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

10  
 11 UNITED STATES OF AMERICA,

2:18-CV-00642-KJM-CKD

12 Plaintiff,

FINAL JUDGMENT OF FORFEITURE

13 v.

14 APPROXIMATELY \$20,080.00 IN U.S.  
 CURRENCY,

15 Defendant.  
 16

17 Pursuant to the Request for Final Judgment of Forfeiture filed herein, the Court finds:

- 18 1. This is a civil forfeiture action against defendant Approximately \$20,080.00 in U.S.  
 19 Currency (hereafter “defendant currency”) seized on or about April 6, 2017.
- 20 2. The United States and potential claimant Keith Caldwell entered into several Stipulations  
 21 and Orders extending the United States’ time to file a complaint in Case No. 2:17-MC-00144-KJM-  
 22 KJN. The Order entered on or about January 24, 2018, extended the time to file the complaint to March  
 23 28, 2018.
- 24 3. On March 20, 2018, pursuant to a Stipulation for Final Judgment of Forfeiture,  
 25 potential claimant Keith Caldwell (“claimant” or “Caldwell”) agreed to forfeit a portion of his right,  
 26 title, and interest in the defendant currency, plus any accrued interest on the total amount seized, to the  
 27 United States pursuant to 21 U.S.C. § 881(a)(6), to be disposed of according to law. That Stipulation  
 28 is attached to the Request for Final Judgment of Forfeiture filed herein.

1           4.       A Verified Complaint for Forfeiture *In Rem* (“Complaint”) was filed on March 24, 2018,  
2 alleging that said defendant currency is subject to forfeiture to the United States pursuant to 21 U.S.C. §  
3 881(a)(6).

4           5.       On March 26, 2018, the Clerk issued a Warrant for Arrest for the defendant currency, and  
5 that warrant was executed on April 6, 2018.

6           6.       Beginning on March 28, 2018, for at least thirty consecutive days, the United States  
7 published Notice of the Forfeiture Action on the official internet government forfeiture site  
8 [www.forfeiture.gov](http://www.forfeiture.gov). A Declaration of Publication was filed on June 19, 2018.

9           7.       In addition to the public notice on the official internet government forfeiture site  
10 [www.forfeiture.gov](http://www.forfeiture.gov), actual notice or attempted notice was given to the following individuals:

- 11           a.       Bounmy Chanhakhone
- 12           b.       Debra Trung

13           8.       The Clerk of the Court entered a Clerk’s Certificate of Entry of Default against Bounmy  
14 Chanhakhone and Debra Trung on June 27, 2018. Pursuant to Local Rule 540, the United States  
15 requests that, as a part of this Final Judgment of Forfeiture, the Court enter a default judgment against  
16 the interest, if any, of Bounmy Chanhakhone and Debra Trung without further notice.

17           9.       No parties have filed claims or answers in this matter, and the time in which any person  
18 or entity may file a claim and answer has expired.

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

21           1.       Judgment is hereby entered against potential claimants Keith Caldwell, Bounmy  
22 Chanhakhone, and Debra Trung, and all other potential claimants who have not filed claims in this  
23 action.

24           2.       Upon entry of this Final Judgment of Forfeiture, \$13,080.00 of the Approximately  
25 \$20,080.00 in U.S. Currency, together with any interest that may have accrued on the total amount  
26 seized, shall be forfeited to the United States pursuant to 21 U.S.C. § 881(a)(6), to be disposed of  
27 according to law.

28       /////

1           3.       Upon entry of this Final Judgment of Forfeiture, but no later than 60 days thereafter,  
2 \$7,000.00 of the Approximately \$20,080.00 in U.S. Currency shall be returned to claimant Keith  
3 Caldwell through his attorney David T. Page.

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

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

11          6.       The U.S. District Court for the Eastern District of California, Hon. Kimberly J. Mueller,  
12 District Judge, shall retain jurisdiction to enforce the terms of this Final Judgment of Forfeiture.

13          7.       Based upon the allegations set forth in the Complaint filed March 24, 2018, and the  
14 Stipulation for Final Judgment of Forfeiture filed herein, the Court enters this Certificate of Reasonable  
15 Cause pursuant to 28 U.S.C. § 2465, that there was reasonable cause for the seizure and arrest of the  
16 defendant currency, and for the commencement and prosecution of this forfeiture action.

17               SO ORDERED THIS 18th day of July, 2018.

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21 UNITED STATES DISTRICT JUDGE