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

10
11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 APPROXIMATELY \$122,500.00 IN U.S.
CURRENCY,

15 Defendant.
16

2:16-CV-02066-TLN-CKD

FINDINGS AND
RECOMMENDATIONS

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

- 22 1. This action arose out of a Verified Complaint for Forfeiture *In Rem* filed August 29,
23 2016.
- 24 2. The United States has moved this Court, pursuant to Local Rule 540, for entry of default
25 judgment of forfeiture against potential claimants David Guzman and Kareem Whitely.
- 26 3. The United States has shown that a complaint for forfeiture was filed; that potential
27 claimants David Guzman and Kareem Whitely received notice of the forfeiture action; that any and all
28 other unknown potential claimants have been served by publication; and that grounds exist for entry of

1 a final judgment of forfeiture.

2 Therefore, IT IS RECOMMENDED as follows:

3 1. That David Guzman and Kareem Whitely be held in default;

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

6 3. That judgment by default be entered against any right, title, or interest of potential
7 claimants David Guzman and Kareem Whitely in the defendant currency referenced in the above
8 caption;

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

11 These findings and recommendations are submitted to the United States District Judge assigned
12 to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days after being served
13 with these findings and recommendations, any party may file written objections with the court and
14 serve a copy on all parties. Such a document should be captioned "Objections to Magistrate Judge's
15 Findings and Recommendations." Any reply to the objections shall be served and filed within seven
16 days after service of the objections. The parties are advised that failure to file objections within the
17 specified time may waive the right to appeal the District Court's order. Martinez v. Ylst, 951 F.2d
18 1153 (9th Cir. 1991).

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20 Dated: December 1, 2016



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22 CAROLYN K. DELANEY
23 UNITED STATES MAGISTRATE JUDGE
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