BENJAMIN B. WAGNER United States Attorney JEFFREY A. SPIVAK 2 Assistant U. S. Attorney 501 I Street. Suite 10-100 3 Sacramento, CA 95814 Telephone: (916) 554-2700 4 Attorneys for the United States 5 6 7 IN THE UNITED STATES DISTRICT COURT 8 EASTERN DISTRICT OF CALIFORNIA 9 10 11 UNITED STATES OF AMERICA, 2:13-CV-02043-MCE-DAD 12 Plaintiff. FINAL JUDGMENT OF **FORFEITURE** 13 v. 14 APPROXIMATELY \$21,054.00 IN U.S. CURRENCY. 15 Defendant. 16 17 Pursuant to the Stipulation for Final Judgment of Forfeiture, the Court finds: 18 1. This is a civil action in rem brought Approximately \$21,054.00 in U.S. 19 Currency ("Defendant Currency"), which was seized on or about May 1, 2013. 20 2. A Verified Complaint for Forfeiture In Rem ("Complaint") was filed on October 1, 2013, alleging that the Defendant Currency is subject to forfeiture to the United States 21 22 pursuant to 21 U.S.C. § 881(a)(6). 23 3. On October 2, 2013, the Clerk issued a Warrant for Arrest for the Defendant 24 Currency, and that warrant was executed on October 9, 2013. 25 4. Beginning on October 4, 2013, for at least 30 consecutive days, the United 26 States published Notice of the Forfeiture Action on the official internet government 27 forfeiture site www.forfeiture.gov. A Declaration of Publication was filed on November 5, 28 2013.

- 5. In addition to the public notice on the official internet government forfeiture site <a href="www.forfeiture.gov">www.forfeiture.gov</a>, actual notice or attempted notice was given to the following individual(s):
  - a. Sami Weber
- 6. Claimant Sami Weber ("Claimant") filed a claim alleging an interest in the Defendant Currency on November 6, 2013, and an answer to the complaint on November 19, 2013. No other parties have filed claims or answers in this matter, and the time in which any person or entity may file a claim and answer has expired.

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

- 1. The Court adopts the Stipulation for Final Judgment of Forfeiture entered into by and between the parties to this action.
- 2. That judgment is hereby entered against claimant Sami Weber and all other potential claimants who have not filed claims in this action.
- 3. Upon entry of a Final Judgment of Forfeiture, \$14,554.00 of the \$21,054.00 in U.S. Currency, together with any interest that may have accrued on the total amount seized, shall be forfeited to the United States pursuant to 21 U.S.C. § 881(a)(6), to be disposed of according to law.
- 4. Upon entry of this Final Judgment of Forfeiture, but no later than 60 days thereafter, \$6,500.00 of the \$21,054.00 in U.S. Currency shall be returned to claimant Sami Weber through his attorney Justin Mixon.
- 5. The United States and its servants, agents, and employees and all other public entities, their servants, agents, and employees, are released from any and all liability arising out of or in any way connected with the seizure, arrest, or forfeiture of the Defendant Currency. This is a full and final release applying to all unknown and unanticipated injuries, and/or damages arising out of said seizure, arrest, or forfeiture, as well as to those now known or disclosed. The parties waived the provisions of California Civil Code § 1542.

- 6. Claimant waived any and all claim or right to interest that may have accrued on the Defendant Currency.
  - 7. All parties are to bear their own costs and attorneys' fees.
- 8. The U.S. District Court for the Eastern District of California, Hon. Morrison C. England, Jr., District Judge, shall retain jurisdiction to enforce the terms of this Final Judgment of Forfeiture.

## CERTIFICATE OF REASONABLE CAUSE

9. Based upon the allegations set forth in the Complaint filed October 1, 2013, and the Stipulation for Final Judgment of Forfeiture filed herein, the Court enters this Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465, that there was reasonable cause for the seizure and arrest of the Defendant Currency, and for the commencement and prosecution of this forfeiture action.

IT IS SO ORDERED.

Dated: May 28, 2014

MORRISON C. ENGLAND, JR., CHIEF JUDGE UNITED STATES DISTRICT COURT