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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 \$8,000.00 IN U.S.
CURRENCY,

15 Defendant.
16

No. 2:17-cv-2538-TLN-DB

FINDINGS AND
RECOMMENDATIONS

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

- 22 1. This action arose out of a Verified Complaint for Forfeiture *In Rem* filed December 1,
23 2017.
- 24 2. The United States has moved this Court, pursuant to Local Rule 540, for entry of default
25 judgment of forfeiture against potential claimants Jalen Angel and E. Diaza.
- 26 3. The United States has shown that a complaint for forfeiture was filed; that potential
27 claimants Jalen Angel and E. Diaza received notice of the forfeiture action; that any and all other
28 unknown potential claimants have been served by publication; and that grounds exist for entry of a final

1 judgment of forfeiture.

2 Therefore, IT IS RECOMMENDED as follows:

3 1. That Jalen Angel and E. Diaza be held in default;

4 2. That the United States' motion for default judgment and final judgment of forfeiture be
5 granted;


6 3. That judgment by default be entered against any right, title, or interest of potential
7 claimants Jalen Angel and E. Diaza in the defendant currency referenced in the above caption;

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

10 5. That the Default Judgment and Final Judgment of Forfeiture lodged herein be signed by
11 the Honorable Troy L. Nunley and filed by the Clerk of the Court.

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

20 Dated: May 17, 2018

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22 
23 DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE

24 DB:6
25 DB/orders/orders.civil/USv\$8,000.2538.mdj.f&rs