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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 \$10,270.00 IN U.S.
 CURRENCY,
 15 Defendant.
 16

2:17-MC-00174-MCE-AC

CONSENT JUDGMENT OF FORFEITURE

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

18 1. On or about May 23, 2017, law enforcement agents with the U.S. Postal Inspection
 19 Service (“USPIS”) seized Approximately \$10,270.00 in U.S. Currency (hereafter the "defendant
 20 currency").

21 2. The USPIS commenced administrative forfeiture proceedings, sending direct written
 22 notice to all known potential claimants and publishing notice to all others. On or about August 16,
 23 2017, the USPIS received a claim from William “Bill” Bryon (“Byron”) asserting an ownership interest
 24 in the defendant currency.

25 3. The United States represents that it could show at a forfeiture trial that on May 23,
 26 2017, 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 Jenny Bryon, 19867 Siesta Way, Red Bluff, CA, 96080, with the following
2 return address: Bill Byron, 12 East 31st Street, New York, NY 10016.

3 4. The United States represents that it could further show at a forfeiture trial that on May
4 23, 2017, law enforcement agents traveled to address of Jenny Byron, who told law enforcement
5 agents she was expecting a parcel from her husband. Jenny Byron told agents she did not know what
6 was in the parcel, but did not want to disclaim the parcel until she spoke with her husband. After
7 Jenny Bryon could not reach Byron, she gave consent to open the parcel. The parcel contained two
8 bundles of cash that were wrapped in carbon paper inside a Cheezit box, wrapped in a used pair of
9 pants inside a Tyvek mailer. The cash totaled \$10,270 and was mainly \$20 bills, making up \$10,140
10 of the defendant currency.

11 5. The United States represents that it could further show at a forfeiture trial that during
12 the interview of Jenny Byron at the 19867 Siesta Way property, law enforcement agents noticed
13 several marijuana plants growing on the property.

14 6. The United States represents that it could further show at a forfeiture trial that the
15 parcel was presented to a drug detection dog, who positively alerted to the presence of the odor of
16 narcotics.

17 7. The United States represents that it could further show at a forfeiture trial that the
18 defendant currency is forfeitable to the United States pursuant to 21 U.S.C. § 881(a)(6).

19 8. Without admitting the truth of the factual assertions contained in this stipulation,
20 potential claimant Byron specifically denies the same, and for the purpose of reaching an amicable
21 resolution and compromise of this matter, potential claimant Byron agrees that an adequate factual basis
22 exists to support forfeiture of the defendant currency. Byron hereby acknowledges that he is the sole
23 owner of the defendant currency, and that no other person or entity has any legitimate claim of interest
24 therein. Should any person or entity institute any kind of claim or action against the government with
25 regard to its forfeiture of the defendant currency, potential claimant Byron shall hold harmless and
26 indemnify the United States, as set forth below.

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

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

3 11. The parties herein desire to settle this matter pursuant to the terms of a duly executed
4 Stipulation for Consent Judgment of Forfeiture.

5 Based upon the above findings, and the files and records of the Court, it is hereby ORDERED
6 AND ADJUDGED:

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

9 2. Upon entry of the Consent Judgment of Forfeiture, \$9,243.00 of the Approximately
10 \$10,270.00 in U.S. Currency, together with any interest that may have accrued on the entire amount
11 seized, shall be forfeited to the United States pursuant to 21 U.S.C. § 881(a)(6), to be disposed of
12 according to law.

13 3. Upon entry of the Consent Judgment of Forfeiture, but no later than 60 days thereafter,
14 \$1,027.00 of the Approximately \$10,270.00 in U.S. Currency shall be returned to potential claimant
15 William Byron through his attorney Candice Fields.

16 4. The United States of America and its servants, agents, and employees and all other
17 public entities, their servants, agents and employees, are released from any and all liability arising out
18 of or in any way connected with the seizure or forfeiture of the defendant currency. This is a full and
19 final release applying to all unknown and unanticipated injuries, and/or damages arising out of said
20 seizure or forfeiture, as well as to those now known or disclosed. Potential claimant Britt waives the
21 provisions of California Civil Code § 1542.

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

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

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

4 IT IS SO ORDERED.

5 Dated: February 8, 2018

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7 MORRISON C. ENGLAND, JR.
8 UNITED STATES DISTRICT JUDGE
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