

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

6
7
8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,

2:14-CV-02198-MCE-CKD

12 Plaintiff,

FINDINGS AND
RECOMMENDATIONS

13 v.

14 REAL PROPERTY LOCATED AT 6620
LITTLE CANYON ROAD, EL DORADO,
15 CALIFORNIA, EL DORADO COUNTY,
APN: 092-021-35-100, INCLUDING ALL
16 APPURTENANCES AND IMPROVEMENTS
THERETO; and

17 REAL PROPERTY LOCATED AT 6671
LITTLE CANYON ROAD, EL DORADO,
18 CALIFORNIA, EL DORADO COUNTY,
APN: 046-032-46-100, INCLUDING ALL
19 APPURTENANCES AND IMPROVEMENTS
20 THERETO,

21 Defendants.
22

23 This matter came before the Honorable Judge Carolyn K. Delaney on the United States' *ex*
24 *parte* motion for default judgment. There was no appearance by or on behalf of any other person or
25 entity claiming an interest in the above-captioned defendant assets to oppose the United States' motion.
26 Based on the United States' motion and the files and records of the court, THE COURT FINDS as
27 follows:

28 /////

1 1. This action arose out of a Verified Complaint for Forfeiture *In Rem* filed on or about
2 September 22, 2014.

3 2. The United States has moved this Court, pursuant to Local Rule 540, for entry of default
4 judgment of forfeiture against potential claimants Eric Portela, Keith Toman, Jr. and Ryan Olsen.

5 3. The United States has shown that a complaint for forfeiture was filed; that potential
6 claimants Eric Portela, Keith Toman, Jr. and Ryan Olsen received notice of the forfeiture action; that
7 any and all other unknown potential claimants have been served by publication; and that grounds exist
8 for entry of a final judgment of forfeiture.

9 Therefore, IT IS RECOMMENDED as follows:

10 1. That Eric Portela, Keith Toman, Jr. and Ryan Olsen be held in default;

11 2. That the United States' motion for default judgment and final judgment of forfeiture be
12 granted;

13 3. That judgment by default be entered against any right, title, or interest of potential
14 claimants Eric Portela, Keith Toman, Jr. and Ryan Olsen in the defendant properties referenced in the
15 above caption;

16 4. That a final judgment be entered, forfeiting all right, title, and interest in the defendant
17 properties to the United States, to be disposed of according to law;

18 5. That the Default Judgment and Final Judgment of Forfeiture lodged herein be signed by
19 the Honorable Morrison C. England Jr. and filed by the Clerk of the Court.

20 Dated: January 22, 2015



21 _____
22 CAROLYN K. DELANEY
23 UNITED STATES MAGISTRATE JUDGE
24
25
26
27
28