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

10
11 UNITED STATES OF AMERICA,

2:13-CV-02432-WBS-DAD

12 Plaintiff,

13 v.

FINAL JUDGMENT OF
FORFEITURE

14 APPROXIMATELY \$10,100.00 IN U.S.
CURRENCY,

15 Defendant.
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17 Pursuant to the Stipulation for Final Judgment of Forfeiture, the Court finds:

18 1. This is a civil action *in rem* brought Approximately \$10,100.00 in U.S.
19 Currency (“defendant currency”), which was seized on or about June 6, 2013.

20 2. A Verified Complaint for Forfeiture *In Rem* (“Complaint”) was filed on
21 November 21, 2013, alleging that said defendant currency is subject to forfeiture to the
22 United States pursuant to 21 U.S.C. § 881(a)(6).

23 3. On November 25, 2013, the Clerk issued a Warrant for Arrest for the
24 defendant currency, and that warrant was duly executed on December 20, 2013.

25 4. Beginning on November 30, 2013, for at least 30 consecutive days, the
26 United States published Notice of the Forfeiture Action on the official internet
27 government forfeiture site www.forfeiture.gov. A Declaration of Publication was filed on
28 December 30, 2013.

1 5. In addition to the public notice on the official internet government forfeiture
2 site www.forfeiture.gov, actual notice or attempted notice was given to the following
3 individual(s):

4 a. Lisa Muraco

5 b. Sal Sutera

6 6. Claimant filed a claim and answer alleging an interest in the defendant
7 currency on January 3, 2014. No other parties have filed claims or answers in this
8 matter, and the time in which any person or entity may file a claim and answer has
9 expired.

10 7. The Clerk of the Court entered a Clerk's Certificate of Entry of Default
11 against Sal Sutera on January 28, 2014. Pursuant to Local Rule 540, the United States
12 and claimant thus join in a request that as part of the Final Judgment of Forfeiture in
13 this case the Court enter a default judgment against the interest, if any, of Sal Sutera
14 without further notice.

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

17 8. The Court adopts the Stipulation for Final Judgment of Forfeiture entered
18 into by and between the parties to this action.

19 9. Judgment is hereby entered against claimant Lisa Muraco and all other
20 potential claimants who have not filed claims in this action.

21 10. Upon entry of a Final Judgment of Forfeiture, \$6,100.00 of the \$10,100.00 in
22 U.S. Currency, together with any interest that may have accrued on the total amount
23 seized, shall be forfeited to the United States pursuant to 21 U.S.C. § 881(a)(6), to be
24 disposed of according to law.

25 11. Upon entry of a Final Judgment of Forfeiture herein, but no later than 60
26 days thereafter, \$4,000.00 of the \$10,100.00 in U.S. Currency shall be returned to
27 claimant, through her attorney James W. Kirshner.

1 12. That the United States and its servants, agents, and employees and all other
2 public entities, their servants, agents, and employees, are released from any and all
3 liability arising out of or in any way connected with the seizure, arrest, or forfeiture of the
4 defendant currency. This is a full and final release applying to all unknown and
5 unanticipated injuries, and/or damages arising out of said seizure, arrest, or forfeiture, as
6 well as to those now known or disclosed. The parties waived the provisions of California
7 Civil Code § 1542.

8 13. Claimant waived any and all claim or right to interest that may have
9 accrued on the defendant currency.

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. William
12 B. Shubb, District Judge, shall retain jurisdiction to enforce the terms of this Final
13 Judgment of Forfeiture.

14 CERTIFICATE OF REASONABLE CAUSE

15 16. Based upon the allegations set forth in the Complaint filed November 21,
16 2013, and the Stipulation for Final Judgment of Forfeiture filed herein, the Court enters
17 this Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465, that there was
18 reasonable cause for the seizure or arrest of the defendant currency, and for the
19 commencement and prosecution of this forfeiture action.

20 SO ORDERED.

21 Dated: February 20, 2014

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23 WILLIAM B. SHUBB
24 UNITED STATES DISTRICT JUDGE
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