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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 \$20,391.03 SEIZED
FROM GO BANK ACCOUNT NUMBER
15 XXXXX6421,

16 Defendant.
17

2:16-CV-02705-KJM-CKD

FINDINGS AND
RECOMMENDATIONS

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

- 23 1. This action arose out of a Verified Complaint for Forfeiture *In Rem* filed November 14,
24 2016.
- 25 2. The United States has moved this Court, pursuant to Local Rule 540, for entry of default
26 judgment of forfeiture against potential claimants Brandon Esposito and Michael King.
- 27 3. The United States has shown that a complaint for forfeiture was filed; that potential
28 claimants Brandon Esposito and Michael King received notice of the forfeiture action; that any and all

1 other unknown potential claimants have been served by publication; and that grounds exist for entry of
2 a final judgment of forfeiture.

3 Therefore, IT IS RECOMMENDED as follows:

- 4 1. That Brandon Esposito and Michael King be held in default;
- 5 2. That the United States' motion for default judgment and final judgment of forfeiture be
6 granted;
- 7 3. That judgment by default be entered against any right, title, or interest of potential
8 claimants Brandon Esposito and Michael King in the defendant funds referenced in the above caption;
- 9 4. That a final judgment be entered, forfeiting all right, title, and interest in the defendant
10 funds to the United States, to be disposed of according to law;
- 11 5. That the Default Judgment and Final Judgment of Forfeiture lodged herein be signed by
12 the Honorable Kimberly J. Mueller and filed by the Clerk of the Court.

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

19 Dated: March 22, 2017



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE