for Forfeiture *In Rem* has been filed on April 3,  
 19 2013, in the United States District Court for the Eastern District of California, alleging  
 20 that the defendant Approximately \$189,040.00 in U.S. Currency (hereafter "defendant  
 21 currency") is subject to forfeiture to the United States pursuant to 21 U.S.C. § 881(a)(6)  
 22 for one or more violations of 21 U.S.C. §§ 841 *et seq.*;

23 And, the Court being satisfied that, based on the Verified Complaint for Forfeiture  
 24 *In Rem* and the affidavit of Drug Enforcement Administration Special Agent Christopher  
 25 DeFreece, there is probable cause to believe that the defendant currency so described  
 26 constituted property that is subject to forfeiture for such violation(s), and that grounds  
 27 for the issuance of a Warrant for Arrest of Articles *In Rem* exist, pursuant to Rule  
 28 G(3)(b)(i) of the Supplemental Rules for Admiralty or Maritime Claims and Asset

1 Forfeiture Actions;

2 IT IS HEREBY ORDERED that the Clerk for the United States District Court,  
3 Eastern District of California, shall issue a Warrant for Arrest of Articles *In Rem* for the  
4 defendant currency.

5 Dated: 4-16-13

  
EDMUND F. BRENNAN  
United States Magistrate Judge

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8 IN THE UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA  
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11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 APPROXIMATELY \$189,040.00 IN U.S.  
15 CURRENCY,

16 Defendant.

2:13-CV-00643-JAM-KJN

WARRANT FOR ARREST OF  
ARTICLES *IN REM*

17  
18 TO THE U.S. MARSHALS SERVICE OF THE EASTERN DISTRICT OF  
19 CALIFORNIA AND/OR ANY OTHER DULY AUTHORIZED LAW ENFORCEMENT  
20 OFFICER:

21 WHEREAS, a verified complaint of forfeiture has been filed on April 3, 2013, in the  
22 United States District Court for the Eastern District of California, alleging that the  
23 defendant Approximately \$189,040.00 in U.S. Currency (hereafter "defendant currency")  
24 is subject to forfeiture to the United States pursuant to 21 U.S.C § 881 (a)(6) for one or  
25 more violations of 21 U.S.C. §§ 841 *et seq.*;

26 WHEREAS, Rule G(3)(b)(i) of the Supplemental Rules for Admiralty or Maritime  
27 Claims and Asset Forfeiture Actions ("Supplemental Rules") provides that when the  
28 United States files a complaint demanding a forfeiture for violation of a federal statute,

1 the clerk must issue a warrant to arrest the property if it is in the government's  
2 possession, custody, or control. The defendant currency is in the custody of the U.S.  
3 Marshals Service for the Eastern District of California;

4 WHEREAS, in addition, the United States Magistrate Judge Edmund F. Brennan  
5 has ordered that the Clerk for the United States District Court, Eastern District of  
6 California, shall issue a Warrant for Arrest of Articles *In Rem* for the defendant currency  
7 based on the Verified Complaint for Forfeiture *In Rem* and the affidavit of Drug  
8 Enforcement Administration Special Agent Chris W. DeFreece stating that there is  
9 probable cause to believe that the defendant currency so described constitutes property  
10 that is subject to forfeiture for such violation(s);

11 YOU ARE, THEREFORE, HEREBY COMMANDED to arrest and seize the  
12 defendant currency, and use discretion and whatever means appropriate to protect and  
13 maintain said defendant currency; and

14 IT IS FURTHER ORDERED that you shall provide notice of this action to all  
15 persons thought to have an interest in or claim against the defendant currency by serving  
16 upon such persons a copy of this warrant and a copy of the Verified Complaint for  
17 Forfeiture *In Rem* in a manner consistent with the Supplemental Rules, the Federal  
18 Rules of Civil Procedure ("Fed. R. Civ. P."), and federal law. This warrant provides notice  
19 that in order to avoid forfeiture of the defendant currency, any person claiming an  
20 interest in, or right against, the property must file a verified claim, signed under penalty  
21 of perjury, identifying the interest in, or right against, the property in the manner set  
22 forth in Rule G(5)(a) of the Supplemental Rules, Federal Rules of Civil Procedure, except  
23 that in no event may such a claim be filed later than 35 days after the date notice of the  
24 forfeiture action and a copy of the complaint was sent or, as applicable, 60 days after the  
25 first day of publication on the official internet government forfeiture site  
26 [www.forfeiture.gov](http://www.forfeiture.gov) posting the notice of forfeiture action. In addition, any person having  
27 filed such a claim must also file an answer to the complaint or a motion under Rule G(5)  
28 and Fed. R. Civ. P., Rule 12 no later than 21 days after the filing of the claim, with a copy

1 thereof sent to Assistant U.S. Attorney Kevin C. Khasigian, 501 I Street, Suite 10-100,  
2 Sacramento, CA 95814.

3 IT IS FURTHER ORDERED that, promptly after execution of this process, you  
4 shall file the same in this Court with your return thereon, identifying the individuals  
5 upon whom copies were served and the manner employed.

6 Dated: 4/16/13

VICTORIA C. MINOR, Clerk

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8 By: *R. Ymena-Sanchez*  
9 Deputy Clerk  
10 United States District Court  
11 Eastern District of California  
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