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

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 11 UNITED STATES OF AMERICA,
 12 Plaintiff,
 13 v.
 14 REAL PROPERTY LOCATED AT 8744
 VYTINA DRIVE, ELK GROVE,
 15 CALIFORNIA, SACRAMENTO COUNTY,
 APN: 115-1460-028-0000, INCLUDING ALL
 16 APPURTENANCES AND IMPROVEMENTS
 THERETO, ET AL.,
 17 Defendants.

2:18-CV-00825-KJM-CKD
 PARTIAL FINAL JUDGMENT OF
 FORFEITURE RE REAL PROPERTY
 LOCATED AT 8744 VYTINA DRIVE,
 ELK GROVE, CA

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

- 20 1. This is a civil forfeiture action against seven real properties, one of which is the real
 21 property located at 8744 Vytina Drive, Elk Grove, California, Sacramento County, APN: 115-1460-028-
 22 0000 (“defendant property”).
- 23 2. A Verified Complaint for Forfeiture *In Rem* (“Complaint”) was filed on April 6, 2018,
 24 alleging that said defendant property is subject to forfeiture to the United States pursuant to 21 U.S.C. §§
 25 881(a)(6) and 881(a)(7).
- 26 3. On June 26, 2018, the defendant property was posted with a copy of the Complaint and
 27 Notice of Complaint.
- 28 4. Beginning on May 16, 2018, for at least 30 consecutive days, the United States published

1 Notice of the Forfeiture Action on the official internet government forfeiture site www.forfeiture.gov. A
2 Declaration of Publication was filed on July 15, 2018.

3 5. In addition to the public notice on the official internet government forfeiture site
4 www.forfeiture.gov, actual notice or attempted notice was given to the following individuals or entities
5 related to this defendant property:

- 6 a. Zhoubing Yang, and
- 7 b. PS Funding, Inc.

8 6. Claimant PS Funding, Inc. filed a Claim on June 8, 2018, claiming a lien holder interest
9 in the defendant property. Claimant Zhoubing Yang (“claimant”) filed a Verified Claim on June 25,
10 2018, and an Answer to the Complaint on July 4, 2018. No other parties have filed claims or answers
11 regarding this defendant property, and the time in which any person or entity may file a claim and
12 answer has expired.

13 7. On or about February 27, 2020, escrow closed for the defendant property at 8744 Vytina
14 Drive, Elk Grove, California, Sacramento County, APN: 115-1460-028-0000, and the United States
15 received a wire transfer in the amount of \$172,024.34, which will be substituted in lieu of the real
16 property. PS Funding, Inc. was paid in full through escrow. PS Funding, Inc. withdrew their Claim on
17 April 12, 2021.

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

20 1. Judgment is hereby entered against claimants PS Funding, Inc. and Zhoubing Yang, and
21 all other potential claimants who have not filed claims in this action.

22 2. Upon entry of this Final Judgment of Forfeiture, \$102,024.34 of the Approximately
23 \$172,024.34 in net proceeds from the sale of defendant real property located at 8744 Vytina Drive, Elk
24 Grove, California, Sacramento County, APN: 115-1460-028-0000, together with any interest that may
25 have accrued on the total amount of net proceeds, shall be forfeited to the United States pursuant to 21
26 U.S.C. §§ 881(a)(6) and 881(a)(7), to be disposed of according to law.

27 3. Upon entry of this Final Judgment of Forfeiture, but no later than 60 days thereafter,
28 \$70,000.00 of the Approximately \$172,024.34 in net proceeds from the sale of defendant real property

1 located at 8744 Vytina Drive, Elk Grove, California, Sacramento County, APN: 115-1460-028-0000,
2 shall be returned to claimant Zhoubing Yang through attorney Terry R. Hunt.

3 4. The United States and its servants, agents, and employees are released from any and all
4 liability arising out of or in any way connected with the filing of the Complaint and the posting of the
5 defendant property with the Complaint and Notice of Complaint. This is a full and final release
6 applying to all unknown and unanticipated injuries, and/or damages arising out of or in any way
7 connected with the filing of the Complaint and the posting of the defendant property with the Complaint
8 and Notice of Complaint, as well as those now known or disclosed. Claimant waived the provisions of
9 California Civil Code § 1542.

10 5. Claimant waived any and all claim or right to interest that may have accrued on the
11 money being forfeited in lieu of the defendant real property.

12 6. All parties are to bear their own costs and attorneys' fees.

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

15 8. Based upon the allegations set forth in the Complaint filed April 6, 2018, and the
16 Stipulation for Final Judgment of Forfeiture filed herein, the Court enters this Certificate of Reasonable
17 Cause pursuant to 28 U.S.C. § 2465, that there was reasonable cause for the filing of the Complaint and
18 the posting of the defendant property with the Complaint and Notice of Complaint, and for the
19 commencement and prosecution of this forfeiture action.

20 SO ORDERED THIS 1st day of May, 2023.

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23 _____
24 CHIEF UNITED STATES DISTRICT JUDGE
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