

1 BENJAMIN B. WAGNER
 United States Attorney
 2 KEVIN C. KHASIGIAN
 Assistant U. S. Attorney
 3 501 I Street, Suite 10-100
 Sacramento, CA 95814
 4 Telephone: (916) 554-2700
 5 Attorneys for the United States

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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-MC-00013-MCE-AC

12 Plaintiff,

13 v.

CONSENT JUDGMENT OF
 FORFEITURE

14 APPROXIMATELY \$92,777.78 IN U.S.
 CURRENCY SEIZED FROM RIVER
 15 CITY BANK ACCOUNT NUMBER
 0220074437, HELD IN THE NAMES OF
 16 ADAM WOOD AND BREANNA WOOD,

17 Defendant.

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 19 Pursuant to the Stipulation for Consent Judgment of Forfeiture, the Court finds:

20 1. On November 5, 2012, agents with the Internal Revenue Service -
 21 Criminal Investigation (“IRS-CI”) executed a Federal seizure warrant at River City
 22 Bank located at 2485 Natomas Park Drive, Sacramento, California. The agents seized
 23 approximately \$92,777.78 in U.S. Currency from River City Bank Account Number
 24 0220074437, held in the names of Adam Wood and Breanna Wood (hereafter the
 25 “defendant funds”). The IRS-CI commenced administrative forfeiture proceedings,
 26 sending direct written notice to all known potential claimants and publishing notice to
 27 all others. On or about November 20, 2012, the IRS-CI received a claim from Adam
 28 Wood asserting an ownership interest in the defendant funds.

1 2. The United States represents that it could show at a forfeiture trial that
2 on September 11, 2012, Adam and Breanna Wood opened account number
3 0220074437 and deposited one-hundred and seventy-one money orders totaling
4 \$121,166.68. All the money orders were made payable to Adam or Breanna Wood.
5 Adam Wood deposited each of the one-hundred and seventy-one money orders at the
6 River City Bank branch on Howe Avenue. When a River City Bank representative's
7 inquired about the high volume of money orders, Mr. Wood said that they were gifts
8 from family members for his recently-born child.

9 3. The United States could further show at trial that on September 28, 2012,
10 Mr. Wood deposited twenty-two money orders totaling \$11,000. All the money orders
11 were made payable to Adam or Breanna Wood. After making the money order deposit,
12 Mr. Wood withdrew \$13,000 in cash and told the bank representative the funds were
13 going towards the purchase of a car. At this time, the bank representative informed
14 Mr. Wood that due to the cash amount of his withdrawal – in excess of \$10,000.01 – a
15 Currency Transaction Report (CTR) would be filed. (A CTR was later filed by River
16 City Bank for this transaction.) A review of the money order transactions revealed 193
17 money orders purchased between May 13, 2012 and September 21, 2012, all for the
18 benefit of Adam Wood or Breanna Wood, and deposited by Adam Wood. These money
19 orders were purchased on seventeen separate days, but on fourteen of these days
20 multiple money orders were purchased on the same day. A review of the same day
21 transactions revealed the money orders were purchased in a pattern indicative of
22 avoiding the \$3,000 monetary instrument log requirement.

23 4. The United States could further show at a forfeiture trial that the
24 defendant funds are forfeitable to the United States pursuant to 18 U.S.C. § 984 and 31
25 U.S.C. § 5317(c)(2), incorporating the procedures governing civil forfeiture actions
26 pursuant to 18 U.S.C. § 981.

27 5. Without admitting the truth of the factual assertions contained in this
28 stipulation, Adam Wood and Breanna Wood specifically denying the same, and for the

1 purpose of reaching an amicable resolution and compromise of this matter, Adam
2 Wood and Breanna Wood agree that an adequate factual basis exists to support
3 forfeiture of the defendant funds. Adam Wood and Breanna Wood hereby
4 acknowledge that they are the sole owner of the defendant funds, and that no other
5 person or entity has any legitimate claim of interest therein. Should any person or
6 entity institute any kind of claim or action against the government with regard to its
7 forfeiture of the defendant funds, Adam Wood and Breanna Wood shall hold harmless
8 and indemnify the United States, as set forth below.

9 6. This Court has jurisdiction in this matter pursuant to 28 U.S.C. §§ 1345
10 and 1355, as this is the judicial district in which acts or omissions giving rise to the
11 forfeiture occurred.

12 7. This Court has venue pursuant to 28 U.S.C. § 1395, as this is the
13 judicial district in which the defendant funds were seized.

14 8. The parties herein desire to settle this matter pursuant to the terms of a
15 duly executed Stipulation for Consent Judgment of Forfeiture.

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

18 9. The Court adopts the Stipulation for Consent Judgment of Forfeiture
19 entered into by and between the parties.

20 10. All right, title, and interest of Adam Wood and Breanna Wood in the
21 defendant Approximately \$92,777.78 in U.S. Currency, together with any interest that
22 may have accrued, shall be forfeited to the United States pursuant to 18 U.S.C. § 984
23 and 31 U.S.C. § 5317(c)(2), incorporating the procedures governing civil forfeiture
24 actions pursuant to 18 U.S.C. § 981, to be disposed of according to law.

25 11. Plaintiff United States of America and its servants, agents, and
26 employees and all other public entities, their servants, agents and employees, are
27 released from any and all liability arising out of or in any way connected with the
28 seizure or forfeiture of the defendant funds. This is a full and final release applying


1 to all unknown and unanticipated injuries, and/or damages arising out of said seizure
2 or forfeiture, as well as to those now known or disclosed. The parties waived the
3 provisions of California Civil Code § 1542.

4 12. No portion of the stipulated settlement, including statements or
5 admissions made therein, shall be admissible in any criminal action pursuant to
6 Rules 408 and 410(4) of the Federal Rules of Evidence.

7 13. All parties will bear their own costs and attorney's fees.

8 IT IS SO ORDERED.

9 DATED: April 19, 2013

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