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

10
 11 UNITED STATES OF AMERICA,

2:16-CV-02763-MCE-AC

12 Plaintiff,

FINAL JUDGMENT OF FORFEITURE

13 v.

14 APPROXIMATELY \$19,980.00 IN U.S.
 CURRENCY,

15 Defendant.
 16

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

18 1. This is a civil forfeiture action against Approximately \$19,980.00 in U.S. Currency
 19 (hereafter “defendant currency”) seized on August 8, 2015.

20 2. A Verified Complaint for Forfeiture *In Rem* (“Complaint”) was filed on November 22,
 21 2016, alleging that said defendant currency is subject to forfeiture to the United States pursuant to 21
 22 U.S.C. § 881(a)(6).

23 3. On November 22, 2016, the Clerk issued a Warrant for Arrest for the defendant currency,
 24 and that warrant was executed on November 25, 2016.

25 4. Beginning on December 7, 2016, for at least thirty consecutive days, the United States
 26 published Notice of the Forfeiture Action on the official internet government forfeiture site
 27 www.forfeiture.gov. A Declaration of Publication was filed on January 24, 2017.

28 5. In addition to the public notice on the official internet government forfeiture site

1 www.forfeiture.gov, actual notice or attempted notice was given to the following individuals:

- 2 a. Jonathan Stout, and
3 b. Ricardo Jimenez.

4 6. Claimant Alexander Hicks filed a claim on February 7, 2017. No Answer has been filed
5 by the claimant. No other parties have filed claims or answers in this matter, and the time in which any
6 person or entity may file a claim and answer has expired.

7 7. The Clerk of the Court entered a Clerks Certificate of Entry of Default against Jonathan
8 Stout and Ricardo Jimenez on January 26, 2017. Pursuant to Local Rule 540, the United States and
9 claimant request that, as a part of this Final Judgment of Forfeiture, the Court enter a default judgment
10 against the interests, if any, of Jonathan Stout and Ricardo Jimenez without further notice.

11 Based on the above findings, and the files and records of the Court, it is hereby ORDERED
12 AND ADJUDGED:

13 1. Judgment is hereby entered against claimant Alexander Hicks, and all other potential
14 claimants who have not filed claims in this action.

15 2. Upon entry of this Final Judgment of Forfeiture, \$9,990.00 of the Approximately
16 \$19,980.00 in U.S. Currency, together with any interest that may have accrued on the total amount
17 seized, shall be forfeited to the United States pursuant to 21 U.S.C. § 881(a)(6), to be disposed of
18 according to law.

19 3. Upon entry of this Final Judgment of Forfeiture, but no later than 60 days thereafter,
20 \$9,990.00 of the Approximately \$19,980.00 in U.S. Currency shall be returned to claimant Alexander
21 Hicks through his attorney Jacek W. Lentz.

22 4. The United States and its servants, agents, and employees and all other public entities,
23 their servants, agents, and employees, are released from any and all liability arising out of or in any
24 way connected with the seizure, arrest, or forfeiture of the defendant currency. This is a full and final
25 release applying to all unknown and unanticipated injuries, and/or damages arising out of said seizure,
26 arrest, or forfeiture, as well as to those now known or disclosed. Claimant Alexander Hicks waived
27 the provisions of California Civil Code § 1542.

28 5. All parties are to bear their own costs and attorneys' fees.


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6. The U.S. District Court for the Eastern District of California, Hon. Morrison C. England, Jr., District Judge, shall retain jurisdiction to enforce the terms of this Final Judgment of Forfeiture.

7. Based upon the allegations set forth in the Complaint filed November 22, 2016, and the Stipulation for Final Judgment of Forfeiture filed herein, the Court enters this Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465, that there was reasonable cause for the seizure and arrest of the defendant currency, and for the commencement and prosecution of this forfeiture action.

IT IS SO ORDERED.

Dated: February 28, 2017


MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE