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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-00808-KJM-CKD

12 Plaintiff,

13 v.

PARTIAL FINAL JUDGMENT OF  
 FORFEITURE RE REAL PROPERTY  
 LOCATED AT 4343 NORTH FORTY,  
 LINCOLN, CA AND 5371 ONTARIO STREET,  
 SACRAMENTO, CA

14 REAL PROPERTY LOCATED 4343 NORTH  
 FORTY, LINCOLN, CALIFORNIA, PLACER  
 15 COUNTY, APN: 031-310-028-000,  
 INCLUDING ALL APPURTENANCES AND  
 16 IMPROVEMENTS THERETO, ET AL.,

17 Defendants.

18 Pursuant to the Stipulation for Final Judgment of Forfeiture, the Court finds:

19 1. This is a civil forfeiture action against eight real properties, two of which are the real  
 20 property located at 4343 North Forty, Lincoln, California, Placer County, APN: 031-310-028-000  
 21 (“defendant North Forty”) and the real property located at 5371 Ontario Street, Sacramento, California,  
 22 Sacramento County, APN: 023-0275-015-0000 (“defendant Ontario Street”).

23 2. A Verified Complaint for Forfeiture *In Rem* (“Complaint”) was filed on April 5, 2018,  
 24 alleging that said defendant North Forty and defendant Ontario Street properties are subject to forfeiture  
 25 to the United States pursuant to 21 U.S.C. §§ 881(a)(6) and 881(a)(7).

26 3. On June 1, 2018, the defendant North Forty property was posted with a copy of the  
 27 Complaint and Notice of Complaint. On July 24, 2018, the defendant Ontario Street property was  
 28 posted with a copy of the Complaint and Notice of Complaint.

1           4.       Beginning on April 20, 2018, for at least 30 consecutive days, the United States  
2 published Notice of the Forfeiture Action on the official internet government forfeiture site  
3 [www.forfeiture.gov](http://www.forfeiture.gov). A Declaration of Publication was filed on May 21, 2018.

4           5.       In addition to the public notice on the official internet government forfeiture site  
5 [www.forfeiture.gov](http://www.forfeiture.gov), actual notice or attempted notice was given to the following individual(s):

- 6           a.       Qihua Pan
- 7           b.       Gayle Ansell, Pensco Trust Company, c/o Iron Oak Home Loans, Inc.
- 8           c.       Stephen M Ward and Debra L Ward, c/o Iron Oak Home Loans, Inc.
- 9           d.       Jing Jie Jiang
- 10          e.       Khoi Vo

11          6.       Claimant Khoi Vo filed a Claim on May 25, 2018 and an Answer on June 22, 2018,  
12 claiming a lien holder interest in the defendant Ontario Street property. Claimants Stephen M Ward and  
13 Debra L Ward Trust filed a Claim on June 13, 2018 and an Answer on June 25, 2018, claiming a lien  
14 holder interest in the defendant North Forty property. Claimant Ling Yan Jiang filed a Claim and  
15 Answer to the Complaint on June 29, 2018 claiming an interest in the defendant North Forty Property.  
16 Claimant Jing Jie Jiang filed a Claim and Answer to the Complaint on June 29, 2018 claiming an  
17 interest in the defendant Ontario Street property. No other parties have filed claims or answers  
18 regarding the defendant North Forty property or the Ontario Street property, and the time in which any  
19 person or entity may file a claim and answer has expired.

20          7.       On February 12, 2019, escrow closed for the defendant property at 5371 Ontario Street,  
21 Sacramento, California, Sacramento County, APN: 023-0275-015-0000, and the United States received  
22 a wire transfer in the amount of \$33,549.38, which will be substituted in lieu of the real property. Khoi  
23 Vo was paid in full through escrow. Khoi Vo filed a Stipulation and Order to Withdraw his Claim on  
24 September 26, 2019. On May 10, 2019, escrow closed for the defendant property at 4343 North Forty,  
25 Lincoln, California, Placer County, APN: 031-310-028-000, and the United States received a wire  
26 transfer in the amount of \$251,994.23, which will be substituted in lieu of the real property. Gayle  
27 Ansell and Stephen M Ward and Debra L Ward Trust were paid in full through escrow. Gayle Ansell  
28 and Stephen M Ward and Debra L Ward Trust filed a Stipulation and Order to Withdraw their Claim on  
August 12, 2019.

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1           8.       The Clerk of the Court has defaulted the property owner for the North Forty property  
2 after they were served with the Complaint documents and failed to file a claim within the statutory  
3 period to file a claim. Accordingly, the Clerk of the Court entered a Clerk's Certificate of Entry of  
4 Default against Qihua Pan on January 16, 2019. Pursuant to Local Rule 540, the United States and  
5 claimants thus join in a request that as part of the Partial Final Judgment of Forfeiture in this case the  
6 Court enter a default judgment against the interests, if any, of Qihua Pan without further notice.

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

9           1.       Judgment is hereby entered against claimants Ling Yan Jiang, Qihua Pan, Gayle Ansell,  
10 Pensco Trust Company, c/o Iron Oak Home Loans, Inc., Stephen M Ward and Debra L Ward, c/o Iron  
11 Oak Home Loans, Inc., Jing Jie Jiang and Khoi Vo, and all other potential claimants who have not filed  
12 claims in this action.

13           2.       Upon entry of a Final Judgment of Forfeiture, \$166,994.23 of the Approximately  
14 \$251,994.23 in net proceeds from the sale of defendant real property located at 4343 North Forty,  
15 Lincoln, California, Placer County, APN: 031-310-028-000, together with any interest that may have  
16 accrued on the total amount of net proceeds, shall be forfeited to the United States pursuant to 21 U.S.C.  
17 §§ 881(a)(6) and 881(a)(7), to be disposed of according to law.

18           3.       Upon entry of a Final Judgment of Forfeiture herein, but no later than 60 days thereafter,  
19 \$85,000.00 of the Approximately \$251,994.23 in net proceeds from the sale of defendant real property  
20 located at 4343 North Forty, Lincoln, California, Placer County, APN: 031-310-028-000, shall be  
21 returned to claimant Ling Yan Jiang through attorney Linda M. Parisi.

22           4.       Upon entry of a Final Judgment of Forfeiture, \$20,549.38 of the Approximately  
23 \$33,549.38 in net proceeds from the sale of defendant real property located at 5371 Ontario Street,  
24 Sacramento, California, Sacramento County, APN: 023-0275-015-0000, together with any interest that  
25 may have accrued on the total amount of net proceeds, shall be forfeited to the United States pursuant to  
26 21 U.S.C. §§ 881(a)(6) and 881(a)(7), to be disposed of according to law.

27           5.       Upon entry of a Final Judgment of Forfeiture herein, but no later than 60 days thereafter,  
28 \$13,000.00 of the Approximately \$33,549.38 in net proceeds from the sale of defendant real property

