1 BENJAMIN B. WAGNER United States Attorney DI FREY A. SPIVAR Assistant U.S. Attorney 301 Street, Suite 10-100 Sacramento, CA 95814 Telephone: (916) 554-2700 5 Attorneys for the United States 6 IN THE UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF CALIFORNIA 10 UNITED STATES OF AMERICA, 2:14-MC-00070-KJM-KJN 11 UNITED STATES OF AMERICA, 9 2:14-MC-00070-KJM-KJN 12 Plaintiff, v. 2:14-MC-00070-KJM-KJN 13 v. CONSENT JUDGMENT OF FORFEITURE 14 APPROXIMATELY S51,477.22 SEIZED FROM BANK OF AMERICA ACCOUNT NUMBER 00143542578, and CONSENT JUDGMENT OF FORFEITURE 16 2007 CHEVROLET SILVERADO 2500 HD TRUCK, VIN: IGCHC24KS7E533386, CALIFORNIA LICENSE: 8U52458, 1 Defendants. 19 Pursuant to the Stipulation for Consent Judgment of Forfeiture, the Court finds: 1. 10 On October 17, 2013, officers with the Manteca Police Department ("MPD") executed a state search and seizure warrant at the Bank of America at 102 East Yosemite Avenue, Manteca, California and seized the Approximately \$51,477.22 seized from Bank of America Account Number 00143542578 (hereafter "defendant funds"). 2. Also on October 17, 2013, officers with the MPD executed a state search warrant at 1028 Cottage Avenue, Manteca, California and found 34 large marijuana plants, three pounds of processed marijuana, packaging materials, and appr			
 2 JEFFREY A. SPIVAK Assistant U.S. Attorney 3 501 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 UNITED STATES OF AMERICA, 11 UNITED STATES OF AMERICA, 12 Plaintiff, 13 v. 14 APPROXIMATELY \$51,477.22 SEIZED FROM BANK OF AMERICA ACCOUNT NUMBER 16 2007 CHEVROLET SILVERADO 2500 HD TRUCK, VIN: IGCHC24K57E33386, 17 CALIFORNIA LICENSE: 8U52458, 18 Defendants. 19 Pursuant to the Stipulation for Consent Judgment of Forfeiture, the Court finds: 1. On October 17, 2013, officers with the Manteca Police Department ("MPD") executed 1a state search and seizer warrant at the Bank of America at 102 East Yosemite Avenue, Manteca, 2 California and seized the Approximately \$51,477.22 seized from Bank of America Account Number 20143542578 (hereafter "defendant funds"). 2. Also on October 17, 2013, officers with the MPD executed a state search warrant at 1028 Cottage Avenue, Manteca, California and found 34 large marijuana plants, three pounds of 207 Chevrolet Silverado 2500 HD Truck (hereafter "defendant vehicle"). 	1	United States Attorney JEFFREY A. SPIVAK Assistant U. S. Attorney 501 I Street, Suite 10-100 Sacramento, CA 95814	
 3011 Street, Suite 10-100 Sacramento, CA 95814 Telephone: (916) 554-2700 Attorneys for the United States Attorneys for the United States IN THE UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA UNITED STATES OF AMERICA, Plaintiff, V. Plaintiff, V. APPROXIMATELY \$51,477.22 SEIZED FROM BANK OF AMERICA ACCOUNT NUMBER 20143542578, and Defendants. Pursuant to the Stipulation for Consent Judgment of Forfeiture, the Court finds: I. On October 17, 2013, officers with the Manteca Police Department ("MPD") executed a state search and seized the Approximately \$51,477.22 seized from Bank of America Account Number 00143542578 (hereafter "defendant funds"). Also on October 17, 2013, officers with the MPD executed a state search warrant at 1028 Cottage Avenue, Manteca, California and found 34 large marijuana plants, three pounds of processed marijuana, packaging materials, and approximately \$41,437.00 in cash. Officers also seized a 2007 Chevrolet Silverado 2500 HD Truck (hereafter "defendant vehicle"). 	2		
4 Telephone: (916) 554-2700 5 Attorneys for the United States 6 IN THE UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF CALIFORNIA 10 UNITED STATES OF AMERICA, 2:14-MC-00070-KJM-KJN 12 Plaintiff, 2:14-MC-00070-KJM-KJN 13 v. CONSENT JUDGMENT OF 14 APPROXIMATELY \$51,477.22 SEIZED FROM BANK OF AMERICA ACCOUNT NUMBER 00143542578, and CONSENT JUDGMENT OF 16 2007 CHEVROLET SILVERADO 2500 HD TRUCK, VIN: IGCHC24K57E533386, CALIFORNIA LICENSE: 8U52458, CALIFORNIA INFORMATION OF CONSENT Judgment of Forfeiture, the Court finds: 19 Pursuant to the Stipulation for Consent Judgment of Forfeiture, the Court finds: 20 1. On October 17, 2013, officers with the Manteca Police Department ("MPD") executed 21 a state search and seizure warrant at the Bank of America at 102 East Yosemite Avenue, Manteca, 22 California and seized the Approximately S51,477.22 seized from Bank of America Account Number 201013542578 (hereafter "defendant funds"). 2. Also on October 17, 2013, officers with the MPD executed a state search warrant at 1028 Cottage Avenue, Manteca, California and found 34 large marijuana plants, three pounds of	3		
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28	27	a 2007 Chevrolet Silverado 2500 HD Truck (hereafter "defendant vehicle").	
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3. The DEA commenced administrative forfeiture proceedings, sending direct written
 notice to all known potential claimants and publishing notice to all others. On or about February 5,
 2014, the DEA received a claim from Lorena Farias asserting an ownership interest in the defendant
 funds and the defendant vehicle.

