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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,

2:16-MC-00121-MCE-AC

13 v.

CONSENT JUDGMENT OF FORFEITURE

14 APPROXIMATELY \$6,300.00 IN U.S.
 CURRENCY,
 15 Defendant.
 16

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

1 package was addressed to Foothill Wellness, 6100 Horseshoe Bar Rd, Suite A, Loomis, California,
2 95650, with the following return address: Thomas R Previglian, 4071 Erie St, Salamanca, NY 14779.

3 4. The United States represents that it could further show at a forfeiture trial that law
4 enforcement officials contacted Previglian, who confirmed he had sent a package containing cash to
5 Foothill Wellness. Previglian told officials he had sent \$8,000 in the package and he was investing in
6 a business venture called Wellness Center. The parcel was presented to a drug detection dog, who
7 positively alerted to the presence of the odor of narcotics. Upon opening the parcel, law enforcement
8 agents discovered a silver metallic envelope containing the defendant currency folded inside some
9 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).

12 6. Without admitting the truth of the factual assertions contained above, Previglian
13 specifically denying the same, and for the purpose of reaching an amicable resolution and compromise
14 of this matter, Claimant agrees that an adequate factual basis exists to support forfeiture of the defendant
15 currency. Previglian hereby acknowledges that he is the sole owner of the defendant currency, and that
16 no other person or entity has any legitimate claim of interest therein. Should any person or entity
17 institute any kind of claim or action against the government with regard to its forfeiture of the defendant
18 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.

21 8. This Court has venue pursuant to 28 U.S.C. § 1395, as this is the judicial district in
22 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 ORDERED
26 AND ADJUDGED:

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

