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

10
11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 APPROXIMATELY \$12,000.00 IN U.S.
CURRENCY,

15 APPROXIMATELY \$9,000.00 IN U.S.
16 CURRENCY, and

17 APPROXIMATELY \$8,900.00 IN U.S.
CURRENCY,

18 Defendants.
19

No. 2:16-cv-02762-MCE-DB

FINDINGS AND
RECOMMENDATIONS

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

25 1. This action arose out of a Verified Complaint for Forfeiture *In Rem* filed November 22,
26 2016.

27 2. The United States has moved this Court, pursuant to Local Rule 540, for entry of default
28 judgment of forfeiture against potential claimants Gordon Bryan Cellum, Gabriel Santillan, and Keisha

1 Maldonado.

2 3. The United States has shown that a complaint for forfeiture was filed; that potential
3 claimants Gordon Bryan Cellum, Gabriel Santillan, and Keisha Maldonado received notice of the
4 forfeiture action; that any and all other unknown potential claimants have been served by publication;
5 and that grounds exist for entry of a final judgment of forfeiture.

6 Therefore, IT IS RECOMMENDED as follows:

7 1. That Gordon Bryan Cellum, Gabriel Santillan, and Keisha Maldonado be held in default;
8 2. That the United States' motion for default judgment and final judgment of forfeiture be
9 granted;

10 3. That judgment by default be entered against any right, title, or interest of potential
11 claimants Gordon Bryan Cellum, Gabriel Santillan, and Keisha Maldonado in the defendant currency
12 referenced in the above caption;

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

15 5. That the Default Judgment and Final Judgment of Forfeiture lodged herein be signed by
16 the Honorable Morrison C. England, Jr. and filed by the Clerk of the Court.

17 These findings and recommendations will be submitted to the United States District Judge
18 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen (14) days
19 after these findings and recommendations are filed, any party may file written objections with the court.
20 A document containing objections should be titled "Objections to Magistrate Judge's Findings and
21 Recommendations." Any reply to the objections shall be served and filed within seven (14) days after
22 service of the objections. The parties are advised that failure to file objections within the specified time
23 may, under certain circumstances, waive the right to appeal the District Court's order. See Martinez v.
24 Ylst, 951 F.2d 1153 (9th Cir. 1991).

25 Dated: January 30, 2017

26
27 DB:6
28 DB/orders/orders.civil/USv\$12,000.2762.mdj.f&rs


DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE
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