4. The United States represents that it could show at a forfeiture trial that on October 17,
2013, a state search warrant was executed at the residence of Lorena Farias and Benjamin Medina in
Manteca, California. Officers with the MPD found 34 large marijuana plants, three pounds of
processed marijuana, packaging materials, and approximately \$41,437.00 in cash. Officers also seized
the defendant vehicle.

5. The United States represents that it could also show at a forfeiture trial that on October
17, 2013, officers with MPD executed a state search and seizure warrant at the Bank of America at 102
East Yosemite Avenue, Manteca, California and seized defendant funds.

13 6. The United States could further show at a forfeiture trial that the defendant funds and the
14 defendant vehicle are forfeitable to the United States pursuant to 21 U.S.C § 881(a)(6).

7. Without admitting the truth of the factual assertions contained in this stipulation, Lorena 15 Farias specifically denies the same, and for the purpose of reaching an amicable resolution and 16 compromise of this matter, Lorena Farias agrees that an adequate factual basis exists to support 17 forfeiture of the defendant funds and defendant vehicle. Lorena Farias hereby acknowledges that she is 18 the sole owner of the defendant funds and defendant vehicle, and that no other person or entity has any 19 legitimate claim of interest therein. Should any person or entity institute any kind of claim or action 20 against the government with regard to its forfeiture of the defendant currency, Lorena Farias shall hold 21 harmless and indemnify the United States, as set forth below. 22

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

9. This Court has venue pursuant to 28 U.S.C. § 1395, as this is the judicial district in
which the defendant currency was seized.

27 10. The parties herein desire to settle this matter pursuant to the terms of a duly executed
28 Stipulation for Consent Judgment of Forfeiture.

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

3 11. The Court adopts the Stipulation for Consent Judgment of Forfeiture entered into by and
4 between the parties.

12. All right, title and interest in the Approximately \$51,477.22 seized from Bank of
America Account Number 00143542578 and the 2007 Chevrolet Silverado 2500 HD Truck, VIN:
1GCHC24K57E533386, California License: 8U52458, shall be forfeited to the United States pursuant
to 21 U.S.C. § 881(a)(6), to be disposed of according to law.

9 13. The United States of America and its servants, agents, and employees and all other
10 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 or forfeiture of the defendant currency. This is a full and
12 final release applying to all unknown and unanticipated injuries, and/or damages arising out of said
13 seizure or forfeiture, as well as to those now known or disclosed. Lorena Farias waives the provisions
14 of California Civil Code § 1542.

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

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

19 16. Pursuant to the Stipulation for Consent Judgment of Forfeiture filed herein, the Court
20 enters this Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465, that there was reasonable cause
21 for the seizure of the above-described defendant funds and defendant vehicle.

IT IS SO ORDERED.

DATED: September 18, 2014.

UNITED STATES DISTRICT JUDGE