

1 BENJAMIN B. WAGNER
 United States Attorney
 2 JEFFREY A. SPIVAK
 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,
 12 Plaintiff,
 13 v.
 14 APPROXIMATELY \$18,928.00 IN U.S.
 CURRENCY,
 15 Defendant.
 16

2:14-CV-02765-MCE-KJN
 FINAL JUDGMENT OF
 FORFEITURE

17 Pursuant to the signed Stipulation for Final Judgment of Forfeiture (ECF No. 13),
 18 the Court finds:

- 19 1. This is a civil action against Approximately \$18,928.00 in U.S. Currency
 20 (“Defendant Currency”) seized on or about May 9, 2014.
- 21 2. A Verified Complaint for Forfeiture *In Rem* (“Complaint”) was filed on
 22 November 25, 2014, alleging that said defendant currency is subject to forfeiture to the
 23 United States pursuant to 21 U.S.C. § 881(a)(6).
- 24 3. On December 1, 2014, the Clerk issued a Warrant for Arrest for the
 25 defendant currency, and that warrant was executed on November 24, 2014.
- 26 4. Beginning on December 4, 2014, for at least 30 consecutive days, the United
 27 States published Notice of the Forfeiture Action on the official internet government
 28

1 forfeiture site www.forfeiture.gov. A Declaration of Publication was filed on January 9,
2 2015.

3 5. In addition to the public notice on the official internet government forfeiture
4 site www.forfeiture.gov, actual notice or attempted notice was given to Kurt Przygoda.

5 6. Claimant Kurt Przygoda filed a claim alleging an interest in the Defendant
6 Currency on January 5, 2015. No other parties have filed claims or answers in this
7 matter, and the time in which any person or entity may file a claim and answer has
8 expired.

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

11 1. The Court adopts the Stipulation for Final Judgment of Forfeiture entered
12 into by and between the parties to this action (ECF No. 13).

13 2. Judgment is hereby entered against claimant Kurt Przygoda and all other
14 potential claimants who have not filed claims in this action.

15 3. Upon entry of this Final Judgment of Forfeiture, \$11,928.00 of the
16 Approximately \$18,928.00 in U.S. Currency together with any interest that may have
17 accrued on the total amount seized, shall be forfeited to the United States pursuant to 21
18 U.S.C. § 881(a)(6), to be disposed of according to law.

19 4. Upon entry of this Final Judgment of Forfeiture, but no later than 60 days
20 thereafter, \$7,000.00 of the Approximately \$18,928.00 in U.S. Currency shall be returned
21 to Claimant Kurt Przygoda through his attorney Lisa Meier.

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

1 6. Claimant waived any and all claim or right to interest that may have
2 accrued on the defendant currency.


3 7. All parties are to bear their own costs and attorneys' fees.

4 8. The U.S. District Court for the Eastern District of California, Hon. Morrison
5 C. England, Jr., District Judge, shall retain jurisdiction to enforce the terms of this Final
6 Judgment of Forfeiture.

7 9. Based upon the allegations set forth in the Complaint filed November 25,
8 2014, and the Stipulation for Final Judgment of Forfeiture filed herein, the Court enters
9 this Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465, that there was
10 reasonable cause for the seizure and arrest of the defendant currency, and for the
11 commencement and prosecution of this forfeiture action.

12 IT IS SO ORDERED.

13 Dated: June 8, 2015

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