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

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 11 UNITED STATES OF AMERICA,
 12 Plaintiff,
 13 v.
 14 APPROXIMATELY \$12,040.00 IN U.S.
 CURRENCY,
 15 Defendant.
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2:15-MC-00057-KJM-AC

CONSENT JUDGMENT OF FORFEITURE

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

18 1. On or about November 22, 2014, the U.S. Forest Service (“USFS”) seized
 19 Approximately \$12,040.00 in U.S. Currency (the “Defendant Currency”) from two packages
 20 inside the vehicle Reyes was driving on Highway 36 in Trinity County, California.

21 2. The Federal Bureau of Investigation (“FBI”) commenced administrative
 22 forfeiture proceedings, sending direct notice to all known potential claimants and
 23 publishing notice to all others. On or about February 25, 2015, the FBI received a claim
 24 from Reyes asserting an ownership interest in the Defendant Currency.

25 3. The United States represents that it could show at a forfeiture trial that on
 26 November 22, 2014, officers with the USFS initiated a traffic stop on the vehicle Reyes

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1 was driving in the Shasta Trinity National Forest for having tinted front windows in
2 violation of the California Vehicle Code.

3 4. The United States could further show at trial that during the traffic stop,
4 officers discovered that the interior of Reyes' car was covered in marijuana shake and
5 smelled strongly of marijuana as if the car had been used to transport or hold marijuana.
6 Based on a probable cause search of the car, the officers found two bundles of cash worth
7 approximately \$12,040. The first bundle was in a manila envelope in the glove box and
8 the other bundle was located in a paper bag in the rear of the car. Marijuana shake was
9 present in the manila envelope. A drug detection dog positively alerted to the defendant
10 currency. Reyes admitted to trimming marijuana bushes, that she was traveling back to
11 Oregon, and she did not know the amount of cash in her car.

12 5. The United States could further show at a forfeiture trial that the Defendant
13 Currency is forfeitable to the United States pursuant to 21 U.S.C. § 881(a)(6).

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

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

26 8. This Court has venue pursuant to 28 U.S.C. § 1395, as this is the judicial
27 district in which the Defendant Currency was seized.

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1 9. The parties herein desire to settle this matter pursuant to the terms of a
2 duly executed Stipulation for Consent Judgment of Forfeiture.

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

5 10. The Court adopts the Stipulation for Consent Judgment of Forfeiture
6 entered into by and between the parties.

7 11. Upon entry of the Consent Judgment of Forfeiture, \$10,000.00 of the
8 Approximately \$12,040.00 in U.S. Currency, together with any interest that may have
9 accrued on the total amount seized, shall be forfeited to the United States pursuant to 21
10 U.S.C. § 881(a)(6), to be disposed of according to law.

11 12. Upon entry of the Consent Judgment of Forfeiture, but no later than 60 days
12 thereafter, \$2,040.00 of the Approximately \$12,040.00 in U.S. Currency shall be returned
13 to potential claimant Ariana Reyes.

14 13. The United States of America and its servants, agents, and employees and
15 all other public entities, their servants, agents and employees, are released from any and
16 all liability arising out of or in any way connected with the seizure or forfeiture of the
17 Defendant Currency. This is a full and final release applying to all unknown and
18 unanticipated injuries, and/or damages arising out of said seizure or forfeiture, as well as
19 to those now known or disclosed. Ariana Reyes waives the provisions of California Civil
20 Code § 1542.

21 14. No portion of the stipulated settlement, including statements or admissions
22 made therein, shall be admissible in any criminal action pursuant to Rules 408 and
23 410(a)(4) of the Federal Rules of Evidence.

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

25 16. Pursuant to the Stipulation for Consent Judgment of Forfeiture filed herein,
26 the Court enters this Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465, that
27 there was reasonable cause for the seizure of the above-described Defendant Currency.

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1 IT IS SO ORDERED.

2 DATED: June 30, 2015.

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5 UNITED STATES DISTRICT JUDGE
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