1 2 3 4 5 6	PHILLIP A. TALBERT Assistant United States Attorney KEVIN C. KHASIGIAN Assistant U. S. Attorney 501 I Street, Suite 10-100 Sacramento, CA 95814 Telephone: (916) 554-2700 Attorneys for the United States	
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8	IN THE UNITED STATES DISTRICT COURT	
9	EASTERN DISTRICT OF CALIFORNIA	
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11	UNITED STATES OF AMERICA,	2:16-MC-00121-MCE-AC
12	Plaintiff,	
13	V.	CONSENT JUDGMENT OF FORFEITURE
14	APPROXIMATELY \$6,300.00 IN U.S. CURRENCY,	
15	Defendant.	
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17	Pursuant to the Stipulation for Consent Judgment of Forfeiture, the Court finds:	
18	1. On February 11, 2016, agents with the United States Postal Inspection Service	
19	("USPIS") seized approximately \$6,300.00 in U.S. Currency ("the defendant currency") from Thomas	
20	Previglian ("Previglian") during a parcel interdiction at the Processing and Distribution Center located	
21	in West Sacramento, California.	
22	2. USPIS commenced administrative forfeiture proceedings, sending direct written notice	
23	to all known potential claimants and publishing notice to all others. On or about April 6, 2016, USPIS	
24	received a claim from Previglian asserting an ownership interest in the defendant currency.	
25	3. The United States represents that it could show at a forfeiture trial that on February 11,	
26	2016, USPIS conducted a parcel interdiction at the Processing and Distribution Center located at 3775	
27	Industrial Boulevard, West Sacramento, California. During the interdiction, law enforcement officials	
28	identified a parcel that bore markers consistent with parcels used for shipping contraband. The	
	I Consent Judgment of Forfeiture	
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package was addressed to Foothill Wellness, 6100 Horseshoe Bar Rd, Suite A, Loomis, California,
 95650, with the following return address: Thomas R Previglian, 4071 Erie St, Salamanca, NY 14779.

4. The United States represents that it could further show at a forfeiture trial that law
enforcement officials contacted Previglian, who confirmed he had sent a package containing cash to
Foothill Wellness. Previglian told officials he had sent \$8,000 in the package and he was investing in
a business venture called Wellness Center. The parcel was presented to a drug detection dog, who
positively alerted to the presence of the odor of narcotics. Upon opening the parcel, law enforcement
agents discovered a silver metallic envelope containing the defendant currency folded inside some
newspapers.

10 5. The United States could further show at a forfeiture trial that the defendant currency is
11 forfeitable to the United States pursuant to 21 U.S.C. § 881(a)(6).

6. Without admitting the truth of the factual assertions contained above, Previglian
specifically denying the same, and for the purpose of reaching an amicable resolution and compromise
of this matter, Claimant agrees that an adequate factual basis exists to support forfeiture of the defendant
currency. Previglian hereby acknowledges that he is the sole owner of the defendant currency, and that
no other person or entity has any legitimate claim of interest therein. Should any person or entity
institute any kind of claim or action against the government with regard to its forfeiture of the defendant
currency, Claimant shall hold harmless and indemnify the United States, as set forth below.

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

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

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

25 Based upon the above findings, and the files and records of the Court, it is hereby ORDERED26 AND ADJUDGED:

27 1. The Court adopts the Stipulation for Consent Judgment of Forfeiture entered into by28 and between the parties.

Upon entry of this Consent Judgment of Forfeiture, \$3,150.00 of the Approximately
 \$6,300.00 in U.S. Currency, together with any interest that may have accrued on the total amount
 seized, shall be forfeited to the United States pursuant to 21 U.S.C. § 881(a)(6), to be disposed of
 according to law.

5 3. Upon entry of the Consent Judgment of Forfeiture, but no later than 60 days thereafter,
6 \$3,150.00 of the Approximately \$6,300.00 in U.S. Currency shall be returned to claimant Thomas
7 Previglian through his attorney Jacek W. Lentz.

8 4. The United States of America and its servants, agents, and employees and all other
9 public entities, their servants, agents and employees, are released from any and all liability arising out
10 of or in any way connected with the seizure or forfeiture of the defendant currency. This is a full and
11 final release applying to all unknown and unanticipated injuries, and/or damages arising out of said
12 seizure or forfeiture, as well as to those now known or disclosed. Previglian waives the provisions of
13 California Civil Code § 1542.

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

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

7. Pursuant to the Stipulation for Consent Judgment of Forfeiture filed herein, the Court
enters a Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465, that there was reasonable cause
for the seizure of the above-described defendant currency.

IT IS SO ORDERED

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Dated: September 27, 2016

C. ENGLAND. UNITED STATES DISTRICT JUDGE

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