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

10  
 11 UNITED STATES OF AMERICA,

2:14-MC-00070-KJM-KJN

12 Plaintiff,

13 v.

CONSENT JUDGMENT OF  
 FORFEITURE

14 APPROXIMATELY \$51,477.22 SEIZED FROM  
 BANK OF AMERICA ACCOUNT NUMBER  
 15 00143542578, and

16 2007 CHEVROLET SILVERADO 2500 HD  
 TRUCK, VIN: 1GCHC24K57E533386,  
 17 CALIFORNIA LICENSE: 8U52458,

18 Defendants.

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 \$51,477.22 seized from Bank of America Account Number  
 23 00143542578 (hereafter “defendant funds”).

24 2. Also on October 17, 2013, officers with the MPD executed a state search warrant at  
 25 1028 Cottage Avenue, Manteca, California and found 34 large marijuana plants, three pounds of  
 26 processed marijuana, packaging materials, and approximately \$41,437.00 in cash. Officers also seized  
 27 a 2007 Chevrolet Silverado 2500 HD Truck (hereafter “defendant vehicle”).  
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1           3.       The DEA commenced administrative forfeiture proceedings, sending direct written  
2 notice to all known potential claimants and publishing notice to all others. On or about February 5,  
3 2014, the DEA received a claim from Lorena Farias asserting an ownership interest in the defendant  
4 funds and the defendant vehicle.

5           4.       The United States represents that it could show at a forfeiture trial that on October 17,  
6 2013, a state search warrant was executed at the residence of Lorena Farias and Benjamin Medina in  
7 Manteca, California. Officers with the MPD found 34 large marijuana plants, three pounds of  
8 processed marijuana, packaging materials, and approximately \$41,437.00 in cash. Officers also seized  
9 the defendant vehicle.

10          5.       The United States represents that it could also show at a forfeiture trial that on October  
11 17, 2013, officers with MPD executed a state search and seizure warrant at the Bank of America at 102  
12 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).

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

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

25          9.       This Court has venue pursuant to 28 U.S.C. § 1395, as this is the judicial district in  
26 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.

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

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

5 12. All right, title and interest in the Approximately \$51,477.22 seized from Bank of  
6 America Account Number 00143542578 and the 2007 Chevrolet Silverado 2500 HD Truck, VIN:  
7 1GCHC24K57E533386, California License: 8U52458, shall be forfeited to the United States pursuant  
8 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  
11 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.

18 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.

22 IT IS SO ORDERED.

23 DATED: September 18, 2014.

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26 UNITED STATES DISTRICT JUDGE  
